



STATUTORY INSTRUMENTS.

S.I. No. 541 of 2022



EUROPEAN COMMUNITIES (INTERNATIONAL PROTECTION
PROCEDURES) REGULATIONS 2022

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I, HELEN MCENTEE, Minister for Justice, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving further effect to Council Directive 2005/85/EC of 1 December 2005¹ on minimum standards on procedures in Member States for granting and withdrawing refugee status, hereby make the following regulations:

1. (1) These Regulations may be cited as the European Communities (International Protection Procedures) Regulations 2022.

(2) These Regulations shall come into operation on the 8th day of November 2022.

2. In these Regulations, “Act of 2015” means the International Protection Act 2015 (No. 66 of 2015).

3. Section 73 of the Act of 2015 is amended in subsection (2) –

(a) in paragraph (j), by the substitution of “section 16(3);” for “section 16(3).”, and

(b) by the insertion of the following paragraphs after paragraph (j):

“(k) whether the applicant is from a safe country of origin;

(l) whether the country of origin of the applicant is a country in respect of which there are a large number of applications or appeals, and the need to ensure that these and all other applications or appeals are dealt with in an efficient manner.”.

4. The Act of 2015 is amended by the insertion of the following section after section 73:

“Acceleration

73A. (1) Subject to the need for fairness and efficiency in dealing with applications for international protection under this Act, the Minister may, where he or she considers it necessary or expedient to do so, accelerate the examination of any application.

¹ OJ No. L 326, 13.12.2005, p.13

(2) In accelerating, under subsection (1), an examination of any application for international protection, the Minister may have regard to the matters in paragraphs (a) to (l) of section 73(2).”.



GIVEN under my Official Seal,
27 October, 2022.

HELEN MCENTEE,
Minister for Justice.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation)

The purpose of these Regulations is to give further effect in Irish law to the EU Directive on minimum standards on procedures in Member States for granting and withdrawing refugee status (Council Directive 2005/85/EC).

The Regulations amend section 73(2) of the International Protection Act 2015 to add to the list of matters to which the Minister for Justice may have regard when deciding whether to prioritise the processing of an application for international protection or requesting IPAT to prioritise an appeal.

The Regulations insert a new section 73A into the International Protection Act 2015 to enable the Minister to accelerate the examination of any application, having regard to the matters in section 73(2).

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