

**STATEMENT OF  
CHANGES  
IN IMMIGRATION RULES**



Laid before Tynwald on 17<sup>th</sup> May 2005 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 2008 (SI 2008 no. 680). As amended.

**A schedule of amendments to SD 62/05 is set out in Appendix IOM 1.**

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## INTRODUCTION

**The Minister has made changes in the Rules as to the practice to be followed in the administration of the Immigration Act 1971 as extended to the Isle of Man<sup>1</sup> for regulating the 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 (SD 62/05)<sup>2</sup>. This statement contains the Rules as changed and replaces the provisions of SD 62/05 (as amended).**

2. Immigration Officers, Entry Clearance Officers and all staff of the Immigration Office will carry out their duties without regard to the race, colour or religion of persons seeking to enter or remain in the Isle of Man.

3. In these Rules words importing the masculine gender include the feminine, unless the contrary intention appears.

3A. In these Rules any reference to an Act of Parliament, or a provision of an Act of Parliament, which extends to the Isle of Man is a reference to that Act or provision as it has effect in the Isle of Man.

### Implementation and Transitional Provisions

4. These Rules came into effect on 25<sup>th</sup> April 2005 and will apply to all decisions taken on or after that date save that any application made before 25<sup>th</sup> April 2005 for entry clearance, leave to enter or remain or variation of leave to enter or remain shall be decided under the provisions of S.D. 373/94, as amended, as if these Rules had not been made.

### Application

#### 5A(IOM)

With effect from 6 April 2018 Tier 2 of the Points Based System, as defined in paragraph 6, is closed for new applications. Any applications received prior to 6 April 2018 will be determined by the Rules in force at the date of application.

#### 5AA(IOM) Consequential and transitional arrangements

With effect from 6 April 2018 all valid Tier 2 visas will be deemed as held under the Worker Migrant or Worker (Intra Company Transfer) Migrant Rules, as the case may be, at Appendix W of these Rules.

With effect from 6 April 2018, the Points Based System Sponsorship Functions for Tier 2 will cease operation. Any Tier 2 Certificates of Sponsorship issued prior to 6 April 2018, where a visa application has been, made will remain valid and will be made considered against the Rules in effect at the date of application.

If a Certificate of Sponsorship for Tier 2 is issued prior to 6 April 2018, but the visa application has not been made by that date, that Certificate of Sponsorship remains valid in accordance paragraph 6.1(2) of Appendix W, the visa application will be considered under the Rules at the date of application.

If a Tier 2 application is made prior 6 April 2018 and where an appeal has been made against a refusal or curtailment notice prior to that date (in accordance with the Immigration Appeals (Procedure) Rules 20018). The application will be determined against the rules in effect at the time of application.

A reference in these Rules to the Department of Economic Development in connection with any Point Based System Sponsorship Functions shall be taken as a reference to the Minister and Immigration Officers acting on his behalf.

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<sup>1</sup> See the Immigration (Isle of Man) Order 2008 (SI 2008/680) as amended.

<sup>2</sup> SD 62/05 (see Appendix IOM1 as to the Schedule of Amendments to SD 62/05).

Any references to the Department of Economic Development, in so far as they relate to the transferred functions and not otherwise, in any instrument, contract or proceedings made or begun before the coming into operation of these Rules shall be substituted by a reference to the Minister.

Anything begun by or under the Department of Economic Development so far as it relates to any of the transferred functions may be continued and completed by or under the Minister and Immigration Officers acting on his behalf.

### Provision for Irish citizens

5B. Save where expressly indicated throughout these Rules, these Rules do not apply to an Irish citizen who as a result of section 3ZA of the Immigration Act 1971 does not require leave to enter or remain, but an Irish citizen who does require leave to enter or remain is covered by these Rules.

5C. Paragraph 5B does not apply to paragraph 11, Appendix EU, Appendix EU (Family Permit) or Part 13 (deportation).

5D. An Irish citizen who as a result of section 3ZA of the Immigration Act 1971 does not require leave to enter or remain is considered settled for the purposes of these Rules.

## INTERPRETATION

A6. In these Rules, unless the contrary intention appears, references to paragraphs are to paragraphs of the Immigration Rules (SD No. 62/05 as amended) made under section 3(2) of the Immigration Act 1971, and references to Appendices are to Appendices to those Rules.

B6. In these Rules, references to primary and secondary legislation refers to that legislation as amended from time to time.

6. In these Rules the following interpretations apply:

**"Accession State national"** means a national of the Czech Republic, the Republic of Cyprus, the Republic of Estonia, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia or the Slovak Republic.

**'adequate'** and **'adequately'** in relation to a maintenance and accommodation requirement shall mean that, after income tax, national insurance contributions and housing costs have been deducted, there must be available to the family the level of income that would be available to them if the family was in receipt of income support."

**"adoption"** unless the contrary intention appears, includes a de facto adoption in accordance with the requirements of paragraph 309A of these Rules, and "adopted" and "adoptive parent" should be construed accordingly.

**"Application for leave to remain"** and **"application for permission to stay"** includes an application for variation of leave to enter or remain of a person in the Isle of Man.

An **"Amateur"** is a person who engages in a sport or creative activity solely for personal enjoyment and who is not seeking to derive a living from the activity. This also includes a person playing or coaching in a charity game.

**"Applicant"** means a person who is making an application for entry clearance, permission to enter or permission to stay in the Isle of Man (and a person seeking entry at the Isle of Man border is to be regarded as making an application for permission to enter).

A **"Professional Sportsperson"**, is someone, whether paid or unpaid, who :

- is providing services as a sportsperson, playing or coaching in any capacity, at a professional or semi-professional level of sport; or
- being a person who currently derives, who has in the past derived or seeks in the future to derive, a living from playing or coaching, is providing services as a sportsperson or coach at any level of sport, unless they are doing so as an "Amateur".

**"a bona fide private education institution"** is a private education institution which:

- a) maintains satisfactory records of enrolment and attendance of students, and supplies these to the Isle of Man Immigration Office when requested,
- b) provides courses which involve a minimum of 15 hours organised daytime study per week,
- c) ensures a suitably qualified tutor is present during the hours of study to offer teaching and instruction to the students,
- d) offers courses leading to qualifications recognised by the appropriate accreditation bodies,
- e) employs suitably qualified staff to provide teaching, guidance and support to the students, and
- f) provides adequate accommodation, facilities, staffing levels and equipment to support the numbers of students enrolled at the institution.
- g) [NOT USED]

“**Biometrics**” has the same meaning as “biometric information” in section 15 of the UK Borders Act 2007 and means, in particular, a record of a person’s fingerprints or a photograph of a person’s face.

“**BN(O) Adult Dependant Relative**” means a person granted permission as a BN(O) Adult Dependant Relative under Appendix Hong Kong British National (Overseas).

“**BN(O) Household Child**” means a person falling within HK 15 1. and who is granted permission as a BN(O) Household Child under Appendix Hong Kong British National (Overseas).

“**BN(O) Household Member**” means a person granted permission as a BN(O) Household Member under Appendix Hong Kong British National (Overseas).

“**BN(O) Status Holder**” means a person granted permission as a BN(O) Status Holder under Appendix Hong Kong British National (Overseas).

“**Breach of immigration laws**”—a person is in breach of immigration laws for the purpose of these Rules where the person is an overstayer; is an illegal entrant; is in breach of a condition of their permission; or used deception in relation to their most recent application for entry clearance; and “**previously breached immigration laws**”—a person previously breached immigration laws if they overstayed or used deception in relation to a previous application for entry clearance or permission.

“**Business person**” means a migrant granted leave under paragraphs 200 to 208 of the Rules as they applied before 1 December 2009;

“**Cabotage operations**” in Appendix Visitor: Permitted Activities means—

- (a) in relation to goods, national carriage for hire or reward carried out on a temporary basis in the Isle of Man; or
- (b) in relation to passengers either—
  - (i) road passenger services for hire and reward carried out on a temporary basis by a carrier in the Isle of Man; or
  - (ii) the picking up and setting down of passengers within the Isle of Man, in the course of a regular international service, provided that it is not the principal purpose of the service.

“**Calendar year**” means a year beginning on 1 January and ending on 31 December.

“**Cancellation**” in Part 9 means cancellation, variation in duration, or curtailment, of entry clearance or permission, which can take effect immediately or at a specified future date and whether the person is in the Isle of Man or overseas.

“**Child**” means a person who is aged under 18 years.

“**civil partner**” means a civil partnership which exists under or by virtue of the Civil Partnership Act 2004 (an Act of Parliament) (and any reference to a civil partner is to be read accordingly).

“**Common Travel Area**” is as defined in section 1(3) of the Immigration Act 1971.

**“Condition”** means a condition of leave to enter or leave to remain under section 3(1)(c) of the Immigration Act 1971, such as a prohibition on employment or study.

**‘conviction’** means conviction for a criminal offence in the Isle of Man or any other country.

**“curtailment”**, in relation to the curtailment of a person’s leave to enter or remain in the Isle of Man, means curtailing their leave such that they will have a shorter period of, or no, leave remaining.

**“Control of Employment Act”** means the Control of Employment Act 2014 (of Tynwald)<sup>3</sup>

**“Custodial sentence”** means a period of imprisonment, not including a suspended sentence.

**“Date of application”** means—

- (a) if applying for entry clearance—
  - (i) the date of payment of the relevant fee;
  - (ii) where a fee is not required, the date on which the application is submitted online; or
  - (iii) where a fee is not required and an online application form is not available, the date on which the paper application form is received by the Home Office;
- (b) if applying for permission to enter, the date the person seeks entry; or
- (c) if applying for permission to stay—
  - (i) the date that the paper application form is submitted in person to the Immigration Service address specified on the form;
  - (ii) where the application is sent by pre-paid post, the date as shown on the tracking information provided by the carrier or, if not tracked, by the postmark date on the envelope; or
  - (iii) where the application is sent by courier, or other postal services provider, the date on which it was delivered to the Immigration Service address specified on the form.

**“Decision maker”** means an entry clearance officer, immigration officer or the Minister, as the case may be.

**“degree level study”** means a course which leads to a recognised United Kingdom degree at bachelor’s level or above, or an equivalent qualification at level 6 or above of the revised National Qualifications Framework, or levels 9 or above of the Scottish Credit and Qualifications Framework.

**“Deportation Order”** means an order made under section 5(1) of the Immigration Act 1971.

**“ECAA route”** means Appendix ECAA Extension of Stay or under the ECAA Rules in force on 31 December 2020

Under Part 8 of these Rules, **“post-graduate level study”** means a course at level 7 or above of the revised National Qualifications Framework or Qualifications and Credit framework, or level 11 or above of the Scottish Credit and Qualifications framework, which leads to a recognised United Kingdom postgraduate degree at Master’s level or above, or an equivalent qualification at the same level.

**“foundation degree”** means a programme of study which leads to a qualification awarded by an English higher education institution with degree awarding powers which is at a minimum of level 5 on the revised National Qualifications Framework.

**“primary degree”** means a qualification obtained from a course of degree level study, which did not feature as an entry requirement a previous qualification obtained from degree level study. An undergraduate degree is a primary degree. A Master’s degree that has a Bachelor degree as an entry requirement is not a primary degree.

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<sup>3</sup> 1975 c.

A **"UK recognised body"** is an institution that has been granted degree awarding powers by a Royal Charter, an Act of Parliament or the Privy Council. For the purposes of these Rules the Isle of Man Immigration Office will consider Health Education South London and Health Education England as equivalent to UK recognised bodies.

A **"UK listed body"** is an institution that is not a UK recognised body but which provides full courses that lead to the award of a degree by a UK recognised body.

**"Ecctis"** means the UK regulated body which provides information, advice and opinion on academic, vocational and professional qualifications and skills from all over the world, set out at: <https://www.ecctis.com>

**"EEA citizen"** and **"EEA national"** means a person who is a national of: Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden or Switzerland, and who is not also a British citizen.

**"EEA Regulations"** means the Immigration (European Economic Area) Regulations 2019<sup>4</sup>;

An **"Employer"** with regards to Worker Migrants or Worker (Intra Company Transfer) Migrants means the person or body by whom the Worker Migrant or Worker (Intra Company Transfer) Migrant is to be employed.

**"employment"**, unless the contrary intention appears, includes paid and unpaid employment, paid and unpaid work placements undertaken as part of a course or period of study, self employment and engaging in business or any professional activity.

**"Employment as a Doctor or Dentist in Training"** means employment in a medical post or training programme which has been approved by the General Medical Council, or employment in a postgraduate training programme in dentistry.

**"Exclusion decision"** means a decision where the Minister has personally directed that a person be excluded from the Isle of Man.

**"Exclusion order"** means an order made under regulation 24(5) of the EEA Regulations that the exclusion of an EEA national or the family member of an EEA national is justified on the grounds of public policy, public security or public health.

**"family member"** in relation to an EEA national means –

- (i) that national's spouse;
- (ii) a descendant of that national or his spouse who is under 21 years of age or is their dependant; and
- (iii) a dependent relative in the ascending line of the EEA national or his spouse.

**"Fee"** means the amount the applicant must pay to the Minister as specified in Regulations made in exercise of the powers conferred by section 68 of the Immigration Act 2014.

**"the Hague Convention"** means the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, concluded at The Hague on 29<sup>th</sup> May 1993

**"the Human Rights Convention"** means the Convention for the Protection of Human Rights and Fundamental Freedoms, agreed by the Council of Europe at Rome on 4<sup>th</sup> November 1950 as it has effect for the time being in relation to the Isle of Man.

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<sup>4</sup> SD 2019/0132

**"Immigration Acts"** means the Immigration Acts (of Parliament) (as defined in section 61(2) of the UK Borders Act 2007) as they apply to the Island from time to time.

**"Immigration employment document"** means a work permit or other document which relates to employment and is issued for the purpose of these Rules or in connection with leave to enter or remain in the Isle of Man.

**"Immigration Officer"** includes a Customs Officer acting as an Immigration Officer.

**'in breach of immigration laws'** means without valid leave where such leave is required, or in breach of the conditions of leave.

**"Intention to live permanently with the other"** and **"intend to live together permanently"** means an intention to live together, evidenced by a clear commitment from both parties that they will live together permanently in the Isle of Man immediately following the outcome of the application in question or as soon as circumstances permit thereafter. Where an application is made under Appendix FM and the sponsor is a permanent member of HM Diplomatic Service, or a comparable Isle of Man based staff member of the British Council, the Department for International Development or the Home Office on a tour of duty outside the UK and Islands, the words "in the Isle of Man" in this definition do not apply.

**"International Operator Licence"** in Appendix Visitor: Permitted Activities means—

- (a) a licence issued by the competent authority of a country other than the United Kingdom or the Isle of Man authorising an operator to undertake international carriage of goods or passengers by road in accordance with an international agreement to which the United Kingdom is a party; or
- (b) a community licence issued by a Member State of the Union in accordance with Regulation (EC) No 1072/2009 or Regulation (EC) No 1073/2009.

**"Investor"** means a migrant granted leave under paragraphs 224 to 229 of the Rules as they applied before 1 December 2009;

**"Islands"** means the Isle of Man or any of the Channel Islands.

**"Legal Guardian"** is a person appointed according to local laws to take care of a child.

**"Marriage and Civil Partnerships visitor"** means a person who has or had permission granted under Appendix V: Visitor to marry or form a civil partnership, or give notice of marriage or civil partnership, in the Isle of Man.

**"Medical Inspector"** means a General Practitioner appointed by the Department of Health and Social Security.

any reference to **"the Minister"** is a reference to the Minister for the Cabinet Office, and any reference to a Minister of a named Department is a reference to the Minister of that Department of the Government of the Isle of Man.

**"Multiple Entry work permit employment"** is work permit employment where the person concerned does not intend to spend a continuous period in the Isle of Man in work permit employment.

**"Must not be leading an independent life"** or **"is not leading an independent life"** means that the person—

- (a) does not have a partner;
- (b) is living with their parent (except where they are at a boarding school, college or university as part of their full-time education);
- (c) is not employed full-time (unless aged 18 or over);
- (d) is wholly or mainly dependant upon their parents for financial support (unless aged 18 years or over); and
- (e) is wholly or mainly dependant upon their parents for emotional support.

Where under these Rules a relative other than a parent may act as the sponsor or carer of the person, references in this definition to "parent" shall be read as applying to that other relative.

**"Notice of liability for removal"** means a notice given that a person is or will be liable for removal under section 10 of the Immigration and Asylum Act 1999. For notices given prior to the coming into operation of the Immigration (Isle of Man) (Amendment) Order 2020, "notice of liability for removal" refers to a decision to remove in accordance with section 10 of the Immigration and Asylum Act 1999 or a decision to remove an illegal entrant by way of directions under paragraphs 8 to 10 of Schedule 2 to the Immigration Act 1971.

