



# GMS Flash Alert

## Immigration Edition

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# Ireland - Sectors with Shortages Addressed by New Employment Permits Regulations

Ireland's Employment Permits (Amendment) (No.3) Regulations 2019 (the "Regulations") have brought about some key changes to the employment permits system with immediate effect, including:

- Nurses who hold a relevant diploma qualification are now eligible for a Critical Skills Employment Permit;
- Additional occupations in the construction sector are now eligible for an employment permit;
- All chef grades are now eligible for an employment permit and will no longer be subject to quotas;
- An additional quota of 1,000 General Employment Permits for the meat processing sector.

To a large extent, the changes are aimed at addressing labour shortages in key sectors in Ireland such as hospitality, construction, and health.

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## WHY THIS MATTERS

Immigration counsel and clients in the health, construction, hospitality, and agri-food sectors need to be aware of the increase in quotas and of changes to eligible occupations. These could provide employers with opportunities to heighten their recruitment efforts and expand their talent pool and may facilitate the hiring (and bringing into Ireland) of non-European Economic Area (EEA) nationals for these types of jobs.

# New Employment Permits Regulations

The Regulations have been enacted to address immediate labour shortages in key sectors such as hospitality, construction, and health. The changes are outlined below.

## Health

Nurses who hold a relevant diploma or degree level qualification in their home country that is recognised by the Nursing and Midwifery Board of Ireland (“NMBI”), are now eligible for a Critical Skills Employment Permit.

Prior to this change, only nurses who held a relevant third-level-degree qualification that was recognised by the NMBI were eligible to apply for a Critical Skills Employment Permit.

## Construction

The following occupations in the construction sector have been added to the Critical Skills Occupations List:

- Site Manager;
- Structural / Site Engineer;
- Mechanical Engineers for all sectors;
- Electrical Engineers for all sectors;
- Setting Out Engineer;
- Façade Designer;
- Architect;
- Architectural Technologist.

This change, alongside the previous addition of Quantity Surveyors, Construction Project Managers, and Civil Engineers in April 2019 to the Critical Skills Occupations List means that most professional occupations in the construction sector now qualify for a Critical Skills Employment Permit.

The following occupations in the construction sector have been removed from the Ineligible Occupations List and will now be accepted for an employment permit application:

- Safety Manager;
- Building, Civil and Structural Engineering Technicians;
- Architectural Technician;
- Draughtspersons;
- Construction Safety Officers;
- Foreman.

## Hospitality

- All chef grades with the required minimum experience are now eligible to apply for an employment permit following the removal of the “Commis Chef” from the Ineligible Occupations List.
- The quota of 610 employment permits for all chefs has been removed.
- The quota of two chef permits per establishment is no longer applicable.

## Other – Expanded Number of Permits

- An additional 1,000 General Employment Permits for the meat processing sector have been introduced.
- An additional 200 General Employment Permits for the role of Heavy Goods Vehicle Driver have been introduced.

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## KPMG NOTE

The Regulations address a number of significant labour shortages across the health, hospitality, construction, and agri-food sectors. Employers in these sectors should consider what new opportunities these changes introduce to recruit non-EEA nationals in a wide range of occupations that were previously classified as ineligible. The addition of certain occupations to the Critical Skills Occupations List is welcomed as it exempts employers from the requirement to undertake the Labour Market Needs Test prior to making an application, while also allowing immediate family reunification for dependent family members.

As the rules can be complex, employers and staffing organisations are advised to consult with their qualified immigration and employment law counsel.

For related coverage of other changes to the Employment Permits Regime, see the following issues of *GMS Flash Alert*:

[2019-178](#) (2 December 2019); [2019-076](#) (12 April 2019); [2017-070](#) (19 April 2017).

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## Contact us

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