



Application for permission to remain in the State based on Ibrahim/Teixeira judgement

Who is this form for?

This form is for an individual making an application for permission to remain in the State based on either the Ibrahim or Teixeira judgement

Please read the information below carefully before you submit your application. If you do not submit sufficient information and/or evidence to show you qualify for permission to remain in the State your application may be refused.

You should use this application form if:

You may be eligible to apply for permission to remain in Ireland under the Ibrahim or Teixeira judgments if –

- You are the parent or primary carer of a child of an EU National who works or has worked in Ireland and the child is engaged in full time education in Ireland
- or
- You are the non-EU national child of an EU national who works or has worked in Ireland and you are engaged in full time education in Ireland

In addition -

- You entered the State when the EU National parent was exercising their rights in the State
- You are currently residing in the State
- The EU citizen child is under 18 years old and is a citizen of any EU Member State except Ireland
- The EU citizen child is residing in the State
- You are the primary carer of the EU citizen child
- You have comprehensive medical insurance and sufficient resources for yourself and any dependents living in the State so as not to be a burden on the State

How to complete this form:

- You must complete this form in CAPITAL letters
- You must place a tick (✓) in the boxes that are relevant to you
- You must complete all sections of this form which are relevant to you in full
- You must complete the sections relevant to the EU citizen child on their behalf
- You must submit photocopies of supporting documents for each application
- You must complete the checklist on page 39 and 40
- You, the applicant, must sign and date the declaration on page 38
- If you are unable to provide any of the information requested at this time, please explain the reason in writing and enclose with this application
- The application form will not be considered complete and your application will not be processed unless all relevant parts of the application form have been completed fully and all supporting documents have been submitted with the application
- You must send your completed application form and any supporting documents you wish to provide by post to the address below

**Join Family,
Immigration Service Delivery,
Department of Justice, Home Affairs and Migration,
13/14 Burgh Quay,
Dublin 2,
D02 XK70**

- Your application may be delayed if you do not send it by post to the address listed above
- We recommend you send your application by registered post
- If you choose to send your application by registered post you can track it on the An Post website, www.anpost.ie

Warning:

If you have a change in circumstances while your application is being processed, for example:

- If you change your personal details (your name, nationality, etc.)
- If your contact details change (your address or representative etc.)
- If there is a change in other circumstances (the EU National child leaves Ireland etc.)

you must inform EU Treaty Rights Division office immediately and provide any relevant supporting documentation.

It should be noted that permission granted pursuant to either the Ibrahim or Teixeira judgment is granted based on the holder continuing to meet the criteria set out within that judgment. Where an individual holding permission under the relevant judgment no longer meets the criteria, the Minister may revoke or alter that permission.

Note:

References to “EU National” and “EU Citizen Child” refers to citizens of the European Union, European Economic Area and Swiss citizens.

Data privacy notice

Introduction

1. The data you provide is collected by EU Treaty Rights Division in Immigration Service Delivery (ISD), a Business Unit of the Department of Justice, Home Affairs and Migration DOJ. The data controller for the information you provide is the Department of Justice, Home Affairs and Migration and the data controller's contact details are:

Principal Officer
Join Family,
Immigration Service Delivery
Department of Justice, Home Affairs and Migration,
13/14 Burgh Quay,
Dublin 2,
D02XK70

How will your personal data be used?

2. We will use the personal data you provide in your application for the purpose of:
 - assessing your entitlement or continued entitlement to reside in the State as the parent or primary carer of a child of an EU National who works or has worked in Ireland and the child is engaged in full time education in Irelandor
 - assessing your entitlement or continued entitlement to reside in the State as a non-EU national child of an EU national who works or has worked in Ireland and you are engaged in full time education in Ireland

Legal Basis for processing your Personal Data

3. Our legal basis for collecting and processing this data is in accordance Section 38 of the Data Protection Act 2018, the Ministers and Secretaries Act 1924 and Article 6(1)(e) of the General Data Protection Regulation (GDPR) – “processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller”.

Further processing of your Personal Data

4. Where it is necessary and proportionate to do so, in accordance with the Data Protection Act 2018 and the GDPR, further personal data may be requested or received from/provided to other Public Authorities/competent authorities/international organisations for the purpose of, but not limited to, the following pieces of legislation:

- Section 8(1) and 8(2) of the Immigration Act 2003,
- with section 37 of the Employment Permits Act 2006 and section 68 of the Employment Permits Act 2024;
- Section 261(2) of the Social Welfare Consolidation Act and Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2020;
- Section 41 of the Data Protection Act 2018.

