



an roinn fiontar, trádála agus fostaíochta
department of enterprise, trade and employment

New Economic Migration Arrangements: Main Features

24 January 2007

New Economic Migration Arrangements

- ☀ **Employment Permits – General features**
- ☀ **Green Card Permits**
- ☀ **Work Permits**
- ☀ **Intra-company Transfer Permits**
- ☀ **Work permits for spouses, dependants of permit holders**
- ☀ **Non-EEA Graduates**
- ☀ **Fees**
- ☀ **Legal Instruments**



Employment Permits – General Features

- ☀ **Status of existing permit holders will not be affected**
- ☀ **New regime arrangements will apply at renewal stage of existing permits**
- ☀ **Employee or employer may apply**
- ☀ **Job offer required stating job, salary, start date, qualifications/experience needed**

Employment Permits – General Features

- **Employer must be registered with the Companies Registration Office and the Revenue Commissioners and trading in Ireland**
- ☀ **Foreign National must have the qualifications, skills or experience required for the employment**



Employment Permits – General Features

- ✦ **Foreign National must be directly employed by employer offering job**
- ✦ **Applicant will pay the fee**
- ✦ **Issued to the employee and allows his or her employment with the named employer in the occupation specified on the permit**
- ✦ **Copy of Permit sent to employer**



Employment Permits – General Features

- ✦ **Permits will not be granted if result would be that >50% of employees in firms would be non-EEA**
- ✦ **Employee generally expected to stay with employer for one year on first permit apart from exceptional circumstances**
- ✦ **May change employer thereafter provided employment permit applied for**



Employment Permits – General Features

☀ The Permit will contain:

- ☀ Remuneration of post
- ☀ a statement of entitlements
- ☀ including entitlement to the National Minimum Wage and
- ☀ The possibility of changing employers after twelve months



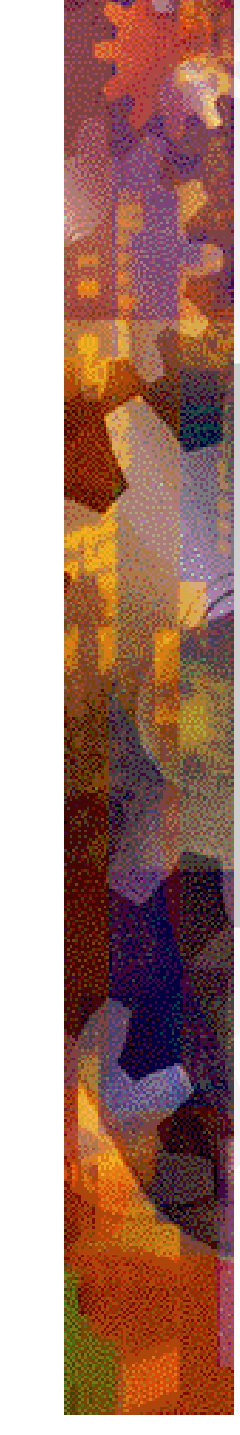
Employment Permits – General Features

- ✦ **The Permit will also be accompanied by a summary of the principal employment rights of the employee, including new prohibitions:**
 - ✦ **Against employers seeking to recover or deduct recruitment expenses, including employment permit fees, from employee remuneration and**
 - ✦ **Against employers retaining personal documents of employees**



Employment Permits – General Features

- ☀ **An employer or employee who contravenes any of the provisions of the Act is guilty of an offence**
- ☀ **May be liable for a fine from €5,000 up to €50,000 and/or imprisonment for a period up to five years.**



Key benefits of the Green Card **compared to the Work Permit**

- ✱ **Green Card applications will not require a labour market test, whereas Work Permit applications will**
- ✱ **Green Card holders will be entitled to:**
 - Immediate family reunification – while Work Permit holders must be legally in the State for one year with income above a certain threshold before family reunification granted**
 - ✱ **Apply for permanent residency after 2 years - Work Permit holders must wait for 5 years to be eligible to apply**

Green Card Permits

- ✦ **Green card permits will be available for:**
 - ✦ **Most occupations with annual salary €60,000 and over**
 - ✦ **Restricted list of strategic skill shortage occupations at €30,000 to €60,000 salary - mainly within the ICT, health, construction, financial services and S&T sectors**
 - ✦ **Restricted list was compiled with advice of Expert Group for Future Skills Needs and FAS and will be kept under constant review**

