



Employment Permits Act 2024

6 September 2024

The Employment Permits Act 2024 (“The Act”) commenced on Monday 2nd September. The Act consolidates and updates existing law on employment permits and introduces new provisions and amendments. The Act applies to non-EEA nationals who wish to take up eligible employment and residence in the State. Some of the main changes are set out below.

Seasonal Employment Permit (SEP)

The Act introduces this new type of permit which is designed to support sectors such as horticulture and agriculture. It will allow permit holders to work up to 7 months per year in seasonally recurrent employment. A pilot scheme will begin later this year which should be formally launched in early 2025.

Employers wishing to apply for the new SEP will need to apply annually to become registered pre-approved seasonal employers.

Revision of Labour Market Needs Test

The Act has removed the requirement to advertise the job vacancy in print media and vacancies can now be published on ‘one or more online platforms’ They will still need to be published on the Jobs Ireland and EURES websites operated by the Department of Social Protection.

Change of Employer

The Act allows for General Employment Permit (GEP) and Critical Skills Employment Permit (CSEP) holders to change their permit employer to another employer. They can do so without applying for a new permit once 9 months have passed since commencing their first employment permit in the State. GEP holders can apply to change employer within the type of employment under which their permit was granted while CSEP holders can change to an employer across a broader category of employments. The current permit must be valid for at least two months following this request.

Changing Employment and Employment Permit

Employment Permit holders still have the option to seek employment in another eligible role or apply for a new permit with their current employer or a new employer. They can now do so after a period of 9 months whereas they previously had to wait 12 months.

Progression within the role

Employment holders can now apply for promotion and internal transfer within the same company without needing to apply for a new permit.

Revision of Dependant Employment Permit

Dependants other than spouses and partners of CSEP holders and Researchers who are in Ireland pursuant to EU Council Directive 2005/71/EC are now eligible to apply for Dependant Employment Permits.

Subcontractors

Subcontractors will now have access to the employment permit system.

Cancellation of previous permit

Once an employment permit is granted, the Minister shall cancel any permit that is in force for that foreign national, ensuring that only one permit is in place at a time.

Conclusion

Employers should make themselves aware of the above changes. It is expected that the changes will allow for a more modern, flexible system which is to greatly benefit employers and permit holders.

For any immigration queries please contact [Emma Richmond](#), Kate Dillon or your usual Whitney Moore contact.