5. We may also process your personal data for research or statistical purposes as allowed under the Data Protection Act 2018 and the GDPR.

Security of Personal Data

6. The personal data provided will be stored securely by the Department. It may be shared, where appropriate, with the following third parties:

- Government Departments and agencies
- An Garda Síochána
- EEA competent authorities
- EEA police forces
- UK competent authorities
- Individuals with your consent for example, employer, landlord
- Service providers of the DoJ, for example, data handling and storage providers, producer of Residence Card/Residence Document/Irish Residence Permit.

Contact for Queries

7. The contact for any queries in relation to this form is Join Family, Immigration Service Delivery, Department of Justice, Home Affairs and Migration, 13/14 Burgh Quay, Dublin 2, D02XK70. You can also contact us online by raising a query through the [ISD Customer Service Portal](#).

How long will Personal Data be retained?

8. Personal data will only be stored for as long as is necessary, in accordance with Article 5 of the General Data Protection Regulation. Where personal data must be retained in accordance with the National Archives Act, ISD will ensure that the data is held securely and inaccessible for

further processing.

How to Request a copy of your Personal Data

9. You can request a copy of your personal data by completing a Subject Access Request (SAR) form, available:

- at <https://www.gov.ie/en/department-of-justice-home-affairs-and-migration/services/make-a-subject-access-request-to-the-department-of-justice/> or
- from the Data Protection Support and Compliance Office (DPSCO) at the address below.

Forward the completed form by email to subjectaccessrequests@justice.ie or by post to the Data Protection Officer at the address below. You will be required to verify your identity before the data can be forwarded to you. The time limit for responding to a SAR commences once your identity has been verified.

Your Rights in relation to your Personal Data

10. You have the right to rectify any inaccuracies in your data. To do this you can either contact us through the [ISD Customer Service Portal](#) or by post to the Data Steward, Join Family, Immigration Service Delivery, Department of Justice, Home Affairs and Migration, 13/14 Burgh Quay, Dublin 2, D02XK70, documenting the inaccuracies, which need to be rectified. The right to rectification is not absolute and each request will be considered on its own merits.

11. You have the right, where appropriate, to obtain erasure of your data and/or a restriction on the processing of your data as well as the right to object to the processing of your data. The right to erasure, restriction or objection is not absolute and each request will be considered on its own merits.

12. You have the right to lodge a complaint with the Data Protection Commission (DPC). You can contact the DPC by webforms on their website www.dataprotection.ie or by post to: 6 Pembroke Row, Dublin 2, D02 X963.

Further details in relation to your data protection rights can be found in the Department of Justice, Home Affairs and Migration Data Protection Policy available at: <https://www.gov.ie/en/department-of-justice-home-affairs-and-migration/policy-information/data-protection>

Contact the DPO

You can contact the Data Protection Officer (DPO) for the Department of Justice, Home Affairs and Migration by post at:

Data Protection Officer,
Department of Justice, Home Affairs and Migration,
51 St. Stephen's Green,
Dublin 2, D02 HK52.

or

by email - dataprotectioncompliance@justice.ie

3.29b Date PPS number was issued

D	D	/	M	M	/	Y	Y	Y	Y
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3.30 Old Department of Justice reference number (if they have one)

6	9	/								/		
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4.8 Have you previously applied for permission to visit or reside in Ireland, another EU Member State or the United Kingdom? (✓)

Yes (give details below) No

Type of permission/Visa applied for	
Country applied to	
Result of application	
Duration of permission/Visa	

4.9 How long do you intend on staying in Ireland? (for example permanently, for the duration of a work contract, for the duration of a course of study etc.)

4.10 Do you have any other family members living in Ireland? (✓)

Yes (give details below) No

4.11 Do you have any other family members living in any of the other EU Member State or the United Kingdom? (✓)

Yes (give details below) No

Section 6

Applicant's Residence Details

6.1 At the address where you reside, do you: (✓)

- Own the property outright either individually or jointly
- Own the property with a mortgage either individually or jointly
- Rent the property
- Reside rent free

6.2 If the property is jointly-owned, please provide the names of all owners

6.3 If the property is rented, please indicate the type of landlord (✓) and provide contact

details below:

- Private landlord County council or local authority Voluntary cooperative housing body

6.4 If the property is rented, please provide the names of all named tenants

6.5 Who else lives at the property and what is the relationship between you and the Child of the EU Citizen and each resident?

