



Name
Address Line 1
Address Line 2
Address Line 3
Address Line 4
Address Line 5

Person ID: xxxxxx

Application ID: IPPA xxxxxx

Transitional arrangements for the commencement of the International Protection Act 2015

Dear XXXXX,

I refer to your current application for Refugee Status/Subsidiary Protection in the State.

I wish to inform you that new arrangements for the investigation and determination of applications for international protection (refugee status and subsidiary protection) and permission to remain in the State were introduced in the International Protection Act 2015 (the 2015 Act) which was commenced by the Minister for Justice and Equality **on 31 December 2016** (“the commencement date”).

Under the 2015 Act, a single procedure has been introduced. Under this procedure, an applicant will apply to the International Protection Office, Irish Naturalisation and Immigration Service, for both refugee status and subsidiary protection. The International Protection Office (“IPO”) replaces the Office of the Refugee Applications Commissioner (ORAC) which has been abolished.

Where a new application for international protection is made under the 2015 Act, the IPO will examine at the same time whether or not the applicant should be granted refugee status or subsidiary protection. If a negative recommendation is made in relation to these, the Minister will, without further procedural steps or correspondence, decide whether or not the applicant should be given permission to remain in the State on any other ground (including humanitarian or personal considerations). An exception to this process is where the application is to be dealt with under the EU Dublin Regulation, in which case certain

alternative arrangements will apply - see section 10 of the enclosed Information Booklet for Applicants for International Protection (IPO 1). This is a change from the previous procedures, under which, if the Minister refused refugee status, the Minister then gave an applicant the opportunity to apply for subsidiary protection and to make representations as to why a deportation order should not be made.

STATUS OF YOUR APPLICATION

The 2015 Act contains transitional provisions dealing with applications for refugee status and subsidiary protection which were made to ORAC prior to the commencement of that Act. Under the 2015 Act, these applications will transfer to the International Protection Office to be processed under that Act.

Your application for international protection is covered by **Category 2 (Refugee appeals)** in section 4 of the enclosed Information Note (IPO 12) namely an applicant who made an application for refugee status which was on appeal before the RAT before the commencement date but has not been decided by the RAT by that date, and, accordingly, who is deemed to have applied for international protection under the 2015 Act. Your file has been transferred to the IPO for consideration of your potential entitlement to subsidiary protection only. The recommendation on your refugee application made by ORAC will be preserved and will remain in effect. If the IPO recommends that you should not be granted subsidiary protection, the Minister will then decide whether you should be given permission to remain in the state. If you appeal the refusals of refugee status (already made) and subsidiary protection to the IPAT, the two appeals will be treated as one and heard together.

As your existing application for refugee status and/or subsidiary protection will be considered under the transitional provisions in the 2015 Act, YOU DO NOT NEED TO MAKE ANOTHER APPLICATION FOR INTERNATIONAL PROTECTION. However, you are required to provide additional information to the International Protection Office by completing the applicable parts of the enclosed Application for International Protection Questionnaire (IPO 2).

INFORMATION NOTE AND OTHER ENCLOSED DOCUMENTS

Some more detail on the effect of the transitional provisions of the 2015 Act are set out in a document entitled “**Information Note - Transitional Arrangements (IPO 12).**” This letter should be read in conjunction with the Information Note.

The following documents are enclosed:

- **Information Note - Transitional Arrangements (IPO 12).**
- **Information Booklet for Applicants for International Protection (IPO 1), and**
- **Application for International Protection Questionnaire (IPO 2).**

WHAT SECTIONS OF THE INTERNATIONAL PROTECTION QUESTIONNAIRE HAVE TO BE COMPLETED BY YOU?

The following guidance is offered on how to complete the Application for International Protection Questionnaire (IPO 2).

You should complete all parts of the enclosed Application for International Protection Questionnaire (IPO 2) except the section relating to refugee status (Questions 63a and 63b).

Should the IPO recommend that your application for international protection be refused, a decision will then be made as to whether you should be given permission to remain in the State on another basis.