**'occupy exclusively'** in relation to accommodation shall mean that part of the accommodation must be for the exclusive use of the family.

**'overcrowded'** means overcrowded within the meaning of Schedule 4 of the Housing Act 1955 (of Tynwald).

**"Own Account"** in Appendix Visitor: Permitted Activities means the transport of goods by a business where the following conditions are fulfilled—

- (a) the goods carried are the property of the business or have been sold, bought, let out on hire or hired, produced, extracted, processed or repaired by the business;
- (b) the purpose of the journey is to carry the goods to or from the premises of the business or to move them, either inside or outside the business for its own requirements;
- (c) the vehicles used for such transport are driven by personnel employed by, or put at the disposal of, the business under a contractual obligation;
- (d) the vehicles carrying the goods are owned by the business, have been bought by it on deferred terms or have been hired; and
- (e) such transport is no more than ancillary to the overall activities of the business.

**"a parent"** includes

- (a) the stepfather of a child whose father is dead (and the reference to stepfather includes a relationship arising through civil partnership);
- (b) the stepmother of a child whose mother is dead (and the reference to stepmother includes a relationship arising through civil partnership);
- (c) the father as well as the mother of an illegitimate child where he is proved to be the father;
- (d) an adoptive parent, where a child was adopted in accordance with a decision taken by the competent administrative authority or court in a country whose adoption orders are recognised by the Isle of Man or where a child is the subject of a de facto adoption in accordance with the requirements of paragraph 309A of these Rules (except that an adopted child or child who is the subject of a de facto adoption may not make an application for leave to enter or remain in order to accompany, join or remain with an adoptive parent under paragraphs 297 to 303); and
- (e) in the case of a child born in the Isle of Man who is not a British citizen, a person to whom there has been a genuine transfer of parental responsibility on the ground of the original parent(s)' inability to care for the child.

**"Partner"** means a person's—

- (a) spouse;
- (b) civil partner; or
- (c) unmarried partner, where the couple have been living together in a relationship similar to marriage or a civil partnership for at least 2 years.

**"Passport"** means a document which—

- (a) is issued by or on behalf of the government of any country recognised by the UK, or dealt with as a government by them, and which complies with international passport practice;



- (b) shows both the identity and nationality of the holder;
- (c) gives the holder the right to enter the country of the government of which has issued the document;
- (d) is authentic and not unofficially altered or tampered with;
- (e) is not damaged in a way that compromises the integrity of the document;
- (f) is valid and used by the rightful holder; and
- (g) has not expired.

**“Permission to enter”** has the same meaning as leave to enter under the Immigration Act 1971.

**“Permission to stay”** has the same meaning as leave to remain under the Immigration Act 1971 (and includes a variation of leave to enter or remain and an extension of leave to enter or remain). And references in these Rules to a person having, having had or being granted **“Permission”** means either permission to enter or permission to stay.

**“Permitted Paid Engagement visitor”** means a person who has or had permission under Appendix V: Visitor to undertake specific paid engagements for up to one month.

**“Points Based System Sponsorship Functions”** means all functions in connection with:

- (i) granting Sponsor licences to Sponsors of Tier 2 Migrants prior to 6 April 2018;
- (ii) granting Sponsor licences to Sponsors of Tier 4 Migrants and Tier 5 Migrants;
- (iii) authorising the issue of Certificates of Sponsorship to Tier 2 Migrants prior to 6 April 2018;
- (iv) authorising the issue of Certificates of Sponsorship to Tier 5 Migrants; and
- (ii) carrying out the Certificate of Sponsorship Checking Service, under Part 6A of these Rules.

For the avoidance of doubt, Immigration Officers acting on behalf of the Minister shall continue to carry out functions in connection with:

- (i) granting Sponsor licences to Sponsors of Tier 4 Migrants;
- (ii) authorising the issue of Confirmation of Acceptance for Studies to Tier 4 Migrants; and
- (iii) carrying out the Confirmation of Acceptance for Studies Checking Service, under Part 6A of the Rules.

When exercising their functions, Immigration Officers shall act in accordance with any directions issued by the Minister as to the practice to be followed in the granting of Sponsor Licences and the authorisation of Certificates of Sponsorship or Confirmation of Acceptance for Studies under these Rules.

**“present and settled”** or **“present and settled in the Isle of Man”** means that the person concerned is settled in the Isle of Man and, at the time that an application under these Rules is made, is physically present here or is coming here with or to join the applicant and intends to make the Isle of Man their home with the applicant if the application is successful.

Where the person concerned is a British citizen or settled in the Isle of Man and is—

- (a) a member of HM Forces serving overseas; or
- (b) a permanent member of HM Diplomatic Service, or a comparable UK or Island based staff member of the British Council, the Department for International Development or the Home Office on a tour of duty outside the UK and Islands, and the applicant has provided the evidence specified in paragraph 26A of Appendix FM-SE, then for the purposes of Appendix FM the person is to be regarded as present and settled in the Isle of Man, and in paragraphs R-LTRP.1.1.(a)

and R-ILRP.1.1.(a) of Appendix FM the words “and their partner must be in the Isle of Man” are to be disregarded.

For the purposes of an application under Appendix FM, or as a child under Part 8, an EEA or non-EEA national with a permanent right to reside in the Isle of Man must hold a valid document certifying permanent residence issued under the EEA Regulations or predecessor instruments in order to be regarded as present and settled in the Isle of Man. This does not, however, apply if the EEA or non-EEA national in question holds valid indefinite leave to enter or remain granted under Appendix EU to these Rules or, in the case of an Irish citizen, would hold such leave if they made (or, where the date of application under Appendix FM is on or after 1 July 2021, if they had made) a valid application under that Appendix before 1 July 2021.

“**prohibited degree of relationship**” has the same meaning as in the Marriage Act 1984<sup>5</sup> <sup>6</sup> (of Tynwald) and the Civil Partnership Act 2011<sup>7</sup> (of Tynwald).

“**public funds**” means access to any of the following benefits, irrespective of whether they are paid out of general revenue funds or the Manx National Insurance Fund—

- (a) housing provided under the Housing Acts 1955 to 1990;
- (b) attendance allowance, carer’s allowance and disability living allowance under Part III of the Social Security Contributions and Benefits Act 1992<sup>8</sup> (as it has effect in the Island);
- (c) child benefit under Part IX of the Social Security Contributions and Benefits Act 1992 (as it has effect in the Island);
- (d) income support and employed person’s allowance, under Part VII of the Social Security Contributions and Benefits Act 1992 (as it has effect in the Island);
- (e) incapacity benefit awarded under sub section (2A) of section 30A the Social Security Contributions and Benefits Act 1992 (as it has effect in the Island); and
- (f) income-based jobseeker’s allowance under the Jobseekers Act<sup>9</sup> 1995 (as it has effect in the Island).

For the purposes of these Rules;

- (i) a person (“P”) is not to be regarded as having (or potentially having) recourse to public funds merely because P is (or will be) reliant in whole or in part on public funds provided to P’s family sponsor unless, as a result of P’s presence in the Isle of Man, the family sponsor is (or would be) entitled to increased or additional public funds (save where such entitlement to increased or additional public funds is by virtue of P and the family sponsor’s joint entitlement to benefits under the regulations referred to in sub-paragraph (ii) below);
- (ii) subject to sub-paragraph (iii) below, a person (“P”) shall not be regarded as having recourse to public funds if P is entitled to benefits specified under section 150E of the Social Security and Contributions Act 1992 (as it is applied in the Isle of Man) by virtue of regulations made under sub-sections (2) and (3) of that section or under section 20C of

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<sup>5</sup> 1984 c. 13

<sup>6</sup> 2011 C3

<sup>7</sup> 2011 C2

<sup>8</sup> The Social Security Contributions and Benefits Act 1992 (c. 4) is an Act of Parliament. It has been applied to the Island by the Social Security Contributions and Benefits Act 1992 (Application) Order 1994 (SD 505/94).

<sup>9</sup> The Jobseekers Act 1995 (c. 18) is an Act of Parliament. It has been applied to the Island by the Jobseekers Act 1995 (Application) Order 1996 (SD 8/96).

the Jobseekers Act 1995 (as it is applied in the Isle of Man) by virtue of regulations made under sub-sections (2) and (3) of that section; and

- (iii) A person ("P") making an application from outside the Isle of Man will be regarded as having recourse to public funds where P relies upon the future entitlement to any public funds that would be payable to P or to P's family sponsor as a result of P's presence in the Isle of Man (including those benefits to which P or the family sponsor would be entitled as a result of P's presence in the Isle of Man under the regulations referred to in sub-paragraph (ii) above).

**"the Refugee Convention"** means the Convention relating to the Status of refugees done at Geneva on 28<sup>th</sup> July 1951 and its Protocol.

**"Recreational course"** is a course undertaken purely for leisure purposes that does not lead to a formal qualification, for example, a leisure course in pottery or horse riding.

**"Rough sleeping"** means sleeping, or bedding down, in the open air (for example on the street or in doorways) or in buildings or other places not designed for habitation (for example sheds, car parks or stations).

**"Secretary of State"** means the Secretary of State for the Home Department in the United Kingdom;

**"Seeking entry"** refers to a person applying for entry clearance or permission to enter the Isle of Man.

**"Self-employed"** means a person who is registered as self-employed with the Isle of Man Income Tax Division, or an overseas equivalent, or is employed by a company of which the person is a controlling shareholder.

**"Settled"** has the same meaning as in section 33(1) of the Immigration Act 1971.

**"Settlement"** means indefinite leave to remain.

A **"Series of events"** is two or more linked events, such as a tour, or rounds of a competition, which do not add up to a league or a season.

**"Sham marriage"** and **"sham civil partnership"** has the same meaning as in sections 24(5) and 24A(5) of the Immigration and Asylum Act 1999 and **"involvement in a sham marriage or sham civil partnership"** means a person who is a party to a sham marriage or a sham civil partnership, or who has enabled the marriage or civil partnership to take place.

**"specified documents"** means documents specified by the Minister in the Immigration Rules as being specified documents for the route under which the applicant is applying.

**"sponsor"** and **"family sponsor"** means the person in relation to whom an applicant is seeking leave to enter or remain as their spouse, fiancé, civil partner, proposed civil partner, unmarried partner or same-sex partner or dependent relative, as the case may be, under paragraphs 277 to 2950 or 317 to 319 or the person in relation to whom an applicant is seeking entry clearance or leave as their partner or dependent relative under Appendix FM.

Under Part 6A of these Rules, **"Highly Skilled Migrant"** means a migrant granted leave under paragraphs 135A to 135G of the Rules in force before (date of commencement of these Rule changes).

Under Part 6A of these Rules, **"Highly Skilled Migrant Programme Approval Letter"** means a letter, issued by the Isle of Man Department for Economic Development, confirming that the applicant meets the criteria specified by the Minister for entry to or stay in the Isle of Man under the Highly Skilled Migrant Programme.

**"Points Based System Migrant"** means a migrant applying for or granted leave as a Tier 1 Migrant, a Tier 4 Migrant or a Tier 5 Migrant.

**"Tier 1 Migrant"** means a migrant who is granted leave as a Tier 1 (Exceptional Talent) Migrant, a Tier 1 (General) Migrant, a Tier 1 (Entrepreneur) Migrant, a Tier 1 (Investor) Migrant, a Tier 1 (Graduate Entrepreneur) Migrant or a Tier 1 (Post-Study Work) Migrant.

**"Tier 1 (Exceptional Talent) Migrant"** means a migrant who is granted leave under paragraphs 245B to 245BF of these Rules.

**"Tier 1 (General) Migrant"** means a migrant who is granted leave under paragraphs 245C to 245CE of these Rules.

**"Tier 1 (Entrepreneur) Migrant"** means a migrant who is granted leave under paragraphs 245D to 245DF of these Rules.

**"Tier 1 (Investor) Migrant"** means a migrant who is granted leave under paragraphs 245E to 245EF of these Rules.

**"Tier 1 (Graduate Entrepreneur) Migrant"** means a migrant who is granted leave under paragraphs 245F to 245FB of these Rules in place on or after 1<sup>st</sup> October 2012.

**"Tier 1 (Post-Study Work) Migrant"** means a migrant who is granted leave under paragraphs 245F to 245FE of the Rules in place before 1<sup>st</sup> October 2012.

**"Tier 2 Migrant"** means a migrant who was granted leave prior to 6 April 2018 as a Tier 2 (Intra-Company Transfer) Migrant, a Tier 2 (General) Migrant, a Tier 2 (Minister of Religion) Migrant or a Tier 2 (Sportsperson) Migrant.

**"Tier 2 (Intra-Company Transfer) Migrant"** means a migrant who was granted leave under paragraphs 245G to 245GF of the Rules in force prior to 6 April 2018.

**"Tier 2 (General) Migrant"** means a migrant who was granted leave under paragraphs 245H to 245HF of these Rules in force prior to 6 April 2018, and who obtained points under paragraphs 76 to 84A of Appendix A as it stood before that date.

**"Tier 2 (Minister of Religion) Migrant"** means a migrant who was granted leave under paragraphs 245H to 245HF of the Rules in force prior to 6 April 2018 and who obtained points under paragraphs 85 to 92 of Appendix A as it stood before that date.

**"Tier 2 (Sportsperson) Migrant"** means a migrant who was granted leave under paragraphs 245H to 245HF of these Rules in force prior to 6 April 2018 and who obtained points under paragraphs 93 to 100 of Appendix A as it stood before that date.

**"Tier 4 (General) Student"** means a migrant granted leave under paragraphs 245ZT to 245ZY of these Rules.

**"Tier 4 (Child) Student"** means a migrant granted leave under paragraphs 245ZZ to 245ZZD of these Rules.

**"Tier 4 Migrant"** means a Tier 4 (General) Student or a Tier 4 (Child) Student.

**"expected end date of a course leading to the award of a PhD"** means the date the PhD is expected to be formally confirmed, by the sponsor, as completed to the standard required for the award of a PhD and recorded on the confirmation of acceptance for studies accompanying the application for leave to remain as a Tier 4 (General) Student on the doctorate extension scheme.

**"Tier 5 (Youth Mobility) Temporary Migrant"** means a migrant granted leave under paragraphs 245ZI to 245ZL of these Rules.

**"Deemed sponsorship status"** means that the country or territory is not required to issue its nationals or passport holders with a Certificate of Sponsorship in order to enable a successful application to become a Tier 5 (Youth Mobility) Temporary Migrant and is held by a country or territory listed as such at Appendix G of these Rules.

**"Tier 5 (Temporary Worker) Migrant"** means a migrant granted leave under paragraphs 245ZM to 245ZS of these Rules.

**"Tier 5 Migrant"** means a migrant who is either a Tier 5 (Temporary Worker) Migrant or a Tier 5 (Youth Mobility) Temporary Migrant.

Under Part 6A of these Rules **"Government Authorised Exchange Scheme"** means a scheme under the Tier 5 (Temporary Worker) Government Authorised Exchange sub-category which is endorsed by a

Government Department in support of Government objectives and provides temporary work in an occupation which appears on the list of occupations skilled to National Qualifications Framework level 3, as stated in the codes of practice for Tier 2 Sponsors published by the Department for Economic Development, and where the migrant will be supernumerary.

Under Part 6A of these Rules **“Work Experience Programme”** means work experience including volunteering and job-shadowing, internships and work exchange programmes under a Government Authorised Exchange Scheme.

Under Part 6A of these Rules **“Research Programme”** means research programmes and fellowships under a Government Authorised Exchange Scheme where the migrant is working on a scientific, academic, medical, or government research project/s at either an Isle of Man Higher Education Institution or another research institution operating under the authority and/or financial sponsorship of a relevant Government Department.

**“Training Programme”** means a training programme under a Government Authorised Exchange Scheme where the migrant either receives formal, practical training in the fields of science and/or medicine or by emergency services, or meets the requirements of paragraph 245ZQ(b)(vi)(1) to (3)(a).

Under Part 6A of these Rules **“Overseas Government Language Programme”** means an overseas Government sponsored professional language development programme under the Government Authorised Exchange Scheme where the migrant delivers language training and participates in a cultural exchange programme that is fully or partially paid for by the overseas government or an organisation affiliated to an overseas government.

Under Part 6A of these Rules, **“Temporary Engagement as a Sports Broadcaster”** means providing guest expert commentary on a particular sporting event.

**“Minister of Religion, Missionary or Member of a Religious Order”** means a migrant granted leave under paragraphs 170 to 177A of the Rules in force before 26<sup>th</sup> July 2010.