Name	Duration of residence	Relationship to you	Relationship to Child of EU Citizen

6.6 Do you pay any rent, mortgage or other payment for your accommodation? (✓)

Yes (give details below) No

Expenditure	Amount €	Who pays for this expenditure?
Rent/Mortgage		
Gas		
Electricity		
Phone		
Food		
Clothing		
Medical Care		
Other		

6.7 Give any further information about your financial circumstances before or after coming to Ireland that may be relevant

Section 7D**For EU Citizen parent who was residing with sufficient resources**

Complete this section if the EU Citizen parent was residing in the State with enough financial resources available so as not to become a financial burden on the State, on the date of your arrival in the State.

7.30 What date did the EU Citizen parent first reside in the State with sufficient resources?

D	D	/	M	M	/	Y	Y	Y	Y
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7.31 Source of income (✓) If other, give details

- Pension
 Stocks/Shares etc.
 Third party funds
 Rental from property
 Other (Give details below)

7.32 Method of payment, frequency and amount

Method of payment	Frequency of payments	Amount they receive

7.33 Was the EU Citizen parent receiving any State funds from this or any other State? (✓)

- Yes
 No

7.33b If you selected Yes to 7.23, what type of payment did they receive?

- Jobseekers Allowance
 Jobseekers Benefit
 Disability Allowance
 Illness Benefit
 Invalidity Pension
 One Parent Family Payment
 Carers Allowance

Other (please give details):

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7.34 If funds were from a third party, provide the name of person who owns the funds available to the EU Citizen parent, their relationship to them and their current place of residence

7.34b If funds were from a third party, please provide details below:

Method of payment	Frequency of payments	Amount they receive

7.35 Monthly living expenses for EU Citizen parent and their dependants

Expenditure	Amount
Rent/Mortgage	
Gas	
Electricity	
Phone	
Food	
Clothing	
Medical Care	
Other	

Section 7E

For EU Citizen parent who was involuntarily unemployed

Section 8

Applicant's Personal History

This section asks about any criminal convictions you have.

This section asks about any involvement you may have had in war crimes, genocide, crimes against humanity or terrorism.

Please note, if you have received more than 3 charges/indictments/convictions, please photocopy the relevant sections and enclose those completed sections with this form

If you fail to answer all of these questions as fully and accurately as possible, your application for a residence card may be refused

Warning

If you provide any false or misleading information or fraudulent supporting documentation this may result in the refusal of this application.

8.1 Have you ever been charged or indicted in Ireland or in any other country with a criminal offence for which you have not been tried in court? (✓)

Yes (give details below) No

Charge/Indictment No. 1	
Name under which you were charged/indicted	
Country where you were charged/indicted	
Type of offence	

Charge/Indictment No. 2	
Name under which you were charged/indicted	
Country where you were charged/indicted	
Type of offence	

Charge/Indictment No. 3	
Name under which you were charged/indicted	
Country where you were charged/indicted	
Type of offence	

8.2 Have you ever been convicted of an offence in Ireland or in any other country? (✓) If yes, please provide details for EACH criminal conviction, starting with the most recent one.

Yes (give details below) No

Criminal conviction 1	
Name under which you were convicted	
Country where you were convicted	
Type of offence	
Sentence given	
Date sentenced	
Term of imprisonment, if any, in months	

Criminal conviction 2	
Name under which you were convicted	
Country where you were convicted	
Type of offence	
Sentence given	
Date sentenced	
Term of imprisonment, if any, in months	

Criminal conviction 3	
Name under which you were convicted	
Country where you were convicted	
Type of offence	
Sentence given	
Date sentenced	
Term of imprisonment, if any, in months	

8.3 Are you now, or have you ever been required to comply with conditions following release from prison? (for example a period of probation or restricted licence) (✓)

Yes (give details below) No

Type of condition imposed	
Date condition started	
Term of condition (date of expiry)	

8.4 Did you comply, or are you in compliance with the imposed conditions or restrictions? (✓)

Yes No

8.5 Have you, in either peace time or war time, ever been involved in, or been suspected of being involved in, war crimes, crimes against humanity or genocide? (✓)

8.6 Have you ever been involved in, supported, or encouraged terrorist activities in any country? (✓)

Yes (give details below) No

8.7 Have you ever served in a military force or State-sponsored private militia, undertaken any military or paramilitary training, or been trained in the use of weapons and/or explosives?

