

# Immigration alert

Ireland

## Irish immigration and Covid-19

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### Executive Summary:

The Irish authorities have released a 5-phase approach to lifting the restrictions imposed to reduce the spread of Covid-19. The first of these phases comes into effect on 18 May 2020 and will lead to the re-opening of a number of retail outlets and a slight relaxation of the prohibition on people meeting in small groups whilst maintaining social distancing. These phases of relaxation will continue in 3 week increments up to 10 August 2020. The Irish Government are clear that social distancing will continue to be a necessary part of Irish society for some time.

The restrictions imposed impacts all facets of life in Ireland including Irish immigration services. At this time (and further to EY's previous alert), Irish immigration offices including Burgh Quay in Dublin remain closed which will impact the ability of non-EEA nationals in Ireland to register or renew their Irish Immigration or International Protection Permission (including Irish residence permits).

On 13 May 2020, the Immigration Service Delivery Unit (ISD, formerly INIS) within the Department of Justice and Equality (DJE) announced a 2 month extension to Residence and Immigration Permissions which are due to expire between 20 May and 20 July 2020. This follows an earlier announcement to extend permissions expiring between 20 March and 20 May 2020 by the same duration. This extension also applies to those who qualified for the earlier extension (20 March to 20 May 2020).

EY's guidance in this alert is to update you on the continued temporary measures that have been introduced for Irish immigration during this current pandemic and other considerations that may impact your non-EEA employee population in the coming months.

## What is the impact for Residence Permission or those temporarily in Ireland?

### Irish Residence Permit (IRP) registration/expiry:

IRP registration at the offices in Burgh Quay and local immigration offices remains closed. Those with Irish immigration permission due to expire between 20 May and 20 July 2020 will be automatically considered to be renewed for 2 months by the Minister for Justice. An individual should rely on the ISD Notice (as per their website) and his/her expired IRP card to confirm permission to remain in Ireland.

The 2-month extension period only applies to existing permissions (including qualifying dependents) and not to applicants seeking to register for the first time. As the registration offices are currently closed, the requirement for first time registrants to register will not arise until Burgh Quay (and local registration offices) re-open. ISD has indicated that priority will be given to those seeking to register for the first time when the offices re-open. Those seeking first time registration who had previous appointments cancelled will have their appointments rescheduled automatically. Other appointments will be made available exclusively for other first-time applicants. The authorities are currently considering measures for those who fall into the renewal category and a further announcement is due.

### IRP card expiry for those outside of Ireland:

If an employee returned to their home country because of the Covid-19 pandemic and the IRP card has expired during the period of time which they are working remotely in their home country, they should be mindful of the following:

- Non-visa required nationals should be able to return to Ireland with the expired IRP card and evidence of their continued employment in Ireland i.e. valid employment permit
- Visa required nationals will not be able to return to Ireland with an expired IRP card, they must apply to the Irish Embassy/Consulate closest to where they are residing for a new entry visa prior returning to Ireland.

### Change of Permission:

Applications for the following change of permission may be submitted electronically to the Registration Office, Burgh Quay, Dublin:

#### **From Stamp**

Stamp 1 (Critical Skill Employment Permit)  
Stamp 1 (Employment Permit)  
Stamp 2  
Stamp 2  
Stamp 1, 2 or 3  
Stamp 1, 2 or 3

#### **To Stamp**

Stamp 4 (after 2 completed years on CSEP and DBEI Stamp 4 support letter)  
Stamp 4 (after 5 completed years on Employment Permits)  
Stamp 1 (Employment Permit)  
Stamp 1A (Trainee Accountant Contract)  
Stamp 1G (Spouse of Critical Skill Employment Permit holder)  
Stamp 4 (Spouse of Irish National)

- All eligibility criteria continue to apply. All required documentation should be scanned and included in the application.
- Where a permission has been granted, applicants will still be required to register the change as normal once the Registration Offices reopen.

### Business visitors/short-term assignees:

Those with valid short-term temporary permission such as Atypical Permission and Tourist/Business Visitor Permission due to expire between 20 May and 20 July and who cannot leave Ireland at this time, are considered to have their permission extended automatically for a further 2 months from the expiry date subject to the same conditions as those that applied upon arrival in Ireland. This notice also applies to those whose permission expired during the previous 2 months (20 March to 20 May 2020).

### EU Treaty Rights:

Similar to the above, EU Stamp 4 residence cards due to expire from 20 May to 20 July 2020, will be automatically extended for two months from the expiry date where the individual continues to comply with the conditions of the EU Free Movement Directive (2004/38/EC).

The EU Treaty Rights Division is temporarily accepting new applications and reviews electronically. They also continue to issue Temporary Permission Letters and process applications for Residence Cards.

If an individual is coming to the end of their initial 5 years of holding EU treaty residency rights, an application for a permanent residence card (EU3) must be submitted (if applicable) to the EU Treaty Rights section at the Department of Justice electronically. No further extensions will be granted if an individual does not apply for this permission from the EU Treaty Rights section between now and 20 July 2020.

## What is the impact on Irish visa applications?

The Immigration Service Delivery Unit (ISD) have temporarily ceased accepting new visa applications and may return unprocessed applications. It is still possible to complete the Irish visa application online. Irish Embassies and Consulates remain closed so applicants will not be able to submit their original application by post or in person until they re-open. Any resumption of services will be in line with the World Health Organisation (WHO) and Health Service Executive (HSE) guidelines both in Ireland and globally. Please note that any application made online will remain valid until restrictions are lifted.

## Arriving to Ireland from another country

All passengers arriving into Ireland from any country (including Irish citizens) are being asked to self-isolate for 14 days. Self-isolation means staying indoors and completely avoiding contact with other people.

On arrival into Ireland all individuals will be asked to complete a Public Health Passenger Locator Form and present it to the Border Management Unit/Garda National Immigration Bureau at port of entry. A system of spot checks is being implemented, which will include follow-up phone calls to ensure people are adhering to the policy of self-isolation.

The Irish authorities have indicated this process is currently under review by the Department of Health, in conjunction with the Office of the Attorney General. It is likely that new regulations will be introduced to enforce compliance with this requirement.

You do not need to self-isolate if you are:

- returning to the Republic of Ireland from Northern Ireland
- an essential supply chain worker, for example, a pilot, haulier, maritime staff member providing essential support/services in Ireland
- briefly stopping over at an airport on your way to another country

## Conclusion

EY is continuing to monitor guidance and announcements issuing from the Irish Government and immigration authorities. We will continue to issue updated Alerts outlining any further changes.

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