**“Overseas Qualified Nurse or Midwife”** means a migrant granted leave under paragraphs 69M to 69R of the Rules in force before 26<sup>th</sup> July 2010

**“UK”** means the United Kingdom.

**“United Kingdom passport”** bears the meaning it has in the Immigration Act 1971.

**“Unmarried partner”** under Appendix ECAA Extension of Stay and Appendix ECAA Settlement, means a person who is—

- (a) resident with the ECAA worker or ECAA business person unless applying for entry clearance;
- (b) intends to live, or continue living, with the ECAA worker or ECAA business person; and
- (c) is in a relationship with the ECAA worker or ECAA business person that is genuine and subsisting.

**“unspent conviction”** means a conviction which is not spent for the purposes of the Rehabilitation of Offenders Act 2001.

**“a UK Bachelors degree”** means –

- (a) A programme of study or research which leads to the award, by or on behalf of a university, college or other body which is authorised by Royal Charter or by or under an Act of Parliament to grant degrees, of a qualification designated by the awarding institution to be of Bachelors degree level; or
- (b) A programme of study or research, which leads to a recognised award for the purposes of section 214(2)(c) of the Education Reform Act 1988, of a qualification designated by the awarding institution to be of Bachelors degree level.

**“Valid application”** means an application made in accordance with the requirements of Part 1, or the validity requirements of the route in question.

**"Visa nationals"** means persons specified in Appendix Visitor: Visa National List as needing a visa, or entry clearance, for the Isle of Man for a visit or for any other purposes where seeking entry for 6 months or less and **"Non-visa nationals"** are persons who are not so specified in that Appendix.

**"Voluntary work"** has the same meaning as in the National Minimum Wage Act 2001<sup>10</sup> (of Tynwald).

**"Week"** means a period of 7 days beginning with a Monday.

**"Work"** has the same meaning as **"Employment"**, except that work does not include being party to an employment contract but not working.

a **"work permit"** means a permit issued under the provisions of the Overseas Labour Scheme as the scheme had effect in the Isle of Man.

**"Work Permit Holder"** means a migrant who is granted leave under paragraphs 128 to 133 of these Rules.

**"working illegally"** means working in breach of conditions of leave or working when in the Isle of Man without valid leave where such leave is required.

Under Part 6A of these Rules, **"Highly Trusted Sponsor"** means a sponsor which is recorded as being "Highly Trusted" on the register of licensed sponsors maintained by the United Kingdom Border Agency.

Under Appendix A of these Rules, an **"A-rated Sponsor"** is a Sponsor which is recorded as being "A-rated" on the register of licensed Sponsors maintained by Immigration Officers.

Under Part 6A and Appendix A of these Rules, a **"B-rated Sponsor"** is a sponsor which is recorded as being "B-rated" on the register of licensed sponsors maintained by Immigration Officers.

**"Certificate of Sponsorship"** means an authorisation issued by the Minister to a Sponsor in respect of one or more applications, or potential applications, for entry clearance, leave to enter or leave to remain as a Tier 2 Migrant or a Tier 5 Migrant in accordance with these Rules and includes a certificate of sponsorship issued under the Deemed sponsorship status provisions in relation to Tier 5 (Youth Mobility) Temporary Migrants and a certificate of sponsorship issued under the Government Authorised Exchange Scheme provisions in relation to Tier 5 (Temporary Worker) Migrants.

Under Part 6A and Appendix A of these Rules, **"Confirmation of Acceptance for Studies"** means a letter containing a unique reference number issued by a Sponsor to an applicant for entry clearance, leave to enter or leave to remain as a Tier 4 Migrant in accordance with these Rules.

Under Part 6A of these Rules, **"Certificate of Sponsorship Checking Service"** means the assessment by an Immigration Officer or entry clearance officer on behalf of the Minister of a migrant's Certificate of Sponsorship including details of the migrant's sponsor, job details, course of study and other details associated with the circumstances in which the Certificate of Sponsorship was issued in relation to the migrant's application for entry clearance, leave to enter or leave to remain.

Under Part 6A of these Rules, **Confirmation of Acceptance for Studies Checking Service** means the assessment by an Immigration Officer or entry clearance officer on behalf of the Minister of a migrant's Confirmation of Acceptance for Studies including details of the migrant's Sponsor, together with details of the course of study and other details associated with the circumstances in which the Confirmation of Acceptance for Studies was issued in relation to the migrant's application for entry clearance, leave to enter or leave to remain.

Under Part 6A and Appendix A of these Rules, **"length of the period of engagement"** is the period beginning with the employment start date as recorded on the Certificate of Sponsorship Checking Service entry which relates to the Certificate of Sponsorship reference number for which the migrant was awarded points under Appendix A and ending on the employment end date as recorded in the same entry.

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<sup>10</sup> AT 25 of 2001.

Under Part 6A and Appendix A of these Rules, a “**genuine vacancy**” is a vacancy which exists in practice (or would exist in practice were it not filled by the applicant) for a position which:

(a) requires the jobholder to undertake the specific duties and responsibilities, for the weekly hours and length of the period of engagement, described by the Sponsor in the Certificate of Sponsorship relating to the applicant; and

(b) does not include dissimilar and/or unequally skilled duties such that the Standard Occupational Classification (SOC) code used by the Sponsor as stated in the Certificate of Sponsorship relating to the applicant is inappropriate.”

Under Part 6A and Appendix A of these Rules, working for “**the same employer**” or “**the same Sponsor**” includes working for a different employer or Sponsor in circumstances which constitute a “relevant transfer” under arrangements approved by the Department for Enterprise for transferring business ownership, provided the worker’s duties remain unchanged.

Under Part 6A and Appendix A of these Rules, “**Designated Competent Body**” means an organisation which has been approved by the UK Border Agency to endorse applicants as a Tier 1 (Exceptional Talent) Migrant.

Under Part 6A and Appendix A of these Rules, “**Tier 1 (Exceptional Talent) Unique Reference Number**” means a unique reference number issued for the purposes of managing the Tier 1 (Exceptional Talent) Limit and provided by the UK Border Agency to an applicant prior to making his application as a Tier 1 (Exceptional Talent) Migrant.

For the purpose of paragraph 320(7B) of these Rules “**Removal Decision**” means

(a) a decision to remove in accordance with section 10 of the Immigration and Asylum Act 1999 or

(b) a decision to remove an illegal entrant by way of directions under paragraphs 8 to 10 of Schedule 2 to the Immigration Act 1971.

**Pending appeal** has the same meaning as in section 104 of the Nationality, Immigration and Asylum Act 2002.

Under Part 6A of these Rules, “**Sponsor**” means the person or Government who is recorded as being the Sponsor for a migrant by the Certificate of Sponsorship Checking Service (for Tier 2 Migrants (prior to 6 April 2018) and Tier 5 Migrants) or the Confirmation of Acceptance for Studies Checking Service (for Tier 4 Migrants).

Under Part 6A of these Rules, a reference to a “**Sponsor licence**” means a licence granted by the Minister to a person, who by virtue of such a grant is licensed as a Sponsor under Tier 2 (prior to 6 April 2018), Tier 4 or Tier 5 of the Points Based System.

In Part 6A and Appendices A and J of these Rules, “**settled worker**” means a person who:

(i) is a British Citizen,

(ii) is a national of the European Economic Area or Switzerland who is exercising a Treaty Right in the Isle of Man,

(iii) is a British overseas territories citizen, except those from Sovereign Base Areas in Cyprus,

(iv) is a Commonwealth citizen with leave to enter or remain granted on the basis of Isle of Man, UK or Channel Islands Ancestry (paragraphs 186 to 193 of these Rules), or

(v) has settled status in the Isle of Man within the meaning of the Immigration Act 1971, as amended by the Immigration and Asylum Act 1999, and the Nationality, Immigration and Asylum Act 2002, and

(vi) is an Isle of Man worker within the meaning of the Control of Employment Act 2014 (of Tynwald)<sup>11</sup>.

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<sup>11</sup> 1975 c25

**“Standard visitor”** means a person who has, or had, permission under Appendix V: Visitor to undertake the activities of a standard visitor set out in Appendix Visitor: Permitted Activities.

In Appendix A of these Rules, **“voluntary fieldwork”** means activities which would not normally be offered at a waged or salaried rate and which contribute directly to the achievement or advancement of the sponsor’s charitable purpose. It does not include work ancillary to the sponsor’s charitable purpose including, for example, routine back office administrative roles, retail or other sales roles, fund-raising roles and roles involved in the maintenance of the sponsor’s offices and other assets.

Under Part 6A of these Rules, **“Student”** means a migrant who was granted leave under paragraphs 57 to 62 of these Rules.

Under Part 6A of these Rules, **“supplementary employment”** means other employment in a job which appears on the Shortage Occupation List in Appendix K, or in the same profession and at the same professional level as that which the migrant is being sponsored to do provided that:

- (a) the migrant remains working for the Sponsor in the employment that the Certificate of Sponsorship Checking Service records that the migrant is being sponsored to do,
- (b) the other employment does not exceed 20 hours per week and takes place outside of the hours when the migrant is contracted to work for the Sponsor in the employment the migrant is being sponsored to do.

**“Working holidaymaker”** means a migrant granted leave under paragraphs 95 to 97 of the Rules in force before 1 December 2009;

**“A visitor”** is a person granted leave to enter or remain in the Isle of Man under paragraphs 40-56Z, 75A-M or 82-87 of these Rules before 7 September 2015 or under Appendix V: Immigration Rules for Visitors on or after 7 September 2015.”.

**“Writer, composer or artist”** means a migrant granted leave under paragraphs 232 to 237 of the Rules in force before 1 December 2009.

**“Innovator”** (other than references in Part 6 and Appendix F which are no longer in use) means a migrant who is granted leave in the Innovator sub-category under Appendix X of these Rules.

**“Start-up Migrant”** means a migrant who is granted leave in the Start-up sub-category under Appendix X of these Rules.

**“UK Start-up migrant”** means a migrant who is granted leave in the Start-up category under Appendix W of the United Kingdom Immigration Rules.

**“UK Innovator”** means a migrant who is granted leave in the Innovator category under Appendix W of the United Kingdom Immigration Rules.

Under Part 6A of these Rules, **“week”** means a period of 7 days beginning with a Monday.

In paragraph 320(7B) and paragraph 320(11) of these Rules:

**“Deception”** means making false representations or submitting false documents (whether or not material to the application), or failing to disclose material facts.

**“Illegal Entrant”** has the same definition as in section 33(1) of the Immigration Act 1971.

**“Overstayed’ or ‘Overstaying’** means the applicant has stayed in the Isle of Man beyond the latest of:

- (i) the time limit attached to the last period of leave granted, or
- (ii) beyond the period that his leave was extended under sections 3C or 3D of the Immigration Act 1971.

In paragraph 320(22) and 322(12) of these Rules, and in paragraphs S-EC.2.3., S-LTR.2.3. and S-ILR.2.3. of Appendix FM to these Rules:

**“relevant NHS body”** means



a) in relation to England-

- (i) a National Health Service Trust established under section 25 of the National Health Service Act 2006 (of Parliament);
- (ii) a NHS foundation trust. (which shall be construed in accordance with Part 1 of the Health and Social Care (Community Health and Standards) Act 2003 (of Parliament)<sup>12</sup>,

(b) in relation to Wales-

- (i) a Local Health Board established under section 11 of the National Health Service (Wales) Act 2006 (of Parliament)
- (ii) a National Health Service Trust established under section 18 of that Act,
- (iii) a Special Health Authority established under section 22 that Act .

(c) in relation to Scotland-

- (i) a Health Board or Special Health Board established under section 2 of the National Health Service (Scotland) Act 1978 (of Parliament),
- (ii) the Common Services Agency for the Scottish Health Service established under section 10 of that Act,
- (iii) Healthcare Improvement Scotland established under section 10A of that Act.

(d) in relation to Northern Ireland-

- (i) the Regional Health and Social Care Board established under the Health and Social Care (Reform) Act (Northern Ireland) 2009,
- (ii) a Health and Social Care trust established under the Health and Personal Social Services (Northern Ireland) Order 1991 and renamed under the Health and Social Care (Reform) Act (Northern Ireland) 2009 (of the Northern Ireland Assembly)

(e) in relation to the Isle of Man, the Isle of Man Department of Health established under the Government Departments Act 1987 (of Tynwald)<sup>13</sup>.

**“relevant NHS regulations”** means

- (i) in the case of England, the National Health Service (Charges to Overseas Visitors) Regulations<sup>14</sup>;
- (ii) in the case of Wales, the National Health Service (Charges to Overseas Visitors) (Amendment) (Wales) Regulations 2004<sup>15</sup>;
- (iii) in the case of Scotland, the National Health Service (Charges to Overseas Visitors) (Scotland) Regulations 1989<sup>16</sup> (as amended)<sup>17</sup>;
- (iv) in the case of Northern Ireland, the Provision of Health Services to Persons not Ordinarily Resident Regulations 2005<sup>18</sup> (as amended)<sup>19</sup>; or
- (v) in the case of the Isle of Man, the National Health Service (Overseas Visitors) Regulations 2011<sup>20</sup> .

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<sup>12</sup> 2003 c.43

<sup>13</sup> 1978 c.29

<sup>13</sup> S.I. 1991/194 (N.I. 1)

<sup>13</sup> 2009 c.1

<sup>13</sup> 1987 c.13

<sup>14</sup> S.I. 2011/1556

<sup>15</sup> S.I. 2004/1433

<sup>16</sup> S.I. 1989/364

<sup>17</sup> See S.I. 1992/411, S.I. 1994/1770, S.S.I. 2004/369, S.S.I. 2005/445, S.S.I. 2006/141, S.S.I. 2008/290 and, S.S.I. 2011/25

<sup>18</sup> S.R. 2005/551

<sup>19</sup> S.R. 2008/377

<sup>20</sup> SD 44/11

6AA. In these Rules any reference to an Act of Parliament, or a provision of an Act of Parliament, which extends to the Isle of Man is a reference to that Act or provision as it has effect in the Isle of Man.

A **“Worker Migrant”** means a person granted or deemed to have been granted entry clearance, leave to enter or leave to remain under Part 2 of Appendix W of these Rules, who has come or is coming to the Isle of Man to fill a full time, permanent vacancy that cannot be filled by a suitable Settled Worker.

A **“Worker (Intra Company Transfer) Migrant”** means a person granted or deemed to have been granted Entry Clearance, Leave to Enter or Leave to Remain under Part 3 of Appendix W of these Rules, who has come or is coming to the Isle of Man to fill a full time, permanent vacancy that cannot be filled by a suitable Settled Worker.

**“Worker (Seasonal) Migrant”** means a person granted Entry Clearance or Leave to Enter under Part 2A of Appendix W to these Rules, who has come or is coming to the Isle of Man to fill a temporary vacancy that cannot be filled by a suitable settled worker.

**“working day”** has the same meaning as in the Interpretation Act 2015<sup>21</sup>.

**“National Referral Mechanism”** means the arrangements administered by the Competent Authorities as set out in the guidance found at <https://www.gov.uk/government/publications/victims-oftrafficking-guidance-for-competent-bodies>.

6A. For the purpose of these Rules, a person is not to be regarded as having (or potentially having) recourse to public funds merely because he is (or will be) reliant in whole or in part on public funds provided to his sponsor, unless, as a result of his presence in the Isle of Man, the sponsor is (or would be) entitled to increased or additional public funds.

6B. [NOT USED]

6C. A person (P) making an application from outside the Isle of Man will be regarded as having recourse to public funds where P relies upon the future entitlement to any public funds that would be payable to P or to P’s sponsor as a result of P’s presence in the Isle of Man.

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<sup>21</sup> AT 11 of 2015

## **PART 1: GENERAL PROVISIONS REGARDING LEAVE TO ENTER OR REMAIN IN THE ISLE OF MAN**

### **Temporary measures relating to certain applications for made during the COVID-19 pandemic**

- A7 (1) This Rule applies if—
- (a) a person is in the Isle of Man with valid leave;
  - (b) the person wishes to make an application for entry clearance under the Rules (such applications may not be made from within the Isle of Man);
  - (c) either of the following apply —
    - (i) the person provides evidence which satisfies the Minister that travel to the country where the application for entry clearance would normally be made has been rendered impossible or impractical due to restrictions on travel imposed as a direct result of the COVID-19 pandemic; or
    - (ii) for so long as the Public Health Protection (Coronavirus) Regulations 2020 (SD 2020/0551) are in operation; and
  - (d) the criteria in either (c)(i) or (c)(ii) remain in place at the date of application referred to in (2).
- (2) The person may make an application from within the Isle of Man for leave to remain in lieu of an application for entry clearance.
- (3) The evidence referred to in (1)(c) must be provided with the application.
- (4) The application for leave to remain is to be assessed against the same requirements that would have applied under the Rules if the person had made an application for entry clearance.
- (5) However, where the Minister considers that meeting a requirements is impossible or impractical due to the application being made from the Isle of Man, the Minister may waive the requirement.
- (6) Where the application is successful, the period and conditions attaching to the grant of leave to remain will be the same as those that would have attached to an equivalent grant of entry clearance.
- (7) Unless the context otherwise requires, this Rule has effect despite anything to the contrary contained elsewhere in these Rules.

