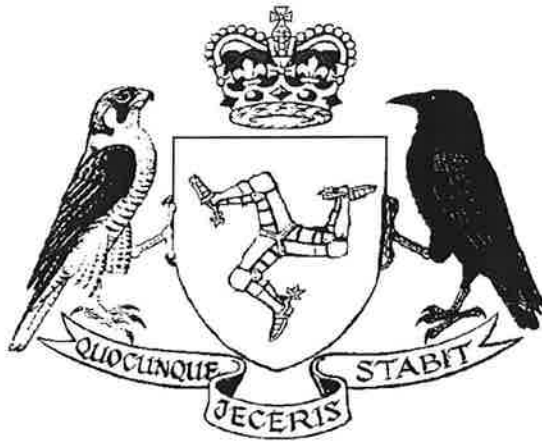


**STATEMENT OF  
CHANGES  
IN IMMIGRATION RULES**



Laid before Tynwald on 20<sup>th</sup> June 2006 under section 3(2) of the Immigration Act 1971 (an Act of Parliament as extended to the Isle of Man by the Immigration (Isle of Man) Order 1991 (SI 1991 no. 2630) and the Immigration (Isle of Man) Order 1997 (SI 1997 no. 275)

**Price Band A: £1.45p**

## STATEMENT OF CHANGES IN IMMIGRATION RULES

His Excellency the Lieutenant Governor has made the changes hereinafter stated in the Rules laid down by him as to the practice to be followed in the administration of the Immigration Act 1971 (an Act of Parliament as it has effect in the Isle of Man) <sup>(a)</sup> for regulating entry into and the stay of persons in the Isle of Man and contained in the Statement laid before Tynwald on 17<sup>th</sup> May 2005 <sup>(b)</sup>

These changes take effect on [ 2006].

1. In paragraph 6 -
  - (a) after the definition of “adoption”, insert -

““**civil partner**” means a civil partnership which exists under or by virtue of the Civil Partnership Act 2004 as that Act has effect in the United Kingdom and any reference to a civil partner is to be read accordingly;”;
  - (b) after the definition of “Multiple Entry work permit employment” insert  
““**Non-visa nationals**” are persons who are not so specified in the United Kingdom Immigration Rules as amended from time to time;”;
  - (c) in the definition of “a parent” -
    - (i) after “the stepfather of a child whose father is dead” insert “(and the reference to stepfather includes a relationship arising through civil partnership)”, and
    - (ii) after “the stepmother of a child whose mother is dead” insert “(and the reference to stepmother includes a relationship arising through civil partnership)”; and
  - (d) in the definition of “sponsor”, for “spouse, fiancé, unmarried partner” substitute: “spouse, fiancé, civil partner, proposed civil partner, unmarried partner, same-sex partner”.
2. In paragraph 19A, for “spouse or unmarried partner” substitute “spouse, civil partner, unmarried partner or same-sex partner”.
3. In paragraph 23 after “spouse” insert “or civil partner”.
4. For paragraph 23A, substitute -

“23A. A person who is not a visa national and who is seeking leave to enter on arrival in the Isle of Man for a period not exceeding 6 months for a purpose for which prior entry clearance is not required under these Rules may be granted such leave, for a period not exceeding 6 months.

This paragraph does not apply where the person is a British National (Overseas), a British overseas territories citizen, a British Overseas citizen, a British protected person, or a person who under the British Nationality Act 1981 is a British subject.

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(a) 1971 c. 77; extended to the Isle of Man by S.I. 1991 No 2630 and S.I. 1997 No. 275.  
(b) S.D. 62/05 amended by 692/05.

23B. A person who is a British National (Overseas), a British overseas territories citizen, a British Overseas citizen, a British protected person, or a person who under the British Nationality Act 1981 is a British subject, and who is seeking leave to enter on arrival in the Isle of Man for a purpose for which prior entry clearance is not required under these Rules may be granted such leave, irrespective of the period of time for which he seeks entry, for a period not exceeding 6 months.”.