It is important to note that with the commencement of the 2015 Act, the procedures have changed. The Minister will no longer write to you inviting you to make representations as to why you should be allowed to remain in the State. Instead, permission to remain will be considered without any delay if the IPO recommends that your international protection application should be refused.

Therefore, it is up to you to set out any reasons in writing why you consider that you should be granted permission to remain when you are completing the appropriate part of the enclosed Application for International Protection Questionnaire (IPO 2). By way of example, your family and domestic circumstances, the nature of your connection to the State, your character and conduct both within and outside the State and humanitarian considerations are all potentially relevant matters in this context. For a full explanation of the relevant matters, see the Information Booklet for Applicants for International Protection (IPO 1).

You are also obliged to keep the IPO (on behalf of the Minister) informed of any change in your circumstances in this regard that might be relevant (e.g. your family or domestic circumstances or the situation in your country of origin).

WHAT SHOULD I DO NOW?

Once you complete and sign the Application for International Protection Questionnaire (IPO 2), you should return it to us, along with any additional information and

documentation you wish to have considered which you have not already provided to ORAC, in the FREEPOST envelope enclosed. The Questionnaire should be returned to us, if possible, no later than 20 working days from the date of this letter.

If you and/or your legal adviser need to provide supplementary information to the IPO after you have submitted the information above, you should do so as soon as possible and, if you are in a position to do so, no later than two weeks prior to the date of your scheduled interview. This timescale will facilitate the translation of documents if required and ensure that the IPO interviewer has all your papers available and considered in advance of the interview date.

INTERVIEW

Following receipt of your completed questionnaire, the IPO will be in touch with you in due course with a date for your international protection interview. As you have already received a decision on your application for refugee status, the interview will cover subsidiary protection matters only. Your interview may not be scheduled for a number of months due to the large number of applications to be processed by the IPO.

RESIDENCE IN THE STATE

The conditions relating to your residence in the State will not change. The Temporary Residence Certificate (TRC) which has already issued to you shall be deemed to be a temporary residence certificate issued under section 17 of the 2015 Act and will remain valid and renewable until your application for international protection is decided.

LEGAL ADVICE

You are recommended to take legal advice in relation to this letter and enclosed documents. You have the right to consult a solicitor and you can avail of the services of the Legal Aid Board. The Legal Aid Board (LAB) is an independent agency that provides a confidential legal service to persons applying for international protection in Ireland. The LAB will provide legal assistance and advice in support of your application. **Contact details for the LAB are in the enclosed Information Note (IPO 12).**

You may also seek the services of a private solicitor at your own expense.

If you have not already done so, you must provide the details of your legal representative and, if applicable, any change of legal representative to the International Protection Office as soon as possible.

UNHCR

You are also entitled to consult the United Nations High Commissioner for Refugees whose **contact details are in enclosed Information Note (IPO 12).**

VOLUNTARY RETURN

If you do not wish to continue with your application for international protection, you are free to avail of the option of voluntarily returning to your country of origin. Advice and assistance in this regard is available to you from the International Organisation for Migration (IOM) whose **contact details are in enclosed Information Note (IPO 12)**.

YOUR NEW APPLICATION NUMBER

Your old application number will no longer be used. You will find your new application number beginning with **IPPA** at the top of this letter. Your Person ID will remain the same.

YOUR ADDRESS

If you change your address, you must let the International Protection Office know **in writing**, as soon as possible, after you move. Please do not forget to sign the letter and include your **new** reference number.

QUERIES

If you have any queries on your application for international protection or this letter you should contact (**quoting your new reference number**):

**Customer Service Centre
International Protection Office
Irish Naturalisation and Immigration Service
79 - 83 Lower Mount Street
Dublin 2, D02 ND99
Telephone: 01 6028008
Email: info@ipo.gov.ie**

The text of this letter and enclosures are being copied to legal representatives.

**International Protection Office
Irish Naturalisation and Immigration Service
Date**