

S.I. No. 683 of 2006

**Employment Permits Act 2006 (Prescribed Fees and Miscellaneous Procedures)
Regulations 2006**

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S.I. No. 683 of 2006
Employment Permits Act 2006
(Prescribed Fees and Miscellaneous Procedures) Regulations 2006

I, Micheál Martin, Minister for Enterprise, Trade and Employment, in exercise of the powers conferred on me by sections 29 and 30 of the Employment Permits Act 2006 (No.16 of 2006), hereby make the following regulations :

1. These Regulations may be cited as the Employment Permits Act 2006 (Prescribed Fees and Miscellaneous Procedures) Regulations 2006 and shall come into operation on 1 January 2007.
2. In these Regulations “Act of 2006” means the Employment Permits Act 2006 (No.16 of 2006).
3. A fee of an amount of €1,000 is prescribed in respect of an application for an employment permit under section 4 of the Act of 2006.
4. A fee of an amount of €1,500 is prescribed in respect of an application for a renewal of an employment permit under section 20 of the Act of 2006.
5. (1) Notwithstanding anything in Regulation 3 or 4, a fee of an amount specified in the determination referred to in paragraph (2), being an amount that is lesser than that specified in Regulation 3 or 4, as the case may be, may accompany the application referred to in Regulation 3 or 4, as appropriate, if the application falls within the following class of application.
 - (2) That class of application is one determined from time to time by the Minister (which determination the Minister is, by virtue of this Regulation, empowered to make) to be a class of application that may be accompanied by a fee of an amount that the Minister specifies in the determination.
 - (3) The amount that may be so specified may, if the Minister thinks it appropriate to specify such an amount, be a nil amount.
 - (4) More than one class of application may be determined for the purposes of paragraph (2) and a different amount may be specified in a determination in respect of one such class from that specified in a determination in respect of another such class.
 - (5) Any determination under this Regulation shall be in writing and be published by the Minister in such manner as the Minister thinks fit.
 - (6) A fee that accompanies an application referred to in Regulation 3 or 4 may be refunded to the applicant if the application is withdrawn before the issue of the employment permit granted or renewed on foot of the application.
 - (7) The portion of 100% is prescribed for the purposes of section 12(5) of the Act of 2006.

6. (1) An application referred to in Regulation 3 or 4 shall , in addition to the information specified in the Act of 2006 as respects the particular application concerned, be accompanied by the following particulars and matters –

- (a) if the application is an application other than by a foreign national, the applicant's registered number with the Revenue Commissioners and (if the applicant is a company registered under the Companies Acts) the number assigned to it by the registrar of companies on its registration,
- (b) the personal public service number, if any, of the proposed grantee of the employment permit,
- (c) 2 photographs of the proposed grantee, each of the same size as the size of the photograph required by the Minister for Foreign Affairs to be contained in a passport issued by that Minister of the Government, and
- (d) if the application is an application other than by a foreign national, the number of nationals (if any) of Member States of the EEA and the Swiss Confederation employed, at the time of the application, by the applicant.

(2) An application referred to in Regulation 4 shall, in addition, be accompanied by a copy of the document known as the "P60" issued by the Revenue Commissioners in respect of the employee concerned for each of the years that he or she has been employed pursuant to the employment permit concerned.

(3) An application referred to in Regulation 3 or 4 shall be signed and dated by –

- (a) in the case of an application other than by a foreign national, the applicant and the proposed grantee, and
- (b) in the case of an application by a foreign national, the foreign national.

7. An application by a foreign national shall be made not later than the expiry of 60 days from the day on which the offer of employment concerned referred to in section 4(3) of the Act of 2006 has been made.

8. (1) The Minister may accept as evidence that an applicant for an employment permit referred to in section 10 of the Act of 2006 has taken all such steps as are referred to in subsection (2)(b) of that section the following evidence.

(2) That evidence is evidence of the applicant having advertised the job vacancy to which the application relates in the EURES employment network and in one or more newspapers circulating in the State and that, having employed those means, neither a citizen nor a foreign national referred to in any of paragraphs (a) to (d) of section 2(10) of the Employment Permits Act 2003 or to whom section 3 of that Act applies could be found to fill the vacancy.

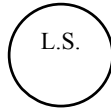
9. A submission of a decision for review under section 13 or 17 of the Act of 2006 shall be in writing, addressed to the Appeals Officer, Employment Permits Section, Department of Enterprise, Trade and Employment, Davitt House, Adelaide Road, Dublin 2 and specify the grounds as to why the decision should be cancelled.

Given under my Official Seal,

this 21st day of December 2006.

Micheál Martin

Minister for Enterprise, Trade and
Employment



EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation).

These Regulations permit certain foreign nationals, as defined in the Employment Permits Acts of 2003 and 2006, to be employed in the State and set out the procedures to be followed in making an application for such a permit, including the form in which an application should be made and the review procedures to be followed in cases where application for a permit is refused or a permit is revoked. The Regulations also prescribe the fees which must accompany an application for an employment permit.