5. For paragraph 24, substitute:

“24. The following persons shall produce to the Immigration Officer a valid passport or other identity document endorsed with a Isle of Man entry clearance issued to him for the purpose for which he seeks entry -

- (i) a visa national;
- (ii) any other person (other than British Nationals (Overseas), a British overseas territories citizen, a British Overseas citizen, a British protected person or a person who under the British Nationality Act 1981 is a British subject) who is seeking entry for a period exceeding six months or is seeking entry for a purpose for which prior entry clearance is required under these Rules.

Such a person will be refused leave to enter if he has no such current entry clearance. Any other person who wishes to ascertain in advance whether he is eligible for admission to the Isle of Man may apply for the issue of an entry clearance.”.

6. In paragraph 33, after “spouse” insert “or civil partner”.

7. After paragraph 56D insert:

**“Leave to enter as a visitor for marriage**

56E. A person seeking leave to enter the Isle of Man as a visitor for marriage may be admitted for a period not exceeding 6 months, subject to a condition prohibiting employment, provided the Immigration Officer is satisfied that each of the requirements of paragraph 56D is met.

**Refusal of leave to enter as a visitor for marriage**

56F. Leave to enter as a visitor for marriage is to be refused if the Immigration Officer is not satisfied that each of the requirements of paragraph 56D is met.”.

8. For paragraph 60(i), substitute –

- “(i) was last admitted to the Isle of Man in possession of a valid entry clearance in accordance with paragraphs 57 - 75M of these Rules, unless the applicant:
- (a) was originally admitted to the Isle of Man with entry clearance in accordance with paragraphs 57-75M of these Rules which has since expired, but has subsequently been granted leave to remain in accordance with paragraphs 57-75M of these Rules; or
  - (b) is a non-visa national who has been accepted for a course of study at degree level or above, and who entered the Isle of Man with leave as a visitor in accordance with paragraphs 40-46 of these Rules on or before 1 July 2006; or

- (c) is a non-visa national who has been accepted for a course of study at degree level or above, and who entered the Isle of Man with leave in accordance with the provisions of any category of these Rules, other than paragraphs 40-56F, and 110-121; or
- (d) is a non-visa national who has been accepted for a course of study below degree level, and has valid leave in accordance with paragraphs 63-87F, Part 2 (other than paragraphs 47-56D), or Parts 4-8 (other than paragraphs 110-121) of these Rules, which was granted on or before 22 July 2004; or
- (e) is a non-visa national who has been accepted for a course of study below degree level, and has valid leave as a student to study below degree level in accordance with paragraphs 57-62 of these Rules, which was granted on or before 30 September 2004.”.

9. In paragraph 63, delete “; or an overseas nurse or midwife who has been accepted on an adaptation course leading to registration as a nurse with the United Kingdom Central Council for Nursing, Midwifery and Health Visiting”.

10. In paragraph 64 –

- (a) in subparagraph (ii) replace the words “United Kingdom Central Council for Nursing, Midwifery and Health Visiting” with the words “Nursing and Midwifery Council”; and
- (b) for subparagraph (iii) substitute -  
 “(iii) did not obtain acceptance on the course of study referred to in (ii) above by misrepresentation;”.

11. In paragraph 65, delete the word “training”.

12. After paragraph 69L, insert -

**"Requirements for leave to enter as an overseas qualified nurse or midwife**

69M. The requirements to be met by a person seeking leave to enter as an overseas qualified nurse or midwife are that the applicant -

- (i) has obtained confirmation from the Nursing and Midwifery Council that he is eligible -
  - (a) for admission to the Overseas Nurses Programme; or
  - (b) to undertake a period of supervised practice; or
  - (c) to undertake an adaptation programme leading to registration as a midwife; and
- (ii) has been offered -
  - (a) a supervised practice placement through an education provider that is recognised by the Nursing and Midwifery Council; or
  - (b) a supervised practice placement in a setting approved by the Nursing and Midwifery Council; or
  - (c) a midwifery adaptation programme placement in a setting approved by the Nursing and Midwifery Council; and

- (iii) did not obtain acceptance of the offer referred to in paragraph (ii) by misrepresentation; and
- (iv) is able and intends to undertake the supervised practice placement or midwife adaptation programme; and
- (v) does not intend to engage in business or take employment, except:
  - (a) in connection with the supervised practice placement or midwife adaptation programme; or
  - (b) part-time work of a similar nature to the work undertaken on the supervised practice placement or midwife adaptation programme; and
- (vi) is able to maintain and accommodate himself and any dependants without recourse to public funds.

