



IMMIGRATION (CONTROL OF ENTRY THROUGH REPUBLIC OF IRELAND)(AMENDMENT) ORDER 2019

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Statutory Document No. 2019/0248



Immigration Act 1971

IMMIGRATION (CONTROL OF ENTRY THROUGH REPUBLIC OF IRELAND)(AMENDMENT) ORDER 2019

Laid before Tynwald: 16 July 2019
Coming into Operation: In accordance with Article 2

The Cabinet Office makes the following Order under section 9(2) and (6) of the Immigration Act 1971¹ (of Parliament) as that Act has effect in the Island².

1 Title

This Order is the Immigration (Control of Entry through Republic of Ireland)(Amendment) Order 2019.

2 Commencement

This Order comes into operation on exit day³.

3 Amendment of the Immigration (Control of Entry through Republic of Ireland) Order 2016

- (1) The Immigration (Control of Entry through Republic of Ireland) Order 2016 is amended as follows.
- (2) In article 3 (interpretation) in the definition of “EEA State” omit **13** (other than the United Kingdom) **12**.
- (3) In article 4(1)(b) (persons excluded from section 1(3) of the Act), after paragraph (v) insert —
 - 13**(vi) he or she is a person who is an excluded person for the purposes of section 8B of the Act (persons excluded under international obligations)⁴. **12**
- (4) In article 6 (restrictions and conditions) —

¹ 1971 c.77.

² See Immigration (Isle of Man) Order 2008 (SI 2008/680) (as amended).

³ ‘Exit Day’ as defined by section 4(1) of the European Union and Trade Act 2019 (AT 2 of 2019) (as amended).

⁴ Section 8B was substituted by the Immigration (Isle of Man) (Amendment) (No. 2) Order 2016 (SI 2016/755).

- (a) in paragraph (1) —
- (i) for “paragraph (2)” substitute **66** paragraphs (2) and (2A) **66**;
- (b) after paragraph (2) insert —
- 66**(2A) This article does not apply to any person who has leave or may be granted leave to enter or remain in the Isle of Man by virtue of Appendix EU to the immigration rules⁵. **66**;
- (c) after paragraph (9) insert —
- 66**(10) The restriction and condition mentioned in paragraphs (4) and (6) shall cease to apply to a person if that person has leave or may be granted leave to enter or remain in the Isle of Man for the reasons specified in paragraph (2A). **66**.

MADE 20 JUNE 2019

HOWARD QUAYLE
Minister for the Cabinet Office

⁵ Appendix EU to the immigration rules was laid before Tynwald 9th April 2019 (SD 2019/0143)

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends article 4 of the Immigration (Control of Entry through Republic of Ireland) Order 2016 so that an individual excluded under international obligations is not entitled to enter the Isle of Man from the Republic of Ireland without holding leave granted under common travel area legislation.

Article 6 regulates the entry of individuals arriving from the Republic of Ireland, providing permission by law to remain in the Isle of Man for a specified period (either 3 months or 7 days), with no ability to engage in any occupation for reward or in any employment. This Order amends article 6 of the Immigration (Control of Entry through Republic of Ireland) Order 2016 inserting a new paragraph (2A) to article (6). A person who has, or may be granted, leave to enter or remain in the Isle of Man by virtue of Appendix EU to the Isle of Man Immigration Rules has been added to the categories of individuals to whom article (6) does not apply.