



An Bille um Chosaint Idirnáisiúnta (Athaontú Teaghlaigh) (Leasú), 2017
International Protection (Family Reunification) (Amendment) Bill 2017

Mar a ritheadh ag Seanad Éireann

As passed by Seanad Éireann



**AN BILLE UM CHOSAINN IDIRNÁISIÚNTA (ATHAONTÚ TEAGHLAIGH) (LEASÚ),
2017
INTERNATIONAL PROTECTION (FAMILY REUNIFICATION) (AMENDMENT)
BILL 2017**

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ACT REFERRED TO

International Protection Act 2015 (No. 66)



**AN BILLE UM CHOSAINN IDIRNÁISIÚNTA (ATHAONTÚ TEAGHLAIGH) (LEASÚ),
2017
INTERNATIONAL PROTECTION (FAMILY REUNIFICATION) (AMENDMENT)
BILL 2017**

Bill

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entitled

An Act to provide for a refugee or a person eligible for subsidiary protection to apply for members of their family, including a grandparent, parent, brother, sister, child, grandchild, ward or guardian, to enter and reside in the State.

Be it enacted by the Oireachtas as follows:

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Interpretation

1. In this Act—

“Act of 2015” means the International Protection Act 2015.

Amendment of section 56 of Act of 2015

2. The International Protection Act 2015 is amended in section 56 by the substitution of the following for subsections (8) and (9): 15

“(8) In this section and section 57, ‘member of the family’ means, in relation to the sponsor—

(a) where the sponsor is married, his or her spouse (provided that the marriage is subsisting on the date the sponsor made an application for international protection in the State), 20

(b) where the sponsor is a civil partner, his or her civil partner (provided that the civil partnership is subsisting on the date the sponsor made an application for international protection in the State), 25

(c) where the sponsor is, on the date of the application under subsection (1) under the age of 18 years and is not married, his or her parents and their children who, on the date of the application under subsection (1), are under the age of 18 years and are not married, 30

(d) a child of the sponsor who, on the date of the application under subsection (1), is under the age of 18 years and is not married, or

- (e) any grandparent, parent, brother, sister, child, grandchild, ward or guardian of the sponsor who is dependent on the qualified person or is suffering from a mental or physical disability to such extent that it is not reasonable for him or her to maintain himself or herself fully.”

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Amendment of Act of 2015

- 3. The Act of 2015 is amended by the insertion of the following new section after section 57:

- “57A. (1) Where an application under section 56(1) made by a sponsor for permission to be given to a member of the family of the sponsor to enter and reside in the State has been refused, or where a permission to enter and reside in the State granted to a member of the family of the sponsor has been revoked pursuant to section 56(7), the sponsor may seek a review of that decision. 10
- (2) Where an application under section 57(1) made by a sponsor for permission to be given to a member of the family of a sponsor to reside in the State has been refused or where a permission to reside in the State granted to a member of the family of a sponsor has been revoked pursuant to section 57(6), the sponsor may seek a review of that decision. 15
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- (3) An application for a review pursuant to subsection (1) and (2) shall be submitted to the Minister within 15 working days of the receipt of the decision and shall set out in writing the grounds for review.
- (4) The Minister may, where he or she is satisfied that it is warranted in the particular circumstances, extend the period referred to in subsection (3) within which a review must be submitted. 25
- (5) A review under this section shall be carried out by an officer of the Minister and shall be of a grade senior to the grade of the person who made the decision.
- (6) The officer carrying out the review may— 30
 - (a) confirm the decision the subject of the review on the same or other grounds having regard to the information contained in the application for the review, or
 - (b) set aside the decision and substitute his or her determination for the decision.”. 35

Short title and commencement

- 4. (1) This Act may be cited as the International Protection (Family Reunification) (Amendment) Act 2018.
- (2) This Act shall come into operation no later than three months after the date of its passing. 40

An Bille um Chosaint Idirnáisiúnta
(Athaontú Teaghlaigh) (Leasú), 2017

BILLE

(mar a ritheadh ag Seanad Éireann)

dá ngairtear

Acht do dhéanamh socrú maidir le dídeanaí nó duine atá incháilithe le haghaidh cosaint fhoghabhálach do dhéanamh iarratais ar dhaoine dá theaghlach nó dá teaghlach, lena n-áirítear seanathair nó seanmháthair, tuismitheoir, deartháir, deirfiúr, leanbh, ua nó banua, coimirce nó caomhnóir, do theacht isteach sa Stát agus do chónaí sa Stát.

Ritheadh ag Seanad Éireann,

7 Márta, 2018

International Protection (Family
Reunification) (Amendment) Bill 2017

BILL

(as passed by Seanad Éireann)

entitled

An Act to provide for a refugee or a person eligible for subsidiary protection to apply for members of their family, including a grandparent, parent, brother, sister, child, grandchild, ward or guardian, to enter and reside in the State.

Passed by Seanad Éireann,

7th March, 2018

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