### **Leave to enter the Isle of Man**

7. A person who is neither a British citizen nor a Commonwealth citizen with the right of abode nor a person who is entitled to enter or remain in the Isle of Man by virtue of section 3ZA of the Immigration Act 1971 requires leave to enter the Isle of Man.

8. Under Sections 3 and 4 of the Immigration Act 1971 an Immigration Officer when admitting to the Isle of Man a person subject to immigration control under that Act may give leave to enter for a limited period and, if he does, may impose all or any of the following conditions:

- (i) a condition restricting or prohibiting employment or occupation in the Isle of Man;
- (ii) a condition requiring the person to maintain and accommodate himself, and any dependants of his, without recourse to public funds;
- (iii) a condition requiring the person to register with the police; and
- (iv) a condition restricting his studies in the Isle of Man.

He may also require him to report to the Director of Public Health. Under Section 24 of the 1971 Act it is an offence knowingly to remain beyond the time limit or to fail to comply with such a condition or requirement.

9. The time limit and any conditions attached will be made known to the person concerned either:

- (i) by written notice given to him or endorsed by the Immigration Officer in his passport or travel document; or
- (ii) in any other manner permitted by the Immigration (Leave to Enter and Remain) Order 2019.

### **Exercise of the power to refuse leave to enter the Isle of Man or to cancel leave to enter or remain which is in force**

10. The power to refuse leave to enter the Isle of Man or to cancel leave to enter or remain which is already in force is not to be exercised by an Immigration Officer acting on his own. The authority of a Chief Immigration Officer or of an Immigration Inspector must always be obtained.

### **Suspension of leave to enter or remain in the Isle of Man**

10A. Where a person has arrived in the Isle of Man with leave to enter or remain which is in force but which was given to him before his arrival he may be examined by an Immigration Officer under paragraph 2A of Schedule 2 to the Immigration Act 1971. An Immigration Officer examining a person under paragraph 2A may suspend that person's leave to enter or remain in the Isle of Man until the examination is completed.

### **Cancellation of leave to enter or remain in the Isle of Man**

10B. Where a person arrives in the Isle of Man with leave to enter or remain in the Isle of Man which is already in force, an Immigration Officer may cancel that leave.

### **Requirement for persons arriving in the Isle of Man to produce evidence of identity and nationality**

11. A person must, on arrival in the Isle of Man produce on request by an Immigration Officer:

- (i) a valid passport or subject to paragraph 11A other document satisfactorily establishing their identity and nationality; and
- (ii) such information as may be required to establish whether they require leave to enter the Isle of Man and, if so, whether and on what terms leave to enter should be given.

11A. A national identity card is not valid for the purposes of paragraph 11(1), except where the holder is one of the following—

- (a) a British citizen of Gibraltar,
- (b) a national of one of the countries listed in paragraph 11B with valid indefinite or limited leave to enter or remain granted under Appendix EU of these Rules, or who has made a valid application under that Appendix (other than as a joining family member of a relevant sponsor, as defined in Annex 1 to that Appendix) which has not yet been finally determined;
- (c) a national of one of the countries listed at paragraph 11B with a valid entry clearance in the form of an EU Settlement Scheme Family Permit;
- (d) a national of one of the countries listed at paragraph 11B who has been granted immigration permission equivalent to that set out in sub-paragraphs (b) and (c) above by the UK or Channel Islands, or who has made a valid application under the equivalent in the UK or Channel Islands of Appendix EU to these Rules (other than as the equivalent of a joining family member of a relevant sponsor, as defined in Annex 1 to that Appendix) which has not yet been finally determined.

11B. For the purposes of sub-paragraphs (b) to (d) of paragraph 11A, the holder must be a national of one of the following countries—

Austria

Belgium

Croatia

Cyprus

Czech Republic

Denmark

Estonia

Finland

France

Germany

Greece

Hungary

Iceland

Italy

Latvia

Liechtenstein

Lithuania

Luxembourg

Malta

Netherlands

Norway

Poland

Portugal

Romania

Slovakia

Slovenia

Spain

Sweden

Switzerland.

**Requirement for a person not requiring leave to enter the Isle of Man to prove that he has the right of abode**

12. A person claiming to be a British citizen must prove that he has the right of abode in the Isle of Man by producing either:

- (i) a United Kingdom passport describing him as a British citizen or as a citizen of the United Kingdom and Colonies having the right of abode in the United Kingdom; or
- (ii) a certificate of entitlement duly issued by or on behalf of the Government of the Isle of Man or United Kingdom certifying that he has the right of abode.

13. A person claiming to be a Commonwealth citizen with the right of abode in the United Kingdom must prove that he has the right of abode by producing a certificate of entitlement duly issued to him by or on behalf of the Government of the Isle of Man or United Kingdom certifying that he has the right of abode.

14. A Commonwealth citizen who has been given limited leave to enter the Isle of Man may later claim to have the right of abode. The time limit on his stay may be removed if he is able to establish a claim to the right of abode, for example, by showing that:

- (i) immediately before the commencement of the British Nationality Act 1981 he was a Commonwealth citizen born to or legally adopted by a parent who at the time of the birth had citizenship of the United Kingdom and Colonies by his birth in the Isle of Man, United Kingdom or any of the Islands; and
- (ii) he has not ceased to be a Commonwealth citizen in the meanwhile.

### **Common Travel Area**

15. The Isle of Man, the United Kingdom, the Channel Islands and the Republic of Ireland collectively form a common travel area. A person who has been examined for the purpose of immigration control at the point at which he entered the area does not normally require leave to enter any other part of it. However certain persons subject to the Immigration (Control of Entry through Republic of Ireland) Order 2016 who enter the Isle of Man through the Republic of Ireland do require leave to enter. This includes:

- (i) those who merely passed through the Republic of Ireland;
- (ii) persons requiring visas;
- (iii) persons who entered the Republic of Ireland unlawfully;
- (iv) persons who are subject to directions given by the Minister for their exclusion from the Isle of Man, by the Lieutenant Governors of the Channel Islands for their exclusion from any of the Channel Islands or by the Secretary of State for their exclusion from the United Kingdom, on the ground that their exclusion is conducive to the public good;
- (v) persons who entered the Republic from the Isle of Man, United Kingdom or Channel Islands after entering there unlawfully or overstaying their leave.
- (vi) persons who have been prohibited from entering the United Kingdom by the Secretary of State under section (2)(2) of the European Communities Act 1972 (of Parliament).

15A. An extension of stay in the Isle of Man is to be refused, and existing limited leave to enter or remain may be curtailed, where the Minister has reason to believe, or is satisfied that, either:

- (a) the person is seeking an extension to his stay or a variation of the conditions attached to his leave to enter or remain, for the purpose of exploiting to his own benefit any difference that might exist between the immigration laws of the Isle of Man and any other territory in the Common Travel Area; or
- (b) the person has entered the Isle of Man from another territory in the Common Travel Area and has limited leave to enter or remain granted by the authorities in another territory of the Common Travel Area, (such leave being valid in the Isle of Man by virtue of Schedule 4 of the Immigration Act 1971 as extended) but does not meet the requirements of the Isle of Man Immigration Rules which apply to his purpose in being in the Isle of Man;

provided that the Minister is satisfied that such refusal or curtailment would be in the general interests of the Isle of Man.

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### **Admission of certain British passport holders**

16. A person in any of the following categories may be admitted freely to the Isle of Man on production of a United Kingdom passport issued in the Isle of Man, United Kingdom and Channel Islands or the Republic of Ireland prior to 1 January 1973, unless his passport has been endorsed to show that he was subject to immigration control:

- (i) A British Dependent Territories citizen;
- (ii) A British National (Overseas);
- (iii) A British Overseas citizen;
- (iv) A British protected person;
- (v) A British subject by virtue of Section 30 (a) of the British Nationality Act 1981 (who, immediately before commencement of the 1981 Act would have been a British subject not possessing citizenship of the United Kingdom and Colonies or the citizenship of any other Commonwealth country or territory).

17. British Overseas citizens who hold United Kingdom passports wherever issued and who satisfy the Immigration Officer that they have, since 1 March 1968, been given indefinite leave to enter or remain in the Isle of Man may be given indefinite leave to enter.

17A. Where a person is outside the Isle of Man but wishes to travel to the Isle of Man an Immigration Officer may give or refuse him leave to enter. An Immigration Officer may exercise these powers whether or not he is, himself, in the Isle of Man. However, an Immigration Officer is not obliged to consider an application for leave to enter from a person outside the Isle of Man.

17B. Where a person having left the common travel area, has leave to enter the Isle of Man which remains in force under article 17 of the Immigration (Leave to Enter and Remain) Order 2019, an Immigration Officer may cancel that leave. An Immigration Officer may exercise these powers whether or not he is, himself, in the Isle of Man. If a person outside the Isle of Man has leave to remain in the Isle of Man which is in force in this way, the Secretary of State may cancel that leave.

### **Returning Residents**

18. A person may resume their residence in the Isle of Man provided the Immigration Officer is satisfied that the person concerned—

- (a) had indefinite leave to enter or remain in the Isle of Man when he or she last left;
- (b) has not been away from the UK and Islands for more than 2 years;
- (c) did not receive assistance from public funds towards the cost of leaving the Isle of Man; and
- (d) now seeks admission for the purpose of settlement.

18A. Those who qualify for admission to the Isle of Man as returning residents in accordance with paragraph 18 do not need a visa to enter the Isle of Man.

19. A person who does not benefit from paragraph 18 by reason only of having been away from the UK and Islands for more than 2 consecutive years, must have applied for, and been granted indefinite leave to enter by way of entry clearance if, he or she can demonstrate that he or she has strong ties to the Isle of Man and intends to make the Isle of Man his or her permanent home.

19A. Sub-paragraphs (b) and (c) of paragraph 18 shall not apply where a person who has indefinite leave to enter or remain in the Isle of Man accompanies on an overseas posting a partner, parent, a spouse, civil partner, unmarried partner or same-sex partner who is—

- (a) a member of HM Forces serving overseas; or
- (b) a British citizen or is settled in the Isle of Man; and
  - (i) a permanent member of HM Diplomatic Service;
  - (ii) a comparable Isle of Man based permanent staff member of the British Council;
  - (iii) a permanent staff member of the UK Department for International Development; or
  - (iv) a permanent Home Office employee.

20. The leave of a person whose stay in the Isle of Man is subject to a time limit lapses on his going to a country or territory outside the common travel area. In other cases, leave lapses on the holder remaining outside the Isle of Man for a continuous period of more than two years. A person whose leave has lapsed and who returns after a temporary absence abroad within the period of this earlier leave has no claim to admission as a returning resident. His application to re-enter the Isle of Man should be considered in the light of all the relevant circumstances. The same time limit and any conditions attached will normally be re-imposed if he meets the requirements of these Rules, unless he is seeking admission in a different capacity from the one in which he was last given leave to enter or remain.

### **Non-Lapsing Leave**

20A. Leave to enter or remain in the Isle of Man will usually lapse on the holder going to a country or territory outside the common travel area. However, under article 17 of the Immigration (Leave to Enter and Remain) Order 2019 such leave will not lapse where it was given for a period exceeding six months or where it was conferred by means of an entry clearance (other than a visit visa).

20B. Those who seek leave to enter the Isle of Man within the period of their earlier leave and for the same purpose as that for which that leave was granted, unless it

(i) was for a period of six months or less; or

(ii) was extended by statutory instrument or by section 3C of the Immigration Act 1971 (inserted by section 3 of the Immigration and Asylum Act 1999); do not need a visa to enter the Isle of Man.

### **Holders of restricted travel documents and passports**

21. The leave to enter or remain in the Isle of Man of a holder of a passport or travel document whose permission to enter another country has to be exercised before a given date may be restricted so as to terminate at least 2 months before that date.

22. If his passport or travel document is endorsed with a restriction on the period for which he may remain outside his country of normal residence, his leave to enter or remain in the Isle of Man may be limited so as not to extend beyond the period of authorised absence.

23. The holder of a travel document issued by the Home Office should not be given leave to enter or remain for a period extending beyond the validity of that document. This paragraph and paragraphs 21-22 do not apply to a person who is eligible for admission for settlement or to a spouse or civil partner who is eligible for admission under paragraph 282 or to a person who qualifies for the removal of the time on his stay.

### **Leave to enter granted on arrival in the Isle of Man**

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.

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.

### **Entry Clearance**

24. The following must produce to the Immigration Officer a valid passport or other identity document endorsed with an entry clearance issued to him for the purpose for which he seeks entry:

(i) a visa national;

(ii) a non visa national who is:



- (a) not a British national; and
- (b) seeking entry for a period exceeding six months or for a purpose for which prior entry clearance is required under these Rules;

(iii) a British national without the right of abode who 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.

25. Entry clearance takes the form of a visa (for visa nationals) or an entry certificate (for non visa nationals). These documents are to be taken as evidence of the holder's eligibility for entry into the Isle of Man, and accordingly accepted as "entry clearances" within the meaning of the Immigration Act 1971.

25A. An entry clearance which satisfies the requirements set out in article 5 of the Immigration (Leave to Enter and Remain) Order 2019 will have effect as leave to enter the Isle of Man. The requirements are that the entry clearance must specify the purpose for which the holder wishes to enter the Isle of Man and should be endorsed with the conditions to which it is subject or with a statement that it has effect as indefinite leave to enter the Isle of Man. The holder of such an entry clearance will not require leave to enter on arrival in the Isle of Man and, for the purposes of these Rules, will be treated as a person who has arrived in the Isle of Man with leave to enter the Isle of Man which is in force but which was given to him before his arrival.

26. An application for entry clearance will be considered in accordance with the provisions in these Rules governing to the grant or refusal of leave to enter. Where appropriate, the term "Entry Clearance Officer" should be substituted for "Immigration Officer".

27. An application for entry clearance is to be decided in the light of the circumstances existing at the time of the decision, except that an applicant will not be refused an entry clearance where entry is sought in one of the categories contained in paragraphs 296-316 or paragraph EC-C of Appendix FM solely on account of his attaining the age of 18 years between receipt of his application and the date of the decision on it.

28. An applicant for an entry clearance must be outside the Isle of Man, United Kingdom and Channel Islands at the time of the application. An applicant for an entry clearance who is seeking entry as a visitor must apply to a post designated by the Secretary of State to accept applications for entry clearance for that purpose and from that category of applicant. Subject to paragraph 28A any other application must be made to the post in the country or territory where the applicant is living which has been designated by the Secretary of State to accept applications for entry clearance for that purpose and from that category of applicant. Where there is no such post the applicant must apply to the appropriate designated post outside the country or territory where he or she is living.

28A. (a) An application for entry clearance as a Tier 5 (Temporary Worker) Migrant in the creative and sporting sub-category of Tier 5 may also be made at the post in the country or territory where the applicant is situated at the time of the application, provided that:

- (i) the post has been designated by the Minister to accept applications for entry clearance for that purpose and from that category of applicant,
- (ii) the applicant is in that country or territory for a similar purpose to the activity he proposes to undertake in the UK, and
- (iii) the applicant is able to demonstrate to the Entry Clearance Officer that he has authority to be living in that country or territory in accordance with its immigration laws. Those applicants who are known to the authorities of that country or territory but who have not been given permission to live in that country or territory will not be eligible to make an application.

(b) An application for entry clearance as a Tier 1 (Exceptional Talent) Migrant or as a Tier 5 (Youth Mobility Scheme) Temporary Migrant may also be made at the post in the country or territory where the applicant is situated at the time of the application, provided that:

(i) the post has been designated by the Secretary of State to accept applications for entry clearance for that purpose and from that category of applicant, and

(ii) the applicant is able to demonstrate to the Entry Clearance Officer that he or she has authority to be living in that country or territory in accordance with its immigration laws and that when he was given authority to live in that country or territory he or she was given authority to live in that country or territory for a period of more than 6 months. Those applicants who are known to the authorities of that country or territory but who have not been given permission to live in that country or territory will not be eligible to make an application.

29. For the purposes of paragraph 28 "post" means a British Diplomatic Mission, British Consular post or the office of any person outside the Isle of Man, United Kingdom and Channel Islands who has been authorised by the Secretary of State to accept applications for entry clearance. A list of designated posts is published by the United Kingdom's Foreign and Commonwealth Office.