### **Leave to enter the Isle of Man as an overseas qualified nurse or midwife**

69N. Leave to enter the Isle of Man as an overseas qualified nurse or midwife may be granted for a period not exceeding 18 months, provided the Immigration Officer is satisfied that each of the requirements of paragraph 69M is met.

### **Refusal of leave to enter as an overseas qualified nurse or midwife**

69O. Leave to enter the Isle of Man as an overseas qualified nurse or midwife is to be refused if the Immigration Officer is not satisfied that each of the requirements of paragraph 69M is met.

### **Requirements for an extension of stay as an overseas qualified nurse or midwife**

69P. The requirements to be met by a person seeking an extension of stay as an overseas qualified nurse or midwife are that the applicant:

- (i) [NOT USED]
- (ii) has leave to enter or remain in the Isle of Man as a student in accordance with paragraphs 57 to 69L of these Rules; or
- (iii)
  - (a) has leave to enter or remain in the Isle of Man as a working holidaymaker in accordance with paragraphs 95 to 97 of these Rules and has spent more than 12 months in total in the United Kingdom or Isle of Man in this capacity; or
  - (b) has leave to enter or remain in the Isle of Man as a work permit holder in accordance with paragraphs 128 to 135 of these Rules; or
- (iv) has leave to enter or remain as an overseas qualified nurse or midwife in accordance with paragraphs 69M - 69R of these Rules; and
- (v) meets the requirements set out in paragraph 69M (i) to (vi); and
- (vi) can provide satisfactory evidence of regular attendance during any previous period of supervised practice or midwife adaptation course; and
- (vii) if he has previously been granted leave:
  - (a) as an overseas qualified nurse or midwife under paragraphs 69M to 69R of these Rules; or

- (b) to undertake an adaptation course as a student nurse under paragraphs 63 to 69 of these Rules;

is not seeking an extension of stay in this category which, when amalgamated with those previous periods of leave, would total more than 18 months; and

- (viii) if his previous studies, supervised practice placement or midwife adaptation programme placement were sponsored by a government or international scholarship agency, he has the written consent of his official sponsor to remain in the Isle of Man as an overseas qualified nurse or midwife.

#### **Extension of stay as an overseas qualified nurse or midwife**

69Q. An extension of stay as an overseas qualified nurse or midwife may be granted for a period not exceeding 18 months, provided that the Lieutenant Governor is satisfied that each of the requirements of paragraph 69P is met.

#### **Refusal of extension of stay as an overseas qualified nurse or midwife**

69R. An extension of stay as an overseas qualified nurse or midwife is to be refused if the Lieutenant Governor is not satisfied that each of the requirements of paragraph 69P is met.”.

13. For paragraphs 70 to 75, substitute -

#### **"Requirements for leave to enter the Isle of Man as a postgraduate doctor or dentist**

70. The requirements to be met by a person seeking leave to enter the Isle of Man as a postgraduate doctor or dentist are that the applicant –

- (i) has successfully completed and obtained a recognised United Kingdom degree in medicine or dentistry from either -
  - (a) a United Kingdom publicly funded institution of further or higher education; or
  - (b) a United Kingdom bona fide private education institution which maintains satisfactory records of enrolment and attendance; and
- (ii) has previously been granted leave -
  - (a) in accordance with paragraphs 57 to 69L of these Rules for the final academic year of the studies referred to in (i) above; and
  - (b) as a student under paragraphs 57 to 62 of these Rules for at least one other academic year (aside from the final year) of the studies referred to in (i) above; and
- (iii) holds a letter from the Postgraduate Dean confirming he has a full-time place on a recognised Foundation Programme; and
- (iv) intends to train full time in his post on the Foundation Programme; and
- (v) is able to maintain and accommodate himself and any dependants without recourse to public funds; and

