

Citizenship

The Republic of Ireland is a sovereign, independent and democratically run country in the world. There was a time when every person born on the Island of Ireland was automatically Irish citizen by birth. However, this changed in January 2005 following the amendment to the Constitution of Ireland and citizenship by birth is no longer an automatic entitlement to everyone born on the Island of Ireland.

Citizens of Ireland are also European Union citizens and have right to travel, live, work and study in any other EU country without any restrictions. The laws governing citizenship in Ireland are set out in the Irish Nationality and Citizenship Acts 1956 to 2004 as amended.

Rights of Irish citizens

If you are an Irish citizen, you are entitled to the following:

- Live and work in Ireland
- Right to carry an Irish passport
- Exercise of vote in general election, EU elections, constitutional referendum, and presidential elections
- Live, travel and work within the territory of the European Union
- Right to diplomatic assistance abroad
- Serve on a jury, if you are not disqualified or ineligible

Dual citizenship

Some countries do not allow dual citizenship. However, Ireland allows dual citizenship and you can keep remain a citizen of another country when you become an Irish citizen.

Citizenship by Birth:

There was a time when every person born on the Island of Ireland was automatically Irish citizen by birth. However, this changed in January 2005 following the amendment to the Constitution of Ireland and citizenship by birth is no longer an automatic entitlement to everyone born on the Island of Ireland.

The law governing entitlement to citizenship by birth in Ireland is set out in Irish Nationality and Citizenship Act 1956, as amended. Section 4 of the Irish Nationality and Citizenship Act 2004, inserts into Section 6A of the 1956 Act a new section, entitled "Citizenship of children of certain non-nationals". The provisions of this section set out the entitlement of persons born to non-nationals in the State to be eligible for Irish

citizenship from birth. Those children who meet the specified criteria are entitled to an Irish passport from birth.

A person born in Ireland who meets the conditions for citizenship by birth is automatically entitled to citizenship. Unlike naturalisation, this is not a discretionary application.

Citizenship by Descent or Irish Association

Citizenship through descent or Irish Association is the process by which a person can acquire Irish citizenship through parents or grandparents or great grandparents. The Minister for Justice can waive some of the conditions of becoming an Irish citizen where the applicant is of Irish descent or association.

An applicant for citizenship through descent becomes an Irish citizen from the date of their registration on the Foreign Births Register and can apply for an Irish passport once they receive their certificate of Foreign Births Registration. We have advised numerous clients of their entitlement to citizenship by descent or association and have assisted them to register their foreign births.

Becoming an Irish citizen by Naturalisation:

The application for naturalisation is decided by the Minister Justice who may exercise total discretion when granting citizenship. This process is open for all Non-Irish nationals living in the State or living on the Irish of Ireland and married to an Irish citizen. Upon successful application, a Certificate of Naturalisation is issued by the Minister pursuant to the Irish Nationality and Citizenship Act, 1956, as amended.

The eligibility criteria for applying as an adult is as follows:

- Applicant is 18 or over years old
- Meet the relevant conditions for residence
- Intend to reside in the State or if spouse/civil partner of an Irish citizen then intends to reside on the Island of Ireland
- Applicant must be of good character
- Will attend a citizenship ceremony and make the declaration of fidelity.

To apply for citizenship by naturalization based on residence, applicant must prove that they have been resident in the State for at least 5 years in Ireland (4 years out of 8 preceding years and last year continuous). A residency calculator is a requirement to submit with the application. However, this is not required for UK, EU/EEA national applicants.

Citizenship based on Marriage or Civil partner to an Irish citizen

Applicants married or civil partner to an Irish citizen living in Ireland or Northern Ireland can apply after three years of their residency as opposed to five years.

Citizenship based on Refugee status

A Refugee is entitled to apply for Irish citizenship after three years as opposed to five years for other applicants. However, holders of Subsidiary Protection are not included in this exemption.

Application Forms:

Form 8 – Application by a person of full age

Form 9 – Application by a naturalized Irish parent on behalf of a minor

Form 10 – Application on behalf of a minor of Irish descent or Irish association

Form 11 – Application on behalf of a minor born in the State from 1st January 2005 not entitled to Irish citizenship at birth

Revocation of Irish citizenship

If you obtained your citizenship by naturalisation, there are some circumstances, e.g., providing false or misleading information and/or documentation, in which it can be revoked by the Minister pursuant to Section 19 of the Irish National and Citizenship Act, 1956, as amended.