30. An application for an entry clearance is not made until any fee required to be paid under the regulations made under sections 68 and 69 of the Immigration Act 2014 has been paid.

30A. An entry clearance may be revoked if the Entry Clearance Officer is satisfied that:

(i) whether or not to the holder's knowledge, false representations were employed or material facts were not disclosed, either in writing or orally, for the purpose of obtaining the entry clearance; or

(ii) a change of circumstances since the entry clearance was issued has removed the basis of the holder's claim to be admitted to the Isle of Man, except where the change of circumstances amounts solely to his exceeding the age for entry in one of the categories contained in paragraphs 296-316 of these Rules since the issue of the entry clearance; or

(iii) where sub-paragraph (iv) does not apply, the holder's exclusion from the Isle of Man would be conducive to the public good; or

(iv) in the case of an entry clearance granted under Appendix EU (Family Permit), in respect of conduct committed before the specified date as defined in that Appendix, the holder is subject to an exclusion order, an exclusion decision or a UK or CI exclusion decision as defined in that Appendix.

30B. An entry clearance shall cease to have effect where the entry clearance has effect as leave to enter and an Immigration Officer cancels that leave in accordance with paragraph 2A(8) of Schedule 2 to the Immigration Act 1971.

30C. An Immigration Officer may cancel an entry clearance which is capable of having effect as leave to enter if the holder arrives in the Isle of Man before the day on which the entry clearance becomes effective or if the holder seeks to enter the Isle of Man for a purpose other than the purpose specified in the entry clearance.

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## **Variation of leave to enter or remain in the Isle of Man**

31. Under Section 3(3) of the Immigration Act 1971 a limited leave to enter or remain in the Isle of Man may be varied by extending or restricting its duration, by adding, varying or revoking conditions or by removing the time limit (where upon any condition attached to the leave ceases to apply). When leave to enter or remain is varied an entry is to be made in the applicant's passport or travel document (and his registration certificate where appropriate) or the decision may be made known in writing in some other appropriate way.

31A. Where a person has arrived in the Isle of Man with leave to enter or remain in the Isle of Man which is in force but was given to him before his arrival, he may apply, on arrival at the port of entry in the Isle of Man, for variation of that leave. An Immigration Officer acting on behalf of the Minister may vary the leave at the port of entry but is not obliged to consider an application for variation made at the port of entry. If an Immigration Officer acting on behalf of the Minister has declined to consider an application for variation of leave at a port of entry but the leave has not been cancelled under paragraph 2A(8) of Schedule 2 to the Immigration Act 1971, the person seeking variation should apply to the Isle of Man Immigration Office under paragraph 32.

33A. Where a person having left the common travel area, has leave to enter or remain in the Isle of Man which remains in force under article 13 of the Immigration (Leave to Enter and Remain) Order 2008, his leave may be varied (including any condition to which it is subject) in such form and manner as permitted for the giving of leave to enter. However, the Minister is not obliged to consider an application for variation of leave to enter or remain from a person outside the Isle of Man.

33B to 33G – Deleted

## **How to make a valid application for leave to remain in the Isle of Man**

A34 Paragraph 34 and 34A do not apply to an application made under the following routes—

- Appendix EU;
- Appendix Hong Kong British Nationals (Overseas);
- Appendix V: Visitor.

34. An application for leave to remain must be made in accordance with sub-paragraphs (1) to (7) below.

(1) (a) Subject to paragraph 34(1)(c), the application must be made on an application form which is specified for the immigration category under which the applicant is applying on the date on which the application is made.

(b) An application form is specified when it is posted on the Immigration Service webpage on the Isle of Man Government website: <https://www.gov.im/immigration>

(c) An application can be made on a previous version of a specified paper application form (and shall be treated as made on a specified form) as long as it is no more than 21 days out of date.

(2) All mandatory sections of the application form must be completed.

(3) Where the applicant is required to pay a fee, this fee must be paid in full in accordance with the process set out in the application form.

(4) (a) Subject to paragraph 34(4)(c), the applicant must provide proof of identity as described in 34(4)(b) below and in accordance with the process set out in the application form.

(b) Proof of identity for the purpose of this paragraph means:

(i) a valid passport or, if an applicant (except a PBS, Worker Migrant or Worker (Intra Company Transfer) Migrant applicant) does not have a valid passport, a valid national identity card; or

(ii) if the applicant does not have a valid passport or national identity card, his or her most recent passport or (except a PBS, Worker Migrant or Worker (Intra Company Transfer) Migrant applicant) his or her most recent national identity card; or

(iii) if the applicant does not have any of the above, a valid travel document.

(c) Proof of identity need not be provided where:

(i) the applicant's passport, national identity card or travel document is held by the Isle of Man Immigration Service at the date of application; or

(ii) the applicant's passport, nationality identity card or travel document has been permanently lost or stolen and there is no functioning national government to issue a replacement; or

(iii) the application is for limited leave to enable access to public funds pending an application under paragraph 289A to these rules; or

(iv) the applicant provides a good reason beyond his or her control why they cannot provide proof of his or her identity.

(5) Where any of paragraph 34(4)(c)(ii)-(iv) applies, the Minister may ask the applicant to provide alternative satisfactory evidence of his or her identity and nationality.

(6) Where the main applicant is under the age of 18, his or her parent or legal guardian must provide written consent to the application.

(7) Where the application is made on a paper application form, it must be:

(a) sent by pre-paid post or courier, or

(b) delivered in person to the Isle of Man Immigration Service,

to the address on the application form.

### **Invalid applications**

34A. Subject to paragraph 34B, where an application for leave to remain does not meet the requirements of paragraph 34, it is invalid and will not be considered.

34B. (1) Where an application for leave to remain does not meet the requirements of paragraph 34(1) – (7), the Minister may notify the applicant and give him or her one opportunity to correct the error(s) or omission(s) identified by the Minister within the timescale specified in the notification.

(2) Where an applicant does not comply with the notification in paragraph 34B(1), the application is invalid and will not be considered unless the Minister exercises discretion to treat an invalid application as valid and the requirements of paragraph 34(3) and (4) have been met.

34BB (1) An applicant may only have one outstanding application for leave to remain at a time.

(2) If an application for leave to remain is submitted in circumstances where a previous application for leave to remain has not been decided, it will be treated as a variation of the previous application.

(3) Where more than one application for leave to remain is submitted on the same day then subject to subparagraph (4), each application will be invalid and will not be considered.

(4) The Minister may give the applicant a single opportunity to withdraw all but one of the applications within 10 working days of the date on which the notification was sent. If all but one of the applications are not withdrawn by the specified date each application will be invalid and will not be considered.

(5) Notice of invalidity will be given in writing.

### **Dependent applicants applying at the same time as the main applicant**

34C. A dependent applicant can be included on a main applicant's application form where the application form allows the dependant to be included.

34D. Deleted

### **Variation of applications or claims for leave to remain**

34E. If a person wishes to vary the purpose of an application or claim for leave to remain in the Isle of Man and an application form is specified for such new purpose, the variation must comply with the requirements of paragraph 34 or the validity requirements for the route now applied for (as they apply at the date the variation is made) as if the variation were a new application or claim, or the variation will be invalid and will not be considered.

34F. Any valid variation of a leave to remain application will be decided in accordance with the immigration rules in force at the date such variation is received.

34FA. For the avoidance of doubt, neither paragraph 34E nor paragraph 34F applies in the case of a Tier 2 Migrant who on 6 April 2018 is deemed to become a Worker Migrant or Worker (Intra-Company Transfer) Migrant: accordingly a further application is not required on that date merely because of the change in the person's status (or that of a person whose status is dependent upon such a person) under these Rules.

### **Date an application (or variation of an application) for leave to remain is made**

34G. For the purposes of these rules, the date on which an application (or a variation of application in accordance with paragraph 34E) is made is:

(1) where the specified application form is sent by pre-paid post, the date of posting as shown on the tracking information provided by the carrier or, if not tracked, by the postmark date on the envelope; or

(2) where the specified application form is made in person, sent by courier, or other postal services provider, the date on which it is delivered to the Isle of Man Immigration Service.

Paragraphs 34H – 34I Deleted

### **Withdrawn applications for leave to remain in the Isle of Man**

34J. The proof of identity provided under paragraph 34(4) will be returned to the applicant whilst his or her application is being considered, unless the Minister considers it necessary to retain it. Where the Minister has retained an applicant's proof of identity and the applicant requests the return of his or her passport for the purpose of travel outside the common travel area, the application for leave shall, provided it has not already been determined, be treated as withdrawn on the date that request is received by the Isle of Man Immigration Service.

34K. Where proof of identity provided under paragraph 34(4) has been returned to the applicant pending a decision on his or her application for leave to remain and the applicant travels outside the common travel area his or her application for leave to remain shall, provided that it has not been determined, be treated as withdrawn on the date that the applicant left the common travel area.

Paragraphs 34L to 34X Not used

34Y. Where an application is made no more than 21 days after the date on which a form is specified (within the meaning of paragraph 34 or the validity requirements for the route now applied for) and on a form that was specified immediately prior to the date of the new specification, the application is deemed to have been made on the specified form (and is therefore not to be treated as invalid by reason only of being made on the "wrong" form).

### **Undertakings**

35. A sponsor of a person seeking leave to enter or remain in the Isle of Man may be asked to give an undertaking in writing to be responsible for that person's maintenance, accommodation and (as appropriate) personal care for the period of any leave granted, including any further variation or for a period of 5 years from date of grant where indefinite leave to enter or remain is granted. Under the Social Security Administration Act 1992<sup>(d)</sup> the Department of Social Care may seek to recover from the person giving such an undertaking any income support paid to meet the needs of the person in respect of whom the undertaking has been given. Failure by the sponsor to maintain that person in accordance with the undertaking may also be an offence under section 105 of that Act if, as a consequence, income support or an income-based jobseeker's allowance is provided to, or in respect of, that person.

### **Medical**

36. A person who intends to remain in the Isle of Man for more than 6 months should normally be referred to the Medical Inspector for examination. If he produces a medical certificate he should be advised to hand it to the Medical Inspector. Any person seeking entry who mentions health or medical treatment as a reason for his visit, or who appears not to be in good mental or physical health, should also be referred to the Medical Inspector; and the Immigration Officer has discretion, which should be exercised sparingly, to refer for examination in any other case.

37. Where the Medical Inspector advises that a person seeking entry is suffering from a specified disease or condition which may interfere with his ability to support himself or his dependants, the Immigration Officer should take account of this, in conjunction with other factors, in deciding whether to admit that person. The Immigration Officer should also take account of the Medical Inspector's assessment of the likely course of treatment in deciding whether a person seeking entry for private medical treatment has sufficient means at his disposal.

38. A returning resident should not be refused leave to enter or have existing leave to enter or remain cancelled on medical grounds. But where a person would be refused leave to enter or have existing leave to enter or remain cancelled on medical grounds if he were not a returning resident, or in any case where it is decided on compassionate grounds not to exercise the power to refuse leave to enter or to cancel

existing leave to enter or remain, or in any other case where the Medical Inspector so recommends, the Immigration Officer should give the person concerned a notice requiring him to report to the Director of Public Health with a view to further examination and any necessary treatment.

A39. Any person making an application for entry clearance to come to the Isle of Man for more than six months or as a fiancé(e) or proposed civil partner applying for leave to enter under Section EC-P:Entry clearance as a partner under Appendix FM, having been present in a country listed in Appendix T for more than six months immediately prior to their application, must present, at the time of application, a valid medical certificate issued by a medical practitioner approved by the Secretary of State for these purposes, as listed on the Gov.uk website, confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in the applicant.

B39. Applicants seeking leave to enter as a returning resident under paragraph 19 of these rules, having been absent from the Isle of Man for more than two years are also subject to the requirements in paragraph A39.

C39. Where a person has lawfully been present in a country not mentioned in Appendix T for more than six months and they are applying for entry clearance as in A39 in a country in Appendix T but have not been in that country or any other country mentioned in Appendix T for more than six months immediately before making their application, they will not be required to produce a medical certificate showing they are free from active pulmonary TB. This does not alter the discretionary powers as in paragraph 39 below.

39. The Entry Clearance Officer has the same discretion as an Immigration Officer to refer applicants for entry clearance for medical examination and the same principles will apply to the decision whether or not to issue an entry clearance.

## **Students**

39A. An application for a variation of leave to enter or remain made by a student who is sponsored by a government or international sponsorship agency may be refused if the sponsor has not given written consent to the proposed variation.

## **Specified Documents**

39B. (a) Where these Rules state that specified documents must be provided, that means documents specified in these Rules as being specified documents for the route under which the applicant is applying. If the specified documents are not provided, the applicant will not meet the requirement for which the specified documents are required as evidence.

(b) Where these Rules specify documents that are to be provided, those documents are considered to be specified documents, whether or not they are named as such, and as such are subject to the requirements in (c) to (f) below.

(c) If the Entry Clearance Officer or Minister has reasonable cause to doubt the genuineness of any document submitted by an applicant which is, or which purports to be, a specified document under these Rules, and having taken reasonable steps to verify the document is unable to verify that it is genuine, the document will be discounted for the purposes of this application.

(d) Specified documents must be originals, not copies, except where stated otherwise.

(e) Specified documents must contain, or the applicant must provide, full contact details to allow each document to be verified.

(f) Where any specified documents provided are not in English, the applicant must provide the original and a full translation that can be independently verified by the Entry Clearance Officer, Immigration Officer or the Minister.

The translation must be dated and include:

(i) confirmation that it is an accurate translation of the original document;

(ii) the full name and original signature of the translator or an authorised official of the translation company;

- (iii) the translator or translation company's contact details; and
- (iv) if the applicant is applying for leave to remain or indefinite leave to remain, certification by a qualified translator and details of the translator or translation company's credentials.

### **Indefinite leave to enter or remain**

39C (a) An applicant for indefinite leave to enter or remain must, unless the applicant provides a reasonable explanation, comply with any request made by the Minister to attend an interview.

(b) If the decision-maker has reasonable cause to doubt (on examination or interview or on any other basis) that any evidence submitted by or on behalf of an applicant for the purposes of satisfying the requirements of Appendix KoLL of these Rules was genuinely obtained, that evidence may be discounted for the purposes of the application.

(c) Where sub-paragraph (b) applies, the decision-maker may give the applicant a further opportunity to demonstrate sufficient knowledge of the English language and about life in the United Kingdom and Islands in accordance with paragraph 3.2 or 3.3 of Appendix KoLL.

(d) A decision-maker may decide not to give the applicant a further opportunity under sub-paragraph (c) where the decision-maker does not anticipate that the supply of further evidence will lead to a grant of leave to enter or remain in the Isle of Man because the application may be refused for other reasons.

### **Power to interview a person with limited leave to enter or remain**

39D. For the purpose of assessing whether any of the grounds of cancellation of entry clearance or permission under Part 9 apply, the Minister may request the person to—

- (a) provide additional information and evidence to the Immigration Service at the address specified in the request within 28 calendar days of the date the request is sent; and
- (b) attend an interview.

### **Exceptions for overstayers.**

39E. This paragraph applies where:

- (1) the application was made within 14 days of the applicant's leave expiring and the Minister considers that there was a good reason beyond the control of the applicant or their representative, provided in or with the application, why the application could not be made in-time; or
- (2) the application was made:
  - (a) following the refusal of a previous application for leave which was made in-time or to which sub-paragraph (1) applied; and
  - (b) within 14 days of:
    - (i) the refusal of the previous application for leave; or
    - (ii) the expiry of any leave extended by section 3C of the Immigration Act 1971; or
    - (iii) the expiry of the time-limit for making an in-time application for appeal (where applicable); or
    - (iv) any appeal being concluded, withdrawn or abandoned or lapsing.
- (3) where the applicant has, or had, permission on the Hong King BN(O) route, the period of overstaying was between 1 July 2020 and 31 January 2021.

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**PART 2: PERSONS SEEKING TO ENTER OR REMAIN IN THE ISLE OF MAN FOR VISITS**

**Transitional provisions Part 2 and Appendix V: Immigration Rules for Visitors**

1. [Omitted].
2. Not Used
3. [Omitted].
4. [Omitted].