- (vi) intends to leave the Isle of Man if, on expiry of his leave under this paragraph, he has not been granted leave to remain in the Isle of Man as –
  - (a) a doctor or dentist undertaking a period of clinical attachment or a dental observer post in accordance with paragraphs 75G to 75M of these Rules; or
  - (b) a work permit holder in accordance with paragraphs 128 to 135 of these Rules; or
  - (c) a highly skilled migrant in accordance with paragraphs 135A to 135H of these Rules; or
  - (d) a person intending to establish themselves in business in accordance with paragraphs 200 to 210 of these Rules; or
  - (e) [NOT USED]
- (vii) if his study at medical school or dental school, or any subsequent studies he has undertaken, were sponsored by a government or international scholarship agency, he has the written consent of his sponsor to enter or remain in the Isle of Man as a postgraduate doctor or dentist; and
- (viii) has completed his medical or dental degree in the 12 months preceding this application; and
- (ix) if he has previously been granted leave as a postgraduate doctor or dentist, is not seeking leave to enter to a date beyond 3 years from that date on which he was first granted leave to enter or remain in this category; and
- (x) holds a valid entry clearance for entry in this capacity except where he is a British National (Overseas), a British overseas territories citizen, a British Overseas citizen, a British protected person or a person who under the British Nationality Act 1981 is a British subject.

#### **Leave to enter as a postgraduate doctor or dentist**

71. Leave to enter the Isle of Man as a postgraduate doctor or dentist may be granted for the duration of the Foundation Programme, for a period not exceeding 26 months, provided the Immigration Officer is satisfied that each of the requirements of paragraph 70 is met.

#### **Refusal of leave to enter as a postgraduate doctor or dentist**

72. Leave to enter as a postgraduate doctor or dentist is to be refused if the Immigration Officer is not satisfied that each of the requirements of paragraph 70 is met.

#### **Requirements for an extension of stay as a postgraduate doctor or dentist**

73. The requirements to be met by a person seeking an extension of stay as a postgraduate doctor or dentist are that the applicant –

- (i) meets the requirements of paragraph 70 (i) to (vii); and
- (ii) has leave to enter or remain in the Isle of Man as either –
  - (a) a student in accordance with paragraphs 57 to 69L of these Rules; or
  - (b) as a postgraduate doctor or dentist in accordance with paragraphs 70 to 75 of these Rules; or
  - (c) as a doctor or dentist undertaking a period of clinical attachment or a dental observer post in accordance with paragraphs 75G to 75M of these Rules;
- (iii) if he has not previously been granted leave in this category, has completed his medical or dental degree in the last 12 months;
- (iv) would not, as a result of an extension of stay, remain in the Isle of Man as a postgraduate doctor or dentist to a date beyond 3 years from the date on which he was first given leave to enter or remain in this capacity.

#### **Extension of stay as a postgraduate doctor or dentist**

74. An extension of stay as a postgraduate doctor or dentist may be granted for the duration of the Foundation Programme, for a period not exceeding 3 years, provided the Lieutenant Governor is satisfied that each of the requirements of paragraph 73 is met.

#### **Refusal of an extension of stay as a postgraduate doctor or dentist**

75. An extension of stay as a postgraduate doctor or dentist is to be refused if the Lieutenant Governor is not satisfied that each of the requirements of paragraph 73 is met.”.

14. In paragraph 75G after subparagraph (iv), insert -  
 ”; and  
 (v) if he has previously been granted leave in this category, is not seeking leave to enter which, when amalgamated with those previous periods of leave, would total more than 6 months.”.
15. In paragraph 75H, for “up to a maximum of 6 months”, substitute “up to a maximum of 6 weeks at a time or 6 months in total in this category,”.
16. In paragraph 75K, after subparagraph (v), insert:  
 ”; and  
 (vi) if he has previously been granted leave in this category, is not seeking an extension of stay which, when amalgamated with those previous periods of leave, would total more than 6 months.”.
17. In paragraph 75L, after “may be granted an extension of stay for the period of their clinical attachment or dental observer post”, insert “up to a maximum of 6 weeks at a time or 6 months in total in this category,”.
18. Paragraphs 76 to 78 are amended as follows -



