

Summary: The Business Permission scheme is operated by the Department of Justice and Equality so that non-EEA nationals may obtain permission to remain in the State to operate their own business. The criteria are currently very strict and the thresholds of minimum investment prohibitively high, such that a minimum of €300,000 must be available to an applicant. There has been some indication that the Department will be reviewing the criteria in the near future but nothing has been announced as yet. The Department has however introduced two new schemes for immigrant investors and entrepreneurs.

It is worth noting at the outset, the approach of the Department to applications for business permission and they state on their website:

‘Applications from persons who seek business permission where it is deemed that they are seeking such permission to simply gain entry to the State or where they seek such permission simply to continue their length of stay in the State for whatever reason, such applications will be refused.’

It is therefore essential that any application is bona-fide and very well evidenced. The following criteria must be met:

Applicants must show that they have a minimum of €300,000 of their own money to invest into business in Ireland. The Department specifically state that under no circumstances will this minimum amount be waived;

The proposed business must create employment for at least two EEA nationals for a new project or at the very least, maintain employment in an existing business;

The proposed business must add to the commercial activity and competitiveness of the State;

The proposed business must be a viable trading concern and provide the applicant with sufficient income so they can maintain and accommodate themselves and any dependants without recourse to public funds or paid employment;

The applicant must possess a valid passport or national identity card and be of good character.

In terms of making the application, the following must be provided:

Applicant’s valid passport or national identity document;

Registration certificate if the applicant is already residing in the State;

Statement of character from the police authorities of each country the applicant has resided in for more than six months for the previous ten year period;

A business plan endorsed by a firm of accountants or financial institution involved in venture capital;

Details of the applicant’s skills and experience specific to business development and the proposed business;

References from former employers;

Original documentation within the last two months substantiating that required funds are available to the applicant for the business venture, and evidence that the financing bodies are properly regulated;

Documentary evidence as to where the business will operate from including layout specification and lease/rental plans.

It is worth noting that writers, artists and crafts persons are not subject to the capital or employment requirements but must show that they are well known/internationally renowned in their field and can fully support themselves without recourse to public funds.

Permission will only be granted initially for 12 months.