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**PART 3: PERSONS SEEKING TO ENTER OR REMAIN IN THE ISLE OF MAN FOR STUDIES****Students****Requirements for leave to enter as a student**

57 to 69O [DELETED]

69P to 69R [DELETED]

**Postgraduate Doctors, Dentists and Trainee General Practitioners****Requirements for leave to enter the Isle of Man as a postgraduate doctor or dentist**

70 to 75 [DELETED]

75A to 75M [DELETED]

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**Spouses or Civil Partners of Students granted leave under this part of the Rules****Requirements for leave to enter or remain as the spouse or civil partner of a student**

76. The requirements to be met by a person seeking leave to enter or remain in the Isle of Man as the spouse or civil partner of a student are that:

- (i) the applicant is married to, or the civil partner of, a person admitted to or allowed to remain in the Isle of Man under paragraphs 57-75; or 82-87 and
- (ii) each of the parties intends to live with the other as his or her spouse or civil partner during the applicant's stay and the marriage or civil partnership is subsisting; and
- (iii) there will be adequate accommodation for the parties and any dependants without recourse to public funds; and
- (iv) the parties will be able to maintain themselves and any dependants adequately without recourse to public funds; and
- (v) the applicant does not intend to take employment except as permitted under paragraph 77 below; and
- (vi) the applicant intends to leave the Isle of Man at the end of any period of leave granted to him, and
- (vii) if seeking leave to remain must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.

**Leave to enter or remain as the spouse or civil partner of a student**

77. A person seeking leave to enter or remain in the Isle of Man as the spouse or civil partner of a student may be admitted or allowed to remain for a period not in excess of that granted to the student provided the Immigration Officer or, in the case of an application for limited leave to remain, the Minister is satisfied that each of the requirements of paragraph 76 is met. Employment may be permitted where the period of leave granted to the student is, or was, 12 months or more. Study subject to the condition set out in Part 15 of these Rules.

**Refusal of leave to enter or remain as the spouse or civil partner of a student**

78. Leave to enter or remain as the spouse or civil partner of a student is to be refused if the Immigration Officer or, in the case of an application for limited leave to remain, the Minister, is not satisfied that each of the requirements of paragraph 76 is met.

**Children of Students granted leave under this part of the Rules****Requirements for leave to enter or remain as the child of a student**

79. The requirements to be met by a person seeking leave to enter or remain in the Isle of Man as the child of a student are that he:

- (i) is the child of a parent admitted to or allowed to remain in the Isle of Man as a student under paragraphs 57-75; and
- (ii) is under the age of 18 or has current leave to enter or remain in this capacity; and
- (iii) is not married or in a civil partnership, has not formed an independent family unit and is not leading an independent life; and
- (iv) can, and will, be maintained and accommodated adequately without recourse to public funds; and
- (v) will not stay in the Isle of Man beyond any period of leave granted to his parent, and
- (vi) meets the requirements of paragraph 79A and
- (vii) if seeking leave to remain must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.

79A. Both of the applicant's parents must either be lawfully present in the Isle of Man, or being granted entry clearance or leave to remain at the same time as the applicant, or one parent must be lawfully present in the Isle of Man and the other being granted entry clearance or leave to remain at the same time as the applicant, unless—

- (i) the student is the applicant's sole surviving parent, or
- (ii) the student parent has and has had sole responsibility for the applicant's upbringing, or
- (iii) there are serious or compelling family or other considerations which would make it desirable not to refuse the application and suitable arrangements have been made in the Isle of Man for the applicant's care.

### **Leave to enter or remain as the child of a student**

80. A person seeking leave to enter or remain in the Isle of Man as the child of a student may be admitted or allowed to remain for a period not in excess of that granted to the student provided that the Immigration Officer or, in the case of an application for limited leave to remain, the Minister, is satisfied that each of the requirements of paragraph 79 is met. Employment may be permitted where the period of leave granted to the student is, or was, 12 months or more. Study subject to the condition set out in Part 15 of these Rules where the applicant is 18 years of age or over at the time their leave is granted, or will be aged 18 or over before their period of limited leave expires.

### **Refusal of leave to enter or remain as the child of a student**

81. Leave to enter or remain in the Isle of Man as the child of a student is to be refused if the Immigration Officer or, in the case of an application for leave to remain, the Minister, is not satisfied that each of the requirements of paragraph 79 is met.

82 – 87F Not Used

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## **PART 4: PERSONS SEEKING TO ENTER OR REMAIN IN THE ISLE OF MAN IN AN "AU PAIR" PLACEMENT, AS A WORKING HOLIDAYMAKER OR FOR TRAINING OR WORK EXPERIENCE**

### **"AU PAIR" PLACEMENTS**

88. - 94. [DELETED]

### **WORKING HOLIDAYMAKERS**

95. - 97. [DELETED]

98 [Not Used]

99 [Not Used]

100 [Not Used]

### **CHILDREN OF WORKING HOLIDAYMAKERS**

101.-103. [DELETED]

104.-109. [Not Used]

### **TEACHERS AND LANGUAGE ASSISTANTS COMING TO THE ISLE OF MAN UNDER APPROVED EXCHANGE SCHEMES**

110. TO 116.[DELETED]

### **DEPARTMENT OF ECONOMIC DEVELOPMENT APPROVED TRAINING OR WORK EXPERIENCE**

117. to 121.[DELETED]

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### **Spouses or Civil Partners of Persons with Limited Leave to Enter or Remain under paragraphs 110-121**

#### **Requirements for leave to enter or remain as the spouse or civil partner of a person with limited leave to enter or remain in the Isle of Man under Paragraphs 110-121**

122. The requirements to be met by a person seeking leave to enter or remain in the Isle of Man as the spouse or civil partner of a person with limited leave to enter or remain in the Isle of Man under paragraphs 110-121 are that:

- (i) the applicant is married to, or the civil partner of, a person with limited leave to enter or remain in the Isle of Man under paragraphs 110-121; and
- (ii) each of the parties intends to live with the other as his or her spouse or civil partner during the applicant's stay and the marriage or civil partnership is subsisting; and
- (iii) there will be adequate accommodation for the parties and any dependants without recourse to public funds in accommodation which they own or occupy exclusively; and
- (iv) the parties will be able to maintain themselves and any dependants adequately without recourse to public funds; and
- (v) the applicant does not intend to stay in the Isle of Man beyond any period of leave granted to his spouse or civil partner; and
- (vi) if seeking leave to enter, the applicant holds a valid Isle of Man entry clearance for entry in this capacity or, if seeking leave to remain, was admitted with a valid Isle of Man entry clearance for entry in this capacity, and
- (vii) if seeking leave to remain, must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.

[Type here]

### **Leave to enter or remain as the spouse or civil partner of a person with limited leave to enter or remain in the Isle of Man under paragraphs 110-121**

123. A person seeking leave to enter or remain in the Isle of Man as the spouse or civil partner of a person with limited leave to enter or remain in the Isle of Man under paragraphs 110-121 may be given leave to enter or remain the Isle of Man for a period of leave not in excess of that granted to the person with limited leave to enter or remain under paragraphs 110-121 provided that, in relation to an application for leave to enter, he is able, on arrival, to produce to the Immigration Officer a valid Isle of Man entry clearance for entry in this capacity or, in the case of an application for limited leave to remain, was admitted with a valid Isle of Man entry clearance for entry in this capacity and is able to satisfy the Minister that each of the requirements of paragraph 122 (i)-(v) and (vii) is met.

### **Refusal of leave to enter or remain as the spouse or civil partner of a person with limited leave to enter or remain in the Isle of Man under paragraphs 110-121**

124. Leave to enter or remain as the spouse or civil partner of a person with limited leave to enter or remain in the Isle of Man under paragraphs 110-121 is to be refused if, in relation to an application for leave to enter, a valid Isle of Man entry clearance for entry in this capacity is not produced to the Immigration Officer on arrival or, in the case of an application for limited leave to remain, if the applicant was not admitted with a valid Isle of Man entry clearance for entry in this capacity or is unable to satisfy the Minister that each of the requirements of paragraph 122 (i)-(v) and (vii) is met.

### **Children of Persons with Limited Leave to Enter or Remain under paragraphs 110-121**

#### **Requirements for leave to enter or remain as the child of a person with limited leave to enter or remain in the Isle of Man under paragraphs 110-121**

125. The requirements to be met by a person seeking leave to enter or remain in the Isle of Man as the child of a person with limited leave to enter or remain in the Isle of Man under paragraphs 110-121 are that:

- (i) he is the child of a parent who has limited leave to enter or remain in the Isle of Man under paragraphs 110-121; and
- (ii) he is under the age of 18 or has current leave to enter or remain in this capacity; and
- (iii) he is unmarried, and is not a civil partner, has not formed an independent family unit and is not leading an independent life; and
- (iv) he can, and will be, maintained and accommodated adequately without recourse to public funds in accommodation which his parent(s) own or occupy exclusively; and
- (v) he will not stay in the Isle of Man beyond any period of leave granted to his parent(s); and
- (vi) both parents are being or have been admitted to or allowed to remain in the Isle of Man save where:
  - (a) the parent he is accompanying or joining is his sole surviving parent; or
  - (b) the parent he is accompanying or joining has had sole responsibility for his upbringing; or
  - (c) there are serious and compelling family or other considerations which make exclusion from the Isle of Man undesirable and suitable arrangements have been made for his care; and
- (vii) if seeking leave to enter, he holds a valid Isle of Man entry clearance for entry in this capacity or, if seeking leave to remain, was admitted with a valid Isle of Man entry clearance in this capacity and
- (viii) if seeking leave to remain, must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.

### **Leave to enter or remain as the child of a person with limited leave to enter or remain in the Isle of Man under paragraphs 110-121**

126. A person seeking leave to enter or remain in the Isle of Man as the child of a person with limited leave to enter or remain in the Isle of Man under paragraphs 110-121 may be given leave to enter or remain in the Isle of Man for a period of leave not in excess of that granted to the person with limited leave to enter or remain under paragraphs 110-121 provided that, in relation to an application for leave to enter, he is able, on arrival, to produce to the Immigration Officer a valid Isle of Man entry clearance for entry in this capacity or, in the case of an application for limited leave to remain in the Isle of Man, he was admitted with a valid Isle of Man entry clearance for entry in this capacity and is able to satisfy the Minister that each of the requirements of paragraph 125 (i)-(vi) and (viii) is met.

**Refusal of leave to enter or remain as the child of a person with limited leave to enter or remain in the Isle of Man under paragraphs 110-121**

127. Leave to enter or remain in the Isle of Man as the child of a person with limited leave to enter or remain in the Isle of Man under paragraphs 110-121 is to be refused if, in relation to an application for leave to enter, a valid Isle of Man entry clearance for entry in this capacity is not produced to the Immigration Officer on arrival, or, in the case of an application for limited leave to remain, if the applicant was not admitted with a valid Isle of Man entry clearance for entry in this capacity or is unable to satisfy the Minister that each of the requirements of paragraph 125 (i)-(vi) and (viii) is met.

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## **PART 5: PERSONS SEEKING TO ENTER OR REMAIN IN THE ISLE OF MAN FOR EMPLOYMENT**

### **Work Permit Employment**

#### **General requirements for indefinite leave to remain**

128A. For the purposes of references in this Part to requirements for indefinite leave to remain:

(a) "continuous period of 5 years or 4 years lawfully in the Isle of Man" means, subject to paragraph (aa), residence in the Isle of Man for an unbroken period with valid leave, and for these purposes a period shall not be considered to have been broken where:

(i) the applicant has been absent from the Isle of Man for a period of 180 days or less in any of the five consecutive 12 calendar month periods preceding the date of the application for indefinite leave to remain; and

(ii) the applicant has existing limited leave to enter or remain upon their departure and return, except that where that leave expired no more than 28 days prior to a further application for entry clearance, that period and any period pending the determination of that application shall be disregarded; and

(iii) the applicant has any period of overstaying between periods of entry clearance, leave to enter or leave to remain of up to 28 days and any period of overstaying pending the determination of an application made within that 28 day period disregarded.

(aa) For the purposes of paragraph (a), time spent with valid leave in the Bailiwick of Guernsey, Bailiwick of Jersey or the United Kingdom may be included in the continuous period of 5 or 4 years residence in the Isle of Man, provided that:

(i) the leave granted in the Bailiwick of Guernsey, Bailiwick of Jersey or the United Kingdom was granted in a category equivalent to those specified in the indefinite leave to remain provisions in this Part; and

(ii) any period of leave granted in the Bailiwick of Guernsey, Bailiwick of Jersey or the United Kingdom as a work permit holder was for employment:

(a) in a job which appears on the list of occupations skilled to National Qualifications Framework level 3 or above, as stated in the Codes of Practice in Appendix J, or

(b) in a job which appears in the Creative Sector Codes of Practice in Appendix J, or

(c) as a professional sports person (including as a sports coach); and

(iii) in the case of leave granted in the Bailiwick of Guernsey, Bailiwick of Jersey and the United Kingdom as an overseas domestic worker in a private household, it was granted before 1 February 2014; and

(iv) the most recent period of leave in the relevant continuous period of 5 years or 4 years has been granted in the Isle of Man.

(b) Except for periods when the applicant had leave as a highly skilled migrant, a self-employed lawyer, leave granted under Part 6 of these rules or on the grounds of his UK ancestry, and subject to paragraph (ba) :

(ba) For the purposes of paragraph (b), continuous employment in the Isle of Man may include employment in the Bailiwick of Guernsey, Bailiwick of Jersey and the United Kingdom under the terms of his work permit or in the employment for which he was given leave to enter or remain, provided that the most recent work permit or period of leave was granted in the Isle of Man; and, in any such case, paragraph (b) shall apply to employment in the Bailiwick of Guernsey, Bailiwick of Jersey and the United Kingdom in the same way as it applies to employment in the Isle of Man.

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(i) the applicant must have been employed in the Isle of Man continuously throughout the five years, under the terms of his work permit or in the employment for which he was given leave to enter or remain, except that any breaks in employment in which he applied for leave as a work permit holder or as an employee under any provision of this section to work for a new employer shall be disregarded provided this is within 60 days of the end of his employment with his previous employer.

(ii) any absences from the Isle of Man must have been for a purpose that is consistent with the continuous permitted employment in (i), including paid annual leave or for serious or compelling reasons.

### **Requirements for leave to enter the Isle of Man for work permit employment**

128. A person coming to the Isle of Man to seek or take employment must be otherwise eligible for admission under these Rules or eligible for admission as a seaman under contract to join a ship due to leave Isle of Man waters.

The requirements for applications for work permit employment set out in paragraphs 131 to 133 of these Rules were deleted on 26 July 2010 by Statement of Changes GC 26/10 except insofar as relevant to paragraphs 134 to 135.

### **Requirements for an extension of stay for work permit employment**

131 to 133 [DELETED]

### **Indefinite leave to remain for a work permit holder**

134. Indefinite leave to remain may be granted, on application, to a person as a work permit holder provided the applicant:

- (i) has spent a continuous period of 5 years in the Isle of Man in this capacity; and
- (ii) has met the requirements of paragraph 131, 131A, 131B, 131C, 131D, 131E or 131F throughout the five year period; and
- (iii) is still required for the employment in question, as certified by the employer,
- (iv) provides certification from the employer that he is paid at or above the appropriate rate for the job as stated in the Codes of Practice in Appendix J or, where the applicant is on maternity, paternity or adoption leave at the time of the application and not being paid the appropriate rate, the date that leave started and that they were paid at the appropriate rate immediately before the start of that leave.
- (v) provides the specified documents in paragraph 134-SD to evidence the employer's certification in sub-paragraph (iv) and the reason for the absences set out in paragraph 128A; and
- (vi) has demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom and Islands, in accordance with Appendix KoLL; and
- (vii) does not fall for refusal under the general grounds for refusal.
- (viii) must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.

### **134SD – Specified documents**

The specified documents referred to in paragraph 134(v) are A, B and C below:

A. Either a payslip and a personal bank or building society statement, or a payslip and a building society pass book.

(a) Payslips must be:

- (i) the applicant's most recent payslip,
- (ii) dated no earlier than one calendar month before the date of the application, and
- (iii) either:

- (1) an original payslip,
- (2) on company-headed paper, or
- (3) accompanied by a letter from the applicant's Sponsor, on company headed paper and signed by a senior official, confirming the payslip is authentic.

(b) Personal bank or building society statements must:

- (i) be the applicant's most recent statement,
- (ii) be dated no earlier than one calendar month before the date of the application,
- (iii) clearly show:
  - (1) the applicant's name,
  - (2) the applicant's account number,
  - (3) the date of the statement,
  - (4) the financial institution's name,
  - (5) the financial institution's logo, and
  - (6) transactions by the Sponsor covering the period no earlier than one calendar month before the date of the application, including the amount shown on the specified payslip as at 134-SD A (a),
- (iv) be either:
  - (1) printed on the bank's or building society's letterhead,
  - (2) electronic bank or building society statements, accompanied by a supporting letter from the bank or building society, on company headed paper, confirming the statement provided is authentic, or
  - (3) electronic bank or building society statements, bearing the official stamp of the bank or building society on every page,
- (v) not be mini-statements from automatic teller machines (ATMs).