- (a) for the heading “SPOUSES OF STUDENTS” substitute “SPOUSES OR CIVIL PARTNERS OF STUDENTS”;
  - (b) after the word “spouse”, wherever appearing (including in headings), insert “or civil partner”;
  - (c) in paragraph 76(i), after “is married to” insert “, or the civil partner of,”; and
  - (d) in paragraph 76(ii), after “marriage” insert “or civil partnership”.
19. In paragraph 89(iii), after “unmarried” insert “and is not a civil partner”.
20. For paragraph 95(iii), substitute:
- “(iii) (a) is unmarried and is not a civil partner, or
  - (b) is married to, or the civil partner of, a person who meets the requirements of this paragraph and the parties to the marriage or civil partnership intend to take a working holiday together; and”.
21. Paragraphs 122 to 124 are amended as follows:
- (a) in the heading “SPOUSES OF PERSONS WITH LIMITED LEAVE TO ENTER OR REMAIN UNDER PARAGRAPHS 110 – 121”, after “SPOUSES” insert “OR CIVIL PARTNERS”;
  - (b) after the word “spouse”, wherever appearing (including in headings), insert “or civil partner”;
  - (c) in paragraph 122(i), after “is married to” insert “, or the civil partner of,”; and
  - (d) in paragraph 122(ii), after “marriage” insert “or civil partnership”.
22. In paragraph 125(iii), after “unmarried” insert “and is not a civil partner”.
23. In paragraph 131B,
- (a) after the words “student nurse”, add the words “overseas qualified nurse or midwife,”, and
  - (b) after subparagraph (i), insert -
    - “(ia) entered the Isle of Man or was given leave to remain as an overseas qualified nurse or midwife in accordance with paragraphs 69M to 69R of these Rules; and”.
24. In paragraphs 135B, 171, 204, 215, 225, and 233 for “12 months”, substitute “2 years”.
25. In paragraph 135G for subparagraph (i), substitute –
- “(i) he has spent a continuous period of 5 years in the Isle of Man in this capacity, or has had a continuous period of at least 5 years' leave to enter or remain in the Isle of Man which is made up of periods of leave granted as a highly skilled migrant in accordance with paragraphs 135A to 135F of these Rules, or as a work permit holder under paragraphs 128 to 134 of these Rules, and”.
26. In paragraph 159A(iii) after “employer's spouse” insert “or civil partner”.

27. In paragraph 174B, for “12 months”, substitute “3 years at a time”.

28. After paragraph 177, insert:

"177A. For the purposes of these Rules:

- (i) a visiting religious worker means a person coming to the Isle of Man for a short period to perform religious duties at one or more locations in the Isle of Man;
- (ii) a religious worker in a non-pastoral role means a person employed in the Isle of Man by the faith he is coming here to work for, whose duties include performing religious rites within the religious community, but not preaching to a congregation.

**Requirements for leave to enter the Isle of Man as a visiting religious worker or a religious worker in a non-pastoral role**

177B. The requirements to be met by a person seeking leave to enter as a visiting religious worker or a religious worker in a non-pastoral role are that the applicant:

- (i) (a) if seeking leave to enter as a visiting religious worker:
  - (I) is an established religious worker based overseas; and
  - (II) submits a letter(s) from a senior member or senior representative of one or more local religious communities in the Isle of Man confirming that he is invited to perform religious duties as a visiting religious worker at one or more locations in the Isle of Man and confirming the expected duration of that employment; and
  - (III) if he has been granted leave as a visiting religious worker in the last 12 months, is not seeking leave to enter which, when amalgamated with his previous periods of leave in this category in the last 12 months, would total more than 6 months; or
- (b) if seeking leave to enter as a religious worker in a non-pastoral role:
  - (I) has at least one year of full time training or work experience, or a period of part time training or work experience equivalent to one year full time training or work experience, accrued in the five years preceding the application in the faith with which he has employment in the Isle of Man; and
  - (II) can show that, at the time of his application, at least one full-time member of staff of the local religious community which the applicant is applying to join in the Isle of Man has a sufficient knowledge of English; and