Green Card Permits

- ✦ **No Labour market test**
- ✦ **Job offer must be for at least 2 years and Green Card will be issued for 2 years then renewed indefinitely**
- ✦ **Then normally long-term or permanent residence would be granted**
- ✦ **Immediate family reunification permitted**
- ✦ **Replaces the Work Visa/Work Authorisation Scheme which has been discontinued**



Work Permits

- ✱ **Work permits will be mainly for occupations in €30,000-€60,000 annual salary range**
- ✱ **Only in exceptional circumstances for jobs with salaries under €30,000**



Work Permits

- ✱ **A strengthened labour market test will apply to all Work Permit applications:**
 - ✱ **Vacancies must be advertised with the FÁS/EURES employment network and in local and national newspapers for three days**
 - ✱ **As previously, applications will not be considered for certain occupations because it is clear they can be filled from within EEA**

Intra Company Transfer Arrangements

- ✦ **New Intra-Company Transfer scheme**
- ✦ **Designed to facilitate the transfer of**
 - ✦ **senior management**
 - ✦ **key personnel**
 - ✦ **trainees****who are foreign nationals from an overseas branch of a multinational corporation to its Irish branch**
- ✦ **Must be a direct link between the Irish Host Company and the foreign company**
- ✦ **Transferee must be clearly shown to fit into one of the three categories**

Intra Company Transfer

- ✦ **Annual Salary must be greater than €40,000**
- ✦ **Transferee must have worked with the parent company for 12 months prior to application**
- ✦ **Permits initially for 2 years, with possibility of 3 year extension**
- ✦ **No labour market needs test**



Intra Company Transfer

- ✱ **Persons on the scheme will not build up rights to permanent residency – when permit expires person returns to home country**
- ✱ **Normally the number transferred should not exceed 5% of total workforce in Ireland except for small firms or start-ups**



Work Permits for Employment Permit Holders' Spouses, Dependants

- ☀ **Spouses and dependants of all employment permit holders may apply for a work permit in any sector**
- ☀ **The spouse or dependant must be legally resident in the State on the basis of being a dependant of the employment permit holder**
- ☀ **The scheme will include dependants over 18 who were already in the State as part of the family prior to 18th birthday.**



Work Permits for Employment Permit Holders' Spouses, Dependents

- ☀ **The duration of the Employment Permit will normally be linked to that of the original work permit holder**
- ☀ **No Labour Market Needs Test**
- ☀ **No application fee**



Non-EEA Graduates from Irish Third Level Colleges

- ✦ **Will apply to third level graduates with a primary, masters or doctorate degree**
- ✦ **They may apply to INIS to be permitted to remain in Ireland for 6 months after receipt of their examination results**
- ✦ **Will allow time to seek a job**
- ✦ **If successful an application can be made for Green Card or Work Permit in the normal way**

Summary of Fees

Employment Permit Category	First Application FEE	Renewal FEE
Work Permit	€500 for six months or less and €1,000 up to 24 month permit	€1,500 – renewed for 36 months
Green Card	€1,000 up to 24 month permit	€1,500 – renewed indefinitely
Intra – Company Transfer	€500 for six months or less and €1,000 up to 24 month permit	€1,500 up to 36 month permit
Spousal/Dependant	No Fee	No Fee

Legal Instruments

- ☀ **Employment Permits Act 2003 and 2006**
- ☀ **S.I. Nos 682 and 683 of 2006 Employment Permits Act 2006 Commencement Order and Prescribed Fees and Miscellaneous Procedures Regulations 2006**
- ☀ **Copies of both Regulations and Employment Permits Act 2006 available from the Government Publications Sales Office and on DETE website**



FURTHER INFORMATION

- ☀ **New application forms, guides all on DETE website: www.entemp.ie**
- ☀ **E-mail queries to workpermits@entemp.ie**
- ☀ **Employment Permits Section,
Dept of Enterprise, Trade & Employment,
Davitt House,
65A Adelaide Road,
Dublin 2**
- ☀ **Call Centre – Locall 1890 201 616**

Conclusion

- ☀ End of public session
- ☀ Individual queries to information stands
- ☀ or by e-mail using query form in Information Pack