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General Secretary: Seamus Cody

**To: IMPACT Civil Registration members
Health and Welfare Divisional Executive Committee
Health and Welfare Branch Secretaries
Health and Welfare Officials**

28th October 2015

Re. Civil Registration (Amendment Act) 2014

Dear Colleagues,

Sections of the above Act dealing with marriages of convenience were commenced on 18th August last. Although the legislation has been on the statute books since December of 2014, there was no consultation with IMPACT on the changes to the work of Civil Registration members which would result from this.

As there are significant workload and responsibility implications for these members, and in view of the breach of the employer obligations to engage in advance under the current National Agreements, IMPACT had issued instruction to members not to take on additional duties arising from the legislation.

A conciliation conference was held yesterday 27th October in the Workplace Relations Commission between IMPACT and the HSE and some progress was made. Please see the attached letter from the Conciliation Officer for details on this.

It became clear from comments both from our reps and from management that some clarification is required into how members should interpret the instruction of the 21st August to cease co-operation with the new duties until issues were dealt with.

Following the advice of our reps I advise that the instruction relates only to the "Marriages of Convenience" provisions of the Act and that the amended procedure to be followed when dealing with the relevant clients affected under the new legislation is as follows:

- If a couple who are affected by the new legislation attend for '3 month notice' interview for the first time from today on, then the notice period should be started and


the couple told that contact will be made with them to arrange a further interview in line with legislative change.

- If couples affected have already begun the notice period before today and their file remains 'incomplete' then the case should be referred to the Superintendent for advice/instruction on how this should now be handled.
- There is no mention in the Act of changed arrangements regarding 'postal applications' received. Currently the procedure is that couples attend a registrar 5 days before marriage and any change to this will need to be dealt with by management in consultation with ourselves. At the moment it would appear that the old procedures are to continue in use as there would be no appropriate opportunity for couples to be interviewed under the new rules in any case. Management may wish to review this period of 5 days in the future taking into account the amended legislation.

The Conciliation Conference will resume on 12th November as set out in the attached WRC letter and we will let you know the position following this. Members should be confident that it is our intention that the terms of reference for the review will cover all necessary aspects of the service including resourcing and appropriate grading and also – for example – the new provision that a Superintendent can now delegate functions to Registrars.

We will of course be insisting that the commencement of any further sections of the Act is preceded by the required engagement with us to ensure that the difficulties we are currently dealing with are not repeated.

Yours sincerely,



Robbie Ryan
Assistant General Secretary