(c) Building society pass books must

- (i) clearly show:
  - (1) the applicant's name,
  - (2) the applicant's account number,
  - (3) the financial institution's name,
  - (4) the financial institution's logo, and
  - (5) transactions by the sponsor covering the period no earlier than one calendar month before the date of the application, including the amount shown on the specified payslip as at 134-SD A (a),

and

- (ii) be either:
  - (1) the original pass book, or
  - (2) a photocopy of the pass book which has been certified by the issuing building society on company headed paper, confirming the statement provided is authentic.

B. A letter from the employer detailing the purpose and period of absences in connection with the employment, including periods of annual leave. Where the absence was due to a serious or compelling reason, a personal letter from the applicant which includes full details of the reason for the absences and



all original supporting documents in relation to those reasons – e.g. medical certificates, birth/death certificates, information about the reasons which led to the absence from the Isle of Man.

C. Where the applicant is not being paid the appropriate rate in Appendix J due to maternity, paternity or adoption leave:

(a) Payslips must be:

- (i) the applicant's payslip from the month immediately preceding the leave,
- (ii) the applicant's payslips for each month of the period of the leave,
- (iii) as set out in A(a)(iii) above.

(b) Bank or building society statements must be:

- (i) the applicant's statement from the month immediately preceding the leave,
- (ii) the applicant's statement for each month of the period of the leave,
- (iii) as set out in A(b)(iii) above.

### **Refusal of indefinite leave to remain for a work permit holder**

135. Indefinite leave to remain in the Isle of Man as a work permit holder is to be refused if the Minister is not satisfied that each of the requirements of paragraph 134 is met.

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### **Highly Skilled Migrants Programme**

135A. to 135F. [DELETED]

### **Requirements for indefinite leave to remain as a highly skilled migrant**

135G. The requirements for indefinite leave to remain for a person who has been granted leave as a highly skilled migrant are that the applicant:

- (a) has spent a continuous period of 5 years lawfully in the Isle of Man; and
- (b) on the date that the continuous period of 5 years ends, has leave as a highly skilled migrant, and has spent the remainder of the period with leave as a highly skilled migrant or a work permit holder; and
- (c) throughout the 5 years spent in the Isle of Man, has maintained and accommodated himself and any dependants adequately without recourse to public funds; and
- (d) is lawfully economically active in the Isle of Man in employment, self-employment or a combination of both; and
- (e) has demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom and Islands, in accordance with Appendix KoLL; and
- (f) does not fall for refusal under the general grounds for refusal; and
- (g) must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded; and
- (h) has made the application for indefinite leave to remain before 6 April 2018.

### **Indefinite leave to remain as a highly skilled migrant**

135GA. Indefinite leave to remain may be granted provided that the Minister is satisfied that each of the requirements of paragraph 135G is met and that the application does not fall for refusal under paragraph 135HA.

### **Refusal of indefinite leave to remain as a highly skilled migrant**

135H. Indefinite leave to remain in the Isle of Man is to be refused if the Minister is not satisfied that each of the requirements of paragraph 135G is met or if the application falls for refusal under paragraph 135HA.

## **Additional grounds for refusal for highly skilled migrants**

135HA An application under paragraphs 135A-135C or 135G-135H of these Rules is to be refused, even if the applicant meets all the requirements of those paragraphs, if the Immigration Officer or Minister has cause to doubt the genuineness of any document submitted by the applicant and, having taken reasonable steps to verify the document, has been unable to verify that it is genuine.

[135I – 135ST Not Used]

[136 – 143F Not Used]

## **Representatives of overseas businesses**

### **Requirements for leave to enter as a representative of an overseas business**

144. The requirements to be met by a person seeking leave to enter the Isle of Man as a representative of an overseas business are that he genuinely:

(i) has been recruited and taken on as an employee outside the Isle of Man of a business which has, and will continue to have its headquarters and principal place of business outside the Isle of Man; and

(ii) is seeking entry to the Isle of Man:

(a) as a senior employee of an active and trading overseas business which has no active branch, subsidiary or other representative in the Isle of Man or United Kingdom for the purpose of representing that business in the Isle of Man by establishing and operating a registered branch or wholly-owned subsidiary of it, where that branch or subsidiary will actively trade in the same type of business as that overseas business and is not being established solely for the purpose of facilitating the entry and stay of the applicant; or

(b) as an employee of an overseas newspaper, news agency or broadcasting organisation being posted on a long-term assignment as a representative of their overseas employer.

(iii) where entry is sought under (ii)(a), the person:

(a) will be the sole representative of that overseas business present in the Isle of Man under the terms of this paragraph, with the skills, experience and knowledge of the business necessary to undertake that role, and the full authority to negotiate and take operational decisions on behalf of that business;

(b) is an existing senior employee of that overseas business who intends to be employed full time as a representative of that business and will not engage in business of his own or represent any other business's interest in the Isle of Man or United Kingdom;

(c) does not have a majority stake in, or otherwise own or control, that overseas business, whether that ownership or control is by means of a shareholding, partnership agreement, sole proprietorship or any other arrangement;

(d) must supply from his employer:

(1) a full description of the company's activities, including details of the company's assets and accounts and the company share distribution or ownership for the previous year;

(2) a letter which confirms the overseas company will establish a wholly-owned subsidiary or register a branch in the Isle of Man in the same business activity as the parent company;

(3) a job description, salary details and contract of employment for the applicant;

(4) a letter confirming the applicant has the relevant skills, experience, knowledge and authority as outlined in (iii)(a); and

(5) a notarised statement which confirms the applicant will be their sole representative in the Isle of Man; the company has no other active branch, subsidiary or representative in the Isle of Man; its operations will remain centred overseas; and the applicant will not engage in business of their own nor represent any other company's interest;

(iv) where entry is sought under (ii)(b), the person intends to work full-time as a representative of their overseas employer.

(v) does not intend to take employment except within the terms of this paragraph; and

(vi) has competence in the English language to the required standard on the basis that

(a) the applicant is a national of one of the following countries: Antigua and Barbuda; Australia; the Bahamas; Barbados; Belize; Canada; Dominica; Grenada; Guyana; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and the Grenadines; Trinidad and Tobago; United States of America; and provides the specified documents in paragraph 144-SD(a) or

(b) the applicant has a knowledge of English equivalent to level A1 or above of the Council of Europe's Common European Framework for Language Learning, and

(1) provides the specified documents from an English language test provider approved by the Secretary of State for these purposes, as published on the UK Visas and Immigration pages of Gov.uk, which clearly show the applicant's name, the qualification obtained (which must meet or exceed the standard described above in speaking and listening) and the date of the award, or

(2) has obtained an academic qualification (not a professional or vocational qualification) which is a Bachelor's degree or Master's degree or PhD awarded by an educational establishment in the Isle of Man or UK; or, if awarded by an educational establishment outside the Isle of Man and UK, is deemed by Ecctis to meet the recognised standard of a Bachelor's degree or Master's degree or PhD in the UK, and

(i) provides the specified documents in paragraph 144-SD(b) to show he has the qualification, and

(ii) unless it is a qualification awarded by an educational establishment in the UK, Ecctis has confirmed that the qualification was taught or researched in English to the appropriate level of the Council of Europe's Common European Framework for Language Learning or above, or

(3) has obtained an academic qualification (not a professional or vocational qualification) from overseas which is deemed by Ecctis to meet or exceed the recognised standard of a Bachelor's or Master's degree in the Isle of Man and UK, and provides the specified documents in paragraph 144-SD(c) to show that:

(i) he has the qualification, and

(ii) the qualification was taught or researched in English, or

(4) has obtained an academic qualification (not a professional or vocational qualification), which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Master's degree or PhD in the UK, from an educational establishment in one of the following countries: Antigua and Barbuda; Australia; The Bahamas; Barbados; Belize; Dominica; Grenada; Guyana; Ireland; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and The Grenadines; Trinidad and Tobago; the USA; and provides the specified documents in paragraph 144-SD(b).

(vii) can maintain and accommodate himself and any dependants adequately without recourse to public funds; and

(viii) holds a valid Isle of Man entry clearance for entry in this capacity.

#### **144-SD Specified documents**

(a) The specified documents in paragraph 144(vi)(a) as evidence of nationality are the applicant's current valid original passport or travel document. If the applicant is unable to provide these, the Isle of Man Immigration Office may exceptionally consider this requirement to have been met where the applicant provides full reasons in the passport section of the application form, and either:

(i) a current national identity document, or

- (ii) an original letter from his home government or embassy, on the letter-headed paper of the government or embassy, which has been issued by an authorised official of that institution and confirms the applicant's full name, date of birth and nationality.
- (b) The specified documents in paragraph 144(vi)(b)(2)(i) and paragraph 144(vi)(4) as evidence of qualifications taught in English are:
- (1) the original certificate of the award, or
  - (2) if the applicant is awaiting graduation having successfully completed the qualification, or no longer has the certificate and the awarding institution is unable to provide a replacement, an academic transcript (or original letter in the case of a PhD qualification) from the awarding institution on its official headed paper, which clearly shows:
    - (a) the applicant's name,
    - (b) the name of the awarding institution,
    - (c) the title of the award,
    - (d) confirmation that the qualification has been or will be awarded, and
    - (e) the date that the certificate will be issued (if the applicant has not yet graduated) or confirmation that the institution is unable to reissue the original certificate or award.
- (c) The specified documents in paragraph 144(vi)(b)(3)(i) as evidence of qualifications taught in English are:
- (1) the specified documents in (b) above, and
  - (2) an original letter from the awarding institution on its official headed paper, which clearly shows:
    - (a) the applicant's name,
    - (b) the name of the awarding institution,
    - (c) the title of the award,
    - (d) the date of the award, and
    - (e) confirmation that the qualification was taught in English.

### **Leave to enter as a representative of an overseas business**

145. A person seeking leave to enter the Isle of Man as a representative of an overseas business may be admitted for a period not exceeding 3 years provided he is able to produce to the Immigration Officer, on arrival, a valid Isle of Man entry clearance for entry in this capacity, and his leave may be subject to the following conditions:

- (i) no recourse to public funds,
- (ii) registration with the police, if this is required by paragraph 326 of these Rules,
- (iii) no employment other than working for the business which the applicant has been admitted to represent, and
- (iv) study subject to the condition set out in Part 15 of these Rules.

### **Refusal of leave to enter as a representative of an overseas business**

146. Leave to enter as a representative of an overseas business is to be refused if a valid Isle of Man entry clearance for entry in this capacity is not produced to the Immigration Officer on arrival.

### **Requirements for an extension of stay as a representative of an overseas business**

147. The requirements for an extension of stay as a representative of an overseas business are that the applicant:

- (i) entered the Isle of Man with a valid Isle of Man entry clearance as:

- (a) a sole representative of an overseas business, or
- (b) a representative of an overseas newspaper, news agency or broadcasting organisation;
- (ii) the person was admitted in accordance with paragraph 144(ii)(a) and can show:
  - (a) that the overseas business still has its headquarters and principal place of business outside the Isle of Man or United Kingdom; and
  - (b) that he is employed full time as a representative of that overseas business and has established and is in charge of its registered branch or wholly owned subsidiary which he established in the Isle of Man in accordance with paragraph 144 of these rules;
  - (c) that he is still required for the employment in question, as certified by his employer;
  - (d) that he is in receipt of a salary from his employer, by providing evidence of the salary paid in the previous 12 months and the constitution of the remuneration package (for example, whether the salary was basic or commission and the number of hours worked);
  - (e) evidence he has generated business, principally with firms in the Isle of Man, on behalf of his employer since his last grant of leave. The evidence must be in the form of accounts, copies of invoices or letters from firms who the applicant has done business with, including the value of transactions; and
  - (f) a certificate of registration under Foreign Companies Registration Act 2014 issued by the Isle of Man Companies Registry certifying establishment (for a branch), and a certificate of incorporation (for a subsidiary) with either a copy of the share register or a letter from the company's accountants confirming that all shares are held by the parent company;
- (iii) the person was admitted in accordance with paragraph 144(ii)(b) and can show that:
  - (a) he is still engaged in the employment for which the entry clearance was granted;
  - (b) he is still required for the employment in question, as certified by his employer; and
  - (c) he is in receipt of a salary from his employer, by providing evidence of the salary paid in the previous 12 months and the constitution of the remuneration package (for example, whether the salary was basic or commission and the number of hours worked);
- (iv) does not intend to take employment except within the terms of this paragraph; and
- (v) can maintain and accommodate himself and any dependants adequately without recourse to public funds; and
- (vi) must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.

### **Extension of stay as a representative of an overseas business**

148. An extension of stay as a representative of an overseas business may be granted provided the Minister is satisfied that each of the requirements of paragraph 147 is met. The extension of stay will be granted for:

- (i) a period not exceeding 2 years, and will be subject to the following conditions:
  - (i) no recourse to public funds,
  - (ii) registration with the police, if this is required by paragraph 326 of these Rules,
  - (iii) no employment other than working for the business which the applicant has been admitted to represent' and
  - (iv) study subject to the condition set out in Part 15 of these Rules.

### **Refusal of extension of stay as a representative of an overseas business**

149. An extension of stay as a representative of an overseas business is to be refused if the Minister is not satisfied that each of the requirements of paragraph 147 is met.

### **Indefinite leave to remain for a representative of an overseas business**

150. Indefinite leave to remain may be granted, on application, to a representative of an overseas business provided the applicant:

- (i) has spent a continuous period of 5 years lawfully in the Isle of Man in this capacity; and
- (ii) has met the requirements of paragraph 147 throughout the 5 year period; and
- (iii) is still required for the employment in question, as certified by the employer; and
- (iv) has demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom and Islands, in accordance with Appendix KoLL, and
- (v) does not fall for refusal under the general grounds for refusal; and
- (vi) is not in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded; and
- (vii) provides the specified documents in paragraph 150-SD to evidence the reason for the absences set out in paragraph 128A.

### **150-SD Specified documents**

The specified documents referred to in paragraph 150(vii) are:

- (a) A letter from the employer detailing the purpose and period of absences in connection with the employment, including periods of annual leave.
- (b) Where the absence was due to a serious or compelling reason, a personal letter from the applicant which includes full details of the reason for the absences and all original supporting documents in relation to those reasons - e.g. medical certificates, birth/death certificates, information about the reasons which led to the absence from the Isle of Man.

### **Refusal of indefinite leave to remain for a sole representative of an overseas business**

151. Indefinite leave to remain in the Isle of Man for a representative of an overseas business is to be refused if the Minister is not satisfied that each of the requirements of paragraph 150 is met.

[152 – 159 Not Used]

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## **Domestic Workers in Private Households**

### **Requirement for leave to enter as a domestic worker in a private household**

159A. The requirements to be met by a person seeking leave to enter the Isle of Man as a domestic worker in a private household are that the applicant:

- (i) is aged 18-65 inclusive; and
- (ii) has been employed as a domestic worker for one year or more immediately prior to the application for entry clearance under the same roof as the employer or in a household that the employer uses for himself on a regular basis and where evidence is produced to demonstrate the connection between employer and employee in the form of:
  - (a) a letter from the employer confirming that the domestic worker has been employed by them in that capacity for the twelve months immediately prior to the date of application; and
  - (b) one of the following documents covering the same period of employment as that in (a):
    - (i) pay slips or bank statements showing payment of salary;
    - (ii) confirmation of tax paid;

- (iii) confirmation of health insurance paid;
  - (iv) contract of employment;
  - (v) work visa, residence permit or equivalent passport endorsement for the country in which the domestic worker has been employed by that employer; or
  - (vi) visas or equivalent passport endorsement to confirm that the domestic worker has travelled with the employer; and
- (iii) intends to work for the employer whilst the employer is in the Isle of Man and intends to travel in the company of either;
- (a) a British or EEA national employer, or that employer's British or EEA national spouse, civil partner or child, where the employer's usual place of residence is outside the Isle of Man and where the employer does not intend to remain in the Isle of Man beyond six months; or
  - (b) a British or EEA national employer's foreign national spouse, civil partner or child where the employer does not intend to remain in the Isle of Man beyond six months; or
  - (c) a foreign national employer or the employer's spouse, civil partner or child where the employer is seeking or has been granted entry clearance or leave to enter under Part 2 of these Rules; and
- (iv) intends to leave the Isle of Man at the end of six months in the Isle of Man or at the same time as the employer, whichever is the earlier; and does not intend to live for extended periods in the Isle of Man through frequent or successive visits; and
- (v) has agreed in writing terms and conditions of employment in the Isle of Man with the employer, including specifically that the applicant will be in accordance with the Minimum Wage Act 2001 (of Tynwald)<sup>22</sup> and any Regulations made under it, and provides evidence of this in the form set out in Appendix 7 with the entry clearance application; and
- (va) satisfies the Entry Clearance Officer or Immigration Officer that, throughout their employment in the Isle of Man, the employer intends to pay them at least the National Minimum Wage rate to which they are entitled by the law in force at the relevant time; and
- (vb) provides a written and signed statement from the employer confirming that the applicant is an employee and the work that will be carried out by the applicant will not constitute work within the meaning of paragraph 2(2) of the National Minimum Wage Regulations 2015 (as amended from time to time); and
- (vi) does not intend to take employment except as a domestic worker in a private household; and
- (vii) can maintain and accommodate him or herself adequately without recourse to public funds; and
- (viii) holds a valid entry clearance for entry in this capacity.