- (III) submits a letter from a senior member or senior representative of the local religious community which has invited him to the Isle of Man, confirming that he has been offered employment as religious worker in a non-pastoral role in that religious community, and confirming the duration of that employment; and
- (IV) does not intend to take employment except as a visiting religious worker or religious worker in a non-pastoral role, whichever is the basis of his application; and
- (V) does not intend to undertake employment as a Minister of Religion, Missionary or Member of a Religious Order, as described in paragraphs 169-177 of these Rules; and
- (VI) is able to maintain and accommodate himself and any dependants without recourse to public funds, or will, with any dependants, be maintained and accommodated adequately by the religious community employing him; and
- (VII) intends to leave the Isle of Man at the end of his leave in this category; and
- (VIII) holds a valid entry clearance for entry in this capacity except where he is a British National (Overseas), a British overseas territories citizen, a British Overseas citizen, a British protected person or a person who under the British Nationality Act 1981 is a British subject.

**Leave to enter as a visiting religious worker or a religious worker in a non-pastoral role**

177C. Leave to enter the Isle of Man as a visiting religious worker or a religious worker in a non-pastoral role may be granted –

- (a) as a visiting religious worker, for a period not exceeding 6 months; or
- (b) as a religious worker in a non-pastoral role, for a period not exceeding 12 months;

provided the Immigration Officer is satisfied that each of the requirements of paragraph 177B is met.

**Refusal of leave to enter as a visiting religious worker or a religious worker in a non-pastoral role**

177D. Leave to enter as a visiting religious worker or a religious worker in a non-pastoral role is to be refused if the Immigration Officer is not satisfied that each of the requirements of paragraph 177B is met.

**Requirements for an extension of stay as a visiting religious worker or a religious worker in a non pastoral role**

177E. The requirements to be met by a person seeking an extension of stay as a visiting religious worker or a religious worker in a non-pastoral role are that the applicant -

- (i) entered the Isle of Man with a valid entry clearance in this capacity or was given leave to enter as a visiting religious worker or a religious worker in a non-pastoral role; and
- (ii) intends to continue employment as a visiting religious worker or a religious worker in a non-pastoral role; and
- (iii) if seeking an extension of stay as a visiting religious worker -
  - (a) meets the requirement of paragraph 177B(i)(a)(I) above; and
  - (b) submits a letter from a senior member or senior representative of one or more local religious communities in the Isle of Man confirming that he is still wanted to perform religious duties as a visiting religious worker at one or more locations in the Isle of Man and confirming the expected duration of that employment; and
  - (c) would not, as the result of an extension of stay, be granted leave as a visiting religious worker which, when amalgamated with his previous periods of leave in this category in the last 12 months, would total more than 6 months; or
- (iv) if seeking an extension of stay as a religious worker in a non-pastoral role:
  - (a) meets the requirements of paragraph 177B(i)(b)(I) and (II); and
  - (b) submits a letter from a senior member or senior representative of the local religious community for which he works in the Isle of Man confirming that his employment as a religious worker in a non-pastoral role in that religious community will continue, and confirming the duration of that employment; and
  - (c) would not, as the result of an extension of stay, remain in the Isle of Man for a period of more than 24 months as a religious worker in a non-pastoral role; and
- (v) meets the requirements of paragraph 177B (II) to (V).

**Extension of stay as a visiting religious worker or a religious worker in a non-pastoral role**

177F. An extension of stay as a visiting religious worker or a religious worker in a non-pastoral role may be granted -

- (a) as a visiting religious worker, for a period not exceeding 6 months; or
- (b) as a religious worker in a non-pastoral role, for a period not exceeding 24 months;

if the Lieutenant Governor is satisfied that each of the requirements of paragraph 177E is met.

**Refusal of an extension of stay as a visiting religious worker or a religious worker in a non pastoral role**

177G. An extension of stay as a visiting religious worker or a religious worker in a non-pastoral role is to be refused if the Lieutenant Governor is not satisfied that each of the requirements of paragraph 177E is met.”.

