

Becoming a Citizen: Frequently Asked Questions

A number of issues have repeatedly come to the attention of Nasc's Legal Clinic through the legal service. Below are responses to some of the more **Frequently Asked Questions:**

1. I have been considering applying for Irish citizenship for some time. I filled out the forms eight months ago but never sent them in. What changes should I be aware of?

Please make sure that you are applying on the newest and most up-to-date forms. The application will not be processed if the forms are out-of-date

The most up-to-date forms, the residency checker, and the Department of Justice's own Frequently Asked Questions are available on the Department's website, here.

2. What if I make a mistake when I am filling in the form?

The new forms indicate that, if you make a mistake in filling out the form, your application will be returned and your application fee will not be refunded.

A common mistake that is made is that the Statutory Declaration on the form, which is filled in by a Notary Public, Solicitor, Peace Commissioner or Commissioner for Oaths, is completed incorrectly, so we would advise that you check this carefully before submitting.

Another common mistake is that people do not answer all the questions on the form. If a question does not apply to you, you must write "not applicable" in the space, or the form will be considered to be incomplete.

3. What if I don't have a Birth Certificate?

If you do not have all of the original documentation that you are required to submit with the form, you are advised to the set about getting it before you make the application.

You will need to be very careful to make sure that you have all the documents translated into English. You will submit the original document, a certified copy and a certified translation. These will have to be properly certified by a professional translator.

4. What if it is impossible for me to get a Birth Certificate?

The new forms indicate that Birth Certificates are required. However, the form also states that, "[i]n certain limited circumstances a birth affidavit may be accepted in lieu of a Birth Certificate, where the certificate is not available and cannot be obtained. Please note that this is only accepted in exceptional circumstances." It has been our experience that if your status as a refugee has been recognised by the State and you cannot get a Birth Certificate from your country of origin, then the Department has made exceptions to this requirement. We advise

that you provide a birth affidavit (form available on the INIS website) and explain why you, as a refugee, cannot contact the authorities in your country of origin to obtain a copy of your birth certificate.

If you are not a refugee, and for some reason you do not have a Birth Certificate, it has been our experience that the Department is much less likely to agree to forfeit the requirement. You will need to make genuine efforts to obtain a Birth Certificate from your country of origin. We advise that you document your efforts – keep copies of all correspondence and make notes of the people you speak to on the phone etc. If having made extensive efforts to obtain a Birth Certificate, you absolutely cannot get one, we advise that you write to the Department to ask that an exception be made in your case before submitting your application.

5. Can I apply for citizenship before I have the required residency? I want my application to be in the queue.

No, your application will be refused outright. The new forms indicate that your application fee of €175 will be retained under those circumstances.

6. I heard that all applications will be dealt with within 6 months. Is this true? Why is my application taking longer than 6 months?

The six month figure is an average processing time. Some applications will take longer than this. You

should ensure that you keep the Citizenship Section up to date with any changes in your circumstances (eg. change of address, birth of an Irish citizen child) during the process.

7. I submitted my application over 18 months ago and apart from an acknowledgement letter, I have not received any other correspondence.

Don't worry! The Citizenship Section of the INIS will contact you once they have made their decision. They will contact you or your legal representative to inform you of their decision.

It is very important that you tell the Citizenship Section and your legal representative if you change address so that they can contact you.

8. My friend and I applied for citizenship at the same time last year. He received a decision three months ago and I'm still waiting. Why?

This is extremely common, unfortunately. We do not know for certain why some applications are processed faster or slower than others. The Citizenship Section has in the past attributed delays to difficulties in obtaining reports from other State bodies, for example the Department of Social Protection.

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