Yes (give details below) No

8.8 If you answered yes to question 8.7, was this compulsory military service? (✓)

Yes (give details below) No

8.9 Have you ever been deported/removed from Ireland or from any other country? (✓)

Yes (give details below) No

Date of deportation/removal	
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8.13 Are there, or have there ever been, any Court Orders in relation to Family Law matters to which you are/were party e.g. Barring Order, Care Order, Protection Order and Safety Order etc

Yes (give details below) No

Section 11

Document Checklist

Document description		Tick if you have submitted (✓)	Number of pages	For Official Use
Identity documents of applicant				
1.	Full colour copy of the applicant's current passport			
Identity documents of child of EU citizen (both must be provided)				
2.	Colour copy of the child's birth certificate			
3.	Colour copy of bio data page of the child's current passport			
Evidence of the child's residency in the State (please provide at least two of the following. If none of these documents are available, please provide any official correspondence you may have which evidences your child's residence.)				
4.	Copy of Immunization passport			
5.	Letter from doctor confirming their attendance at medical appointments			
6.	Letter from school/crèche confirming attendance			
Evidence of the applicant's residency in the State (please provide at least two of the following)				
7.	Letter from rental agency, rental contract or tenancy agreement			
8.	Letter of Registration of Tenancy from the Residential Tenancies Board			
9.	Utility bills in the applicant's own name			
10.	Bank statements in the applicants own name			
11.	Mobile phone bills in the applicants own name			
12.	Documentation received from another Government Department, e.g. Statement of Liability			
Evidence of applicant's relationship with child of EU Citizen				
13.	Letter of consent from other biological parent / legal guardian			
14.	Court Order outlining agreed custody			
15.	Signed colour copy of other biological parent's passport			
Evidence of EU Citizen parent exercising rights on the date of the applicant's arrival in the State				
If the EU Citizen parent was in employment				
16.	Signed and dated contract of employment			
17.	2 payslips dated during the period EU Citizen parent was exercising their rights			
18.	Statement of Liability for year EU Citizen parent was exercising their rights <u>OR</u> Employment Detail Summary <u>OR</u> Amended tax credit certificate (or equivalent) for year EU Citizens parent was exercising their rights <u>OR</u> Corresponding bank statements to show earnings for year EU Citizen parent was exercising their rights			

	If the EU Citizen parent was self-employed			
19.	Agreed tax assessment from Revenue for year EU Citizen parent was exercising their rights			
20.	Letter of registration for self-assessment of income tax (Revenue) for year EU Citizen parent was exercising their rights			
21.	Certificate from Companies Registration Office			
22.	Sales/Service invoices for the 6 month period in which EU Citizen parent was exercising their rights			
23.	Corresponding bank statements for the business for the 6 month period during which EU Citizen parent was exercising their rights			
	If the EU Citizen parent was residing with sufficient resources (other than activities mentioned above)			
24.	Evidence of EU Citizen parent's financial resources (pension, stocks/shares, 3rd party funds, rental income, etc) for year exercising rights			
25.	Letter from Department of Social Protection outlining any benefits which have been received			
	If the EU Citizen parent was studying			
26.	Letter from course provider, including course description, start date and end date			
27.	Comprehensive sickness cover in respect of EU Citizen parent and any dependents			
28.	Evidence of funds to support themselves and family i.e. bank statements at the time			
	If the EU Citizen parent was involuntarily unemployed			
29.	Letter from Department of Social Protection outlining any benefits which have been received			
30.	Letter from most recent employer outlining circumstances of redundancy			
31.	P45 certificate (or Employment Detail Summary) for last employment			
32.	Statement of Liability (or Employment Detail Summary) for previous 2 years			
	Evidence that the applicant is a primary carer of the EU citizen child.			
33.	Evidence of receipt of Child Benefit payment			
34.	Letter from school/crèche providing records that the parent attended parent/teacher meetings, or that they drop off or collect the child			
35.	Letter from the doctor confirming that the applicant attended medical appointments with the relevant EU citizen child			
36.	Access Orders/Agreements and letter from the other biological parent confirming attendance at access appointments			
37.	Maintenance Orders/Agreements and proof of maintenance payments.			
38.	Letter from child's social worker confirming applicant's role in the EU citizen child's life			