29. In paragraph 187, for “5 years”, substitute “2 years”.
30. In paragraph 190, for “5 years”, substitute “3 years”.
31. Paragraphs 194 to 196 are amended as follows:
  - (a) in the heading “SPOUSES OF PERSONS WITH LIMITED LEAVE TO ENTER OR REMAIN UNDER PARAGRAPH 128 – 193”, after “SPOUSES” insert “OR CIVIL PARTNERS”;
  - (b) After the word “spouse”, wherever appearing (including in headings), insert “or civil partner”;
  - (c) in paragraph 194(i), after “is married to” insert “, or the civil partner of,”; and
  - (d) in paragraph 194(ii), after “marriage” insert “or civil partnership”.
32. In paragraph 197(iii), after “unmarried” insert “and is not a civil partner”.
33. After Paragraph 206F insert -  
“206G [NOT USED]
- Postgraduate Doctors and Dentists**

206H. The requirements for an extension of stay as a person intending to establish himself in business in the Isle of Man for a Postgraduate Doctor or Dentist are that the applicant –

  - (i) entered the Isle of Man or was given leave to remain as a Postgraduate Doctor or Dentist in accordance with paragraphs 70 to 75 of these Rules; and
  - (ii) has the written consent of his official sponsor to such self employment if he is a member of a government or international scholarship agency sponsorship and that sponsorship is either ongoing or has recently come to an end at the time of the requested extension; and
  - (iii) meets each of the requirements of subparagraphs (i) to (x) of paragraph 201.”.
34. In paragraph 207, after “not exceeding 4 years”, insert “at a time”.

35. In paragraph 228, for the words “a maximum period of 4 years” substitute “a period not exceeding 3 years at a time”.
36. Paragraphs 240 to 242 are amended as follows:
- (a) in the heading “SPOUSES OF PERSONS WITH LIMITED LEAVE TO ENTER OR REMAIN UNDER PARAGRAPHS 200 – 239”, after “SPOUSES” insert “OR CIVIL PARTNERS”;
  - (b) after the word “spouse”, wherever appearing (including in headings), insert “or civil partner”;
  - (c) in paragraph 240(i), after “is married to” insert “, or the civil partner of,”; and
  - (d) in paragraph 240(ii), after “marriage” insert “or civil partnership”.
37. In paragraph 243(iii), after “unmarried” insert “and is not a civil partner”.
38. In paragraph 248A(vii) for “spouse or unmarried partner” substitute “spouse, civil partner, unmarried partner or same-sex partner”.
39. In paragraphs 255, 264 and 269(i), for “4 years” (wherever appearing) substitute “5 years”.
40. In paragraph 269(ii). For “4 year” substitute “5 year”.
41. Paragraphs 271 to 273 are amended as follows:
- (a) in the heading “SPOUSES OF PERSONS WITH LIMITED LEAVE TO ENTER OR REMAIN IN THE ISLE OF MAN AS RETIRED PERSONS OF INDEPENDENT MEANS”, after “SPOUSES” insert “OR CIVIL PARTNERS”;
  - (b) after the word “spouse”, wherever appearing (including in headings), insert “or civil partner”;
  - (c) in paragraph 271(i), after “is married to” insert “, or the civil partner of,”; and
  - (d) in paragraph 271(ii), after “marriage” insert “or civil partnership”.
42. In paragraph 274(iii), after “unmarried” insert “and is not a civil partner”.
43. Paragraphs 277 to 289 are amended as follows:
- (a) for the heading “SPOUSES” substitute “SPOUSES AND CIVIL PARTNERS”;
  - (b) In the heading “SPOUSES OF PERSONS PRESENT AND SETTLED IN THE ISLE OF MAN OR BEING ADMITTED ON THE SAME OCCASION FOR SETTLEMENT”, after “SPOUSES” insert “OR CIVIL PARTNERS”;
  - (c) after the word “spouse”, wherever appearing (including in headings), insert “or civil partner”;
  - (d) after the words “is married to”, wherever appearing, insert “, or the civil partner of,”;

