



STATUTORY INSTRUMENTS.

**S.I. No. 45 of 2026**

---

INTERNATIONAL PROTECTION ACT 2015 (SECTIONS 51 AND 51A)  
(PRESCRIBED CLASSES) REGULATIONS 2026

S.I. No. 45 of 2026

INTERNATIONAL PROTECTION ACT 2015 (SECTIONS 51 AND 51A)  
(PRESCRIBED CLASSES) REGULATIONS 2026

I, JIM O'CALLAGHAN, Minister for Justice, Home Affairs and Migration, in exercise of the powers conferred on me by section 3, subsection (1A)(b) of section 51 and subsection (1A)(b) of section 51A of the International Protection Act (No. 66 of 2015) (as adapted by the Justice (Alteration of Name of Department and Title of Minister) Order 2025 (S.I. No. 242 of 2025)), hereby make the following regulations:

1. These Regulations may be cited as the International Protection Act 2015 (Sections 51 and 51A) (Prescribed Classes) Regulations 2026.

2. (1) In these Regulations -

“Act of 2015” means the International Protection Act 2015 (No. 66 of 2025);

“civil partner” has the same meaning as it has in section 3 of the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010 (No. 24 of 2020);

“EEA Agreement” means the Agreement on the European Economic Area signed at Oporto on 2 May 1992, as adjusted by all subsequent amendments;

“Member State” means a Member State of the European Union other than the State;

“Member State of the European Economic Area” means a state which is a contracting state to the EEA Agreement, other than the State;

“Minister” means the Minister for Justice, Home Affairs and Migration;

“Regulations of 2015” means the European Communities (Free Movement of Persons) Regulations 2015 (S.I. No. 548 of 2015);

“Regulations of 2020” means the European Union (Withdrawal Agreement)(Citizens' Rights) Regulations 2020 (S.I. No. 728 of 2020);

“United Kingdom of Great Britain and Northern Ireland” includes the Channel Islands and the Isle of Man and “citizen of the United Kingdom and Northern Ireland” shall be construed accordingly;

“Withdrawal Agreement” means the Agreement on the Withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and European Atomic Energy Community<sup>1</sup>

(2) In these Regulations a reference to a permission is a reference to a permission that has been given in accordance with the law of the State and is valid.

---

<sup>1</sup> OJ No. CI 384, 12.11.2019, p.1

3. The classes of persons specified in the Schedule are prescribed for the purposes of section 51(1A) of the Act of 2015.

4. The classes of persons specified in the Schedule are prescribed for the purposes of section 51A (1A) of the Act of 2015.

## SCHEDULE

*Regulations 3 and 4*

- (a) Persons to whom the Minister has granted permission to be in the State in accordance with the Spouse or Civil Partner of an Irish National Scheme;
- (b) Persons to whom the Minister has granted permission to be in the State on the basis of the persons being a parent of an Irish citizen child;
- (c) Persons who have permission to remain in the State by virtue of their being a citizen of the United Kingdom of Great Britain and Northern Ireland;
- (d) Persons who have permission to remain in the State by virtue of their being a national of , -
  - (i) a Member State,
  - (ii) a Member State of the European Economic Area, or
  - (iii) the Swiss Confederation;
- (e) Persons who are holders of a valid residence permit or residence document issued under the European Communities (Aliens) Regulations 1977 (S.I. No. 393 of 1977), the European Communities (Right of Residence for non-Economically Active Persons) Regulations 1997 (S.I. No. 57 of 1997) or the Regulations of 2015;
- (f) Persons who are the holders of a valid residence card issued under Regulation 7(5)(a) of the Regulations of 2015 or a document called “Residence card of a family member of a Union citizen”, as referred to in Article 10 of the Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004<sup>2</sup>;
- (g) Persons who are the holders of a valid permanent residence card issued under Regulation 15(3) of the Regulations of 2015;
- (h) Persons who are the holders of a valid residence document issued in accordance with Article 18(4) of the Withdrawal Agreement and referred to in Regulations 8 and 9 of the Regulations of 2020;
- (i) Persons who are the holders of a valid permanent residence document issued in accordance with Article 18(4) of the Withdrawal Agreement and referred to in Regulations 11(1) and 12(1) of the Regulations of 2020;
- (j) Persons to whom a permission to enter and to reside in the State has been given under section 56 of the Act of 2015;
- (k) Persons to whom a permission to reside in the State has been given under section 57 of the Act of 2015;

---

<sup>2</sup> OJ No. L158, 30.4.2004, p.77

- (l) Persons to whom the Minister has granted a residence permission, in accordance with administrative immigration arrangements, by virtue of their being a family dependent of a non-EEA national who is the holder of an employment permit;
- (m) Persons to whom the Minister has granted a residence permission in accordance with administrative immigration arrangements for non-EEA family reunification;
- (n) Persons to whom the Minister has granted a residence permission in accordance with the International Protection Regularisation Scheme.



GIVEN under my Official Seal,  
16 February, 2026.

JIM O'CALLAGHAN,  
Minister for Justice, Home Affairs and Migration.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ó  
FOILSEACHÁIN RIALTAIS,  
BÓTHAR BHAILE UÍ BHEOLÁIN,  
CILL MHAIGHNEANN,  
BAILE ÁTHA CLIATH 8,  
D08 XAO6

Tel: 046 942 3100  
r-phost: [publications@opw.ie](mailto:publications@opw.ie)

DUBLIN  
PUBLISHED BY THE STATIONERY OFFICE  
To be purchased from  
GOVERNMENT PUBLICATIONS,  
MOUNTSHANNON ROAD,  
KILMAINHAM, DUBLIN 8,  
D08 XAO6

Tel: 046 942 3100  
E-mail: [publications@opw.ie](mailto:publications@opw.ie)

€ 3.00