- (e) after the word “marriage”, wherever appearing, insert “or civil partnership;”;
  - (f) in paragraph 281(i)(b), after “were married” insert “or formed a civil Partnership”; and
  - (g) In paragraph 284(i), after “fiancé” insert “or proposed civil partner”.
  - (h) in paragraphs 287(a)(i)(B) and 287(b)(i)(B), after “during that 2 year period married” insert “or formed a civil partnership with”, and after “unmarried” insert “or same-sex”.
44. Paragraph 289A is amended as follows:
- (a) in paragraph 289A(i), after “spouse” insert “or civil partner”;
  - (b) in paragraph 289A(ii), after “unmarried” insert “or same-sex”; and
  - (c) in paragraph 289A(iii), for “spouse or unmarried partner” insert “spouse, civil partner, unmarried partner or same-sex partner”.
45. In paragraphs 297(iii), 298(iii) and 301(iii), after “unmarried” insert “and is not a civil partner”.
46. In paragraph 303A (iii), after “unmarried” insert “and is not a civil partner”.
47. In paragraph 304, delete “unmarried” and, after the words “18 years of age”, insert “who are unmarried and are not civil partners and”.
48. In paragraphs 305(iv), 310(iii), 311(iii) and 314(iii) after “unmarried” insert “and is not a civil partner”.
49. In paragraph 316A -
- (a) in subparagraph (iii), after “unmarried” insert “and is not a civil partner”; and
  - (b) in subparagraph (v), after “marriage” insert “or civil partnership”.
50. For paragraph 317(i)(d), substitute:
- “(d) a parent or grandparent aged 65 or over who has entered into a second relationship of marriage or civil partnership but cannot look to the spouse, civil partner or children of that second relationship for financial support; and where the person settled in the Isle of Man is able and willing to maintain the parent or grandparent and any spouse or civil partner or child of the second relationship who would be admissible as a dependant;”.
51. In paragraphs 320(13), 322(8) and 324 after “spouse” insert “or civil partner”.
52. In paragraph 326(2)(ii), after “marriage to” insert “,or civil partnership with,” and after “unmarried” insert “or same-sex”.
53. For paragraph 363 substitute –
- “363. The circumstances in which a person is liable to deportation are set out in the Immigration Act 1971 and include -

- (i) failure to comply with a condition attached to the person's leave to enter or remain or remaining beyond the time limited by the leave;
- (ii) where the Lieutenant Governor deems the person's deportation to be conducive to the public good;
- (iii) where the person concerned is the spouse or civil partner or child under 18 of a person ordered to be deported; and
- (iv) where a court recommends deportation in the case of a person over the age of 17 who has been convicted of an offence punishable with imprisonment.”.

54. In paragraph 365 -

- (a) for “spouse or child” substitute “spouse, civil partner or child”; and
- (b) after “deport the spouse” insert “or civil partner”.

55. In paragraph 366(iv), after “married” insert “or formed a civil partnership”.

56. In paragraph 367, after “spouse”, wherever occurring, insert “or civil partner”.

57. For paragraph 389(ii), substitute:

- “(ii) in the case of a spouse or civil partner, the marriage or civil partnership comes to an end”.



## EXPLANATORY NOTE

*(This note does not form part of the Statement of Changes)*

This Statement of Changes makes the following amendments to the Statement of Rules laid before Tynwald in may 2005 (SD 62/05) –

- (a) References to spouses and marriage now include civil partners and civil partnerships entered into under the law of a part of the United Kingdom.
- (b) A change to the provisions for Postgraduate Doctors and Dentists, so that only those doctors and dentists who have completed their medical or dental degree in the UK will be eligible for leave in this category, and then only to complete the two-year Foundation Programme.
- (c) A change to prevent non-visa nationals in the Isle of Man as visitors from being able to switch into the student category for courses above degree level.
- (d) A new provision to allow overseas trained nurses to enter the Isle of Man to undertake a period of supervised practice leading to registration with the Nursing and Midwifery Council.
- (e) An extension of the mandatory entry clearance requirement for non-visa nationals seeking leave to enter the Isle of Man for a period of more than six months.
- (f) New provisions for the admission of Religious Workers.
- (g) A technical amendment to allow work permit holders to switch into the Overseas Nurses Programme to undertake a period of supervised practice or midwife adaptation training.