### **159B Leave to enter as a domestic worker in a private household.**

A person seeking leave to enter the Isle of Man as a domestic worker in a private household may be given leave to enter for that purpose for a period of 6 months provided he is able to produce to the Immigration Officer, on arrival, a valid Isle of Man entry clearance for entry in this capacity. Any conditions attached to leave granted in accordance with this paragraph shall not prevent the applicant from taking employment as a domestic worker in a private household other than that of the employer in relation to which entry clearance was originally granted.

### **Refusal of leave to enter as a domestic worker in a private household**

159C. Leave to enter as a domestic worker in a private household is to be refused if a valid Isle of Man entry clearance for entry in this capacity is not produced to the Immigration Officer on arrival.

### **Requirements for extension of stay as a domestic worker in a private household**

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<sup>22</sup> c25 2001

159D. The requirements for an extension of stay as a domestic worker in a private household are that the applicant:

- (i) entered the Isle of Man with a valid entry clearance as a domestic worker in a private household; and
- (ii) was granted less than 6 months leave to enter in this capacity; and
- (iii) has continued to be employed for the duration of leave granted as a domestic worker in the private household of the employer with whom the applicant entered or joined in the Isle of Man; and
- (iv) continues to be required for employment for the period of the extension sought as a domestic worker in a private household that the employer lives in where there is evidence of this in the form of written terms and conditions of employment in the Isle of Man as set out in Appendix 7 and evidence that the employer is living in the Isle of Man; and
  - (iva) satisfies the Minister that, throughout their employment in the Isle of Man, the employer intends to pay them at least the National Minimum Wage rate to which they are entitled by the law in force at the relevant time; and
  - (ivb) provides a written and signed statement from the employer confirming that the applicant is an employee and the work that will be carried out by the applicant will not constitute work within the meaning of paragraph 2(2) of the National Minimum Wage Regulations 2015 (as amended from time to time); and
- (v) does not intend to take employment except as a domestic worker in the private household of the employer; and
- (vi) meets the requirements of paragraph 159A (iv) and (vii), and
- (vii) must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.

### **Extension of stay as a domestic worker in a private household**

159E. An extension of stay as a domestic worker in a private household may be granted for a period of six months less the period already spent in the Isle of Man in this capacity.

### **Requirements for extension of stay as a domestic worker in a private household for applicants who entered the Isle of Man under the Rules in place before 1<sup>st</sup> October 2012**

159EA. The requirements for an extension of stay as a domestic worker in a private household for applicants who entered the Isle of Man under Rules in place before 1<sup>st</sup> October 2012 are that the applicant:

- (i) last entered the Isle of Man with a valid entry clearance as a domestic worker in a private household under Rules in place before 1<sup>st</sup> October 2012; and
- (ii) has continued to be employed for the duration of leave granted as a domestic worker in a private household; and
- (iii) continues to be required for employment for the period of the extension sought as a full time domestic worker in a private household under the same roof as the employer or in the same household that the employer has lived in and where there is evidence of this in the form of written terms and conditions of employment in the Isle of Man as set out in Appendix 7 and evidence that the employer resides in the Isle of Man; and
  - (iii)(a) satisfies the Minister that throughout their employment in the Isle of Man, the employer intends to pay them at least the National Minimum Wage rate to which they are entitled by the law in force at the relevant time; and
  - (iii)(b) provides a written and signed statement from the employer confirming that the applicant is an employee and the work that will be carried out by the applicant will not constitute work within the meaning of paragraph 2(2) of the National Minimum Wage Regulations 2015 (as amended from time to time); and



(iv) does not intend to take employment except as a full time domestic worker in the private household referred to in sub-paragraph 159EA (iii); and

(v) meets the requirements of paragraph 159A (i) and (vii), and

(vi) must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.

### **Extension of stay as a domestic worker in a private household for applicants who entered the Isle of Man under the Rules in place before 1<sup>st</sup> October 2012**

159EB.(i) An extension of stay as a domestic worker in a private household may be granted for a period not exceeding 12 months at a time provided the Minister is satisfied that each of the requirements of paragraph 159EA are met.

(ii) Except, where the application is decided before the current leave expires, the extension of stay granted may be for a period not exceeding 12 months plus the time remaining before the expiry of the current leave (so if the application is decided on March 31<sup>st</sup> and the current leave does not expire until April 30<sup>th</sup>, an additional period of one month's leave may be granted).

### **Refusal of extension of stay as a domestic worker in a private household**

159F. An extension of stay as a domestic worker may be refused if the Minister is not satisfied that each of the requirements of either paragraph 159D or, where applicable, paragraph 159EA, is met.

### **Indefinite leave to remain for a domestic worker in a private household**

159G. The requirements for indefinite leave to remain as a domestic worker in a private household are that the applicant:

(i) entered the Isle of Man with a valid entry clearance as a domestic worker in a private household under the Rules in place before 1<sup>st</sup> October 2012; and

(ii) has spent a continuous period of 5 years lawfully in the Isle of Man employed in this capacity; and

(iii) has met the requirements of paragraph 159A (vi) and (vii) throughout the 5 year period; and

(iv) continues to be required for employment as a domestic worker in a private household as certified by the current employer; and

(v) has demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom and Islands, in accordance with Appendix KoLL; and

(vi) does not fall for refusal under the general grounds for refusal, and

(vii) must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.

(viii) provides the specified documents in paragraph 159G-SD to evidence the reason for the absences set out in paragraph 128A.

### **159G-SD Specified documents**

The specified documents referred to in paragraph 159G(viii) are:

(a) A letter from the employer detailing the purpose and period of absences in connection with the employment, including periods of annual leave.

(b) Where the absence was due to a serious or compelling reason, a personal letter from the applicant which includes full details of the reason for the absences and all original supporting documents in relation to those reasons – e.g. medical certificates, birth/death certificates, information about the reasons which led to the absence from the Isle of Man.

### **Refusal of indefinite leave to remain for a domestic worker in a private household**

159H. Indefinite leave to remain in the Isle of Man for a domestic worker in a private household is to be refused if the Minister is not satisfied that each of the requirements of paragraph 159G is met.

**Domestic workers who are the victim of slavery or human trafficking****Requirements for leave to remain as a domestic worker who is the victim of slavery or human trafficking**

159I(IOM). The requirements to be met by a person seeking leave to remain as a domestic worker who is the victim of slavery or human trafficking are that:

- (i) the applicant's most recent grant of leave to enter or remain in the Isle of Man has been granted:
  - (a) as a domestic worker in a private household;
  - (b) Not Used
  - (c) as a domestic worker who is the victim of slavery or human trafficking;
- (ii) the applicant has been determined by the Isle of Man Immigration Inspector to be a victim of slavery or human trafficking (as defined in the Modern Slavery Act of Parliament) applying the criteria used by the UK Competent Authorities under the UK National Referral Mechanism;
- (iii) except where the applicant is applying to extend a previous grant of leave to remain as a domestic worker who is the victim of slavery or human trafficking, the application:
  - (a) is made within 28 days of the decision at (ii) being notified to the applicant; or
  - (b) if the applicant has an outstanding application for leave to remain on the date that the decision at (ii) is notified to the applicant, or the applicant makes an application for (or is being considered for a grant of) leave to remain on some other basis within 28 days of that date, is made within 28 days of the outcome of that application or consideration being notified to the applicant; and
- (iv) the applicant can maintain and accommodate him or herself without recourse to public funds.

**Leave to remain as a domestic worker who is the victim of slavery or human trafficking**

159J. A person meeting the requirements of paragraph 159I(IOM) will be granted leave to remain for a period not exceeding 2 years. A person previously granted leave to remain as a domestic worker who is a victim of slavery or human trafficking for a period of less than 2 years may, if they continue to meet the requirements of paragraph 159I, be granted a further period of leave to remain such that their total leave to remain as a domestic worker who is a victim of slavery or human trafficking does not exceed 2 years. Leave to remain granted in accordance with this paragraph will be subject to the following conditions:

- (i) no recourse to public funds; and
- (ii) no employment except:
  - (a) as a domestic worker in a private household;

**Refusal of leave to remain as a domestic worker who is the victim of slavery or human trafficking**

159K. Leave to remain as a domestic worker who is the victim of slavery or human trafficking may be refused if the Minister is not satisfied that each of the requirements of paragraph 159I(IOM) is met.

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[160-168 Not Used]

**Ministers of Religion, Missionaries and Members of Religious orders**

169. For the purposes of these Rules:

- (i) a minister of religion means a religious functionary whose main regular duties comprise the leading of a congregation in performing the rites and rituals of the faith and in preaching the essentials of the creed;

(ii) a missionary means a person who is directly engaged in spreading a religious doctrine and whose work is not in essence administrative or clerical;

(iii) a member of a religious order means a person who is coming to live in a community run by that order.

### **Requirements for leave to enter as a minister of religion, missionary, or member of a religious order**

170 TO 175 [DELETED]

### **Indefinite leave to remain as a minister of religion, missionary or member of a religious order**

176. Indefinite leave to remain may be granted, on application, to a person admitted as a minister of religion, missionary or member of a religious order provided the applicant:

- (i) has spent a continuous period of 5 years lawfully in the Isle of Man in this capacity; and
- (ii) has met the requirements of paragraph 173 or 174A throughout the 5 year period; and
- (iii) is still required for the employment in question as certified by the leadership of the congregation, the employer or the head of the religious order to which the applicant belongs; and
- (iv) has demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom and Islands, in accordance with Appendix KoLL; and
- (v) does not fall for refusal under the general grounds for refusal, and
- (vi) is not in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded; and
- (vii) provides the specified documents in paragraph 176-SD to evidence the reason for the absences set out in paragraph 128A.

### **176-SD Specified documents**

The specified documents referred to in paragraph 176(vii) are:

- (a) A letter from the leadership of the congregation, the employer or the head of the religious order to which the applicant belongs, detailing the purpose and period of absences in connection with the employment, including periods of annual leave.
- (b) Where the absence was due to a serious or compelling reason, a personal letter from the applicant which includes full details of the reason for the absences and all original supporting documents in relation to those reasons – e.g. medical certificates, birth/death certificates, information about the reasons which led to the absence from the Isle of Man.

### **Refusal of indefinite leave to remain for a minister of religion, missionary or member of a religious order**

177. Indefinite leave to remain in the Isle of Man for a minister of religion, missionary or member of a religious order is to be refused if the Minister is not satisfied that each of the requirements of paragraph 176 is met.

177A TO 177G [DELETED]

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### **Indefinite leave to remain for a member of the operational ground staff of an overseas owned airline**

184. Indefinite leave to remain may be granted, on application, to a member of the operational ground staff of an overseas-owned airline provided the applicant:

- (i) has spent a continuous period of 5 years lawfully in the United Kingdom or Isle of Man in this capacity; and

- (ii) has met the requirements of paragraph 181 throughout the 5 year period; and
- (iii) is still required for the employment in question as certified by the employer; and
- (iv) has demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the Isle of Man, in accordance with Appendix KoLL; and
- (v) does not fall for refusal under the general grounds for refusal; and
- (vi) is not in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded; and
- (vii) provides the specific documents in paragraph 184-SD to evidence the reason for the absences set out in paragraph 128A.

#### **184-SD Specified documents**

The specified documents referred to in paragraph 184(vii) are:

- (a) A letter from the employer detailing the purpose and period of absences in connection with the employment, including periods of annual leave.
- (b) Where the absence was due to a serious or compelling reason, a personal letter from the applicant which includes full details of the reason for the absences and all original supporting documents in relation to those reasons – e.g. medical certificates, birth/death certificates, information about the reasons which led to the absence from the Isle of Man.

#### **Refusal of indefinite leave to remain for a member of the operational ground staff of an overseas owned airline**

185. Indefinite leave to remain in the Isle of Man for a member of the operational ground staff of an overseas owned airline is to be refused if the Secretary of State is not satisfied that each of the requirements of paragraph 184 is met.

#### **Persons with Isle of Man, United Kingdom or Channel Islands Ancestry.**

##### **Requirements for leave to enter on the grounds of Isle of Man, United Kingdom or Channel Islands ancestry**

186. The requirements to be met by a person seeking leave to enter the Isle of Man on the grounds of his Isle of Man, United Kingdom or Channel Islands ancestry are that he:

- (i) is a Commonwealth citizen; and
- (ii) is aged 17 or over; and
- (iii) is able to provide proof that one of his grandparents was born in the Isle of Man, United Kingdom or Channel Islands and that any such grandparent is the applicant's blood grandparent or grandparent by reason of an adoption recognised by the laws of the Isle of Man relating to adoption; and
- (iv) is able to work and intends to take or seek employment in the Isle of Man; and
- (v) will be able to maintain and accommodate himself and any dependants adequately without recourse to public funds; and
- (vi) holds a valid Isle of Man entry clearance for entry in this capacity.

##### **Leave to enter the Isle of Man on the grounds of Isle of Man, United Kingdom or Channel Islands ancestry**

187. A person seeking leave to enter the Isle of Man on the grounds of his Isle of Man, United Kingdom or Channel Islands ancestry may be given leave to enter for a period not exceeding 5 years, subject to a condition on study as set out in Part 15 of these Rules, provided he is able to produce to the Immigration Officer, on arrival, a valid Isle of Man entry clearance for entry in this capacity.

##### **Refusal of leave to enter on the grounds of Isle of Man, United Kingdom or Channel Islands ancestry**

188. Leave to enter the Isle of Man on the grounds of Isle of Man, United Kingdom or Channel Islands ancestry is to be refused if a valid Isle of Man entry clearance for entry in this capacity is not produced to the Immigration Officer on arrival.

### **Requirements for an extension of stay on the grounds of Isle of Man, United Kingdom or Channel Islands ancestry**

189. The requirements to be met by a person seeking an extension of stay on the grounds of Isle of Man, United Kingdom or Channel Islands ancestry are that:

- (i) he is able to meet each of the requirements of paragraph 186 (i)-(v); and
- (ii) he was admitted to the Isle of Man on the grounds of Isle of Man, United Kingdom or Channel Islands ancestry in accordance with paragraphs 186 to 188 or has been granted an extension of stay in this capacity, and
- (iii) he is not in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.

### **Extension of stay on the grounds of Isle of Man, United Kingdom or Channel Islands ancestry**

190. An extension of stay on the grounds of Isle of Man, United Kingdom or Channel Islands ancestry may be granted for a period not exceeding 5 years, subject to a condition on study as set out in Part 15 of these Rules, provided the Minister is satisfied that each of the requirements of paragraph 189 is met.

### **Refusal of an extension of stay on the grounds of Isle of Man, United Kingdom or Channel Islands ancestry**

191. An extension of stay on the grounds of Isle of Man, United Kingdom or Channel Islands ancestry is to be refused if the Minister is not satisfied that each of the requirements of paragraph 189 is met.

### **Indefinite leave to remain on the grounds of Isle of Man, United Kingdom or Channel Islands ancestry**

192. Indefinite leave to remain may be granted, on application, to a Commonwealth citizen with an Isle of Man, United Kingdom or Channel Islands born grandparent provided the applicant:

- (i) meets the requirements of paragraph 186 (i)-(v); and
- (ii) has spent a continuous period of 5 years lawfully in the Isle of Man in this capacity; and
- (iii) has demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom and Islands, in accordance with Appendix KoLL; and
- (iv) does not fall for refusal under the general grounds for refusal, and
- (v) is not in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.
- (vi) provides the specified documents in paragraph 192-SD to evidence the reason for the absences set out in paragraph 128A, where the absence was due to a serious or compelling reason.

### **192-SD Specified documents**

The specified documents referred to in paragraph 192(vi) are:

A personal letter from the applicant which includes full details of the reason for the absences and all original supporting documents in relation to those reasons – e.g. medical certificates, birth/death certificates, information about the reasons which led to the absence from the Isle of Man.

### **Refusal of indefinite leave to remain on the grounds of Isle of Man, United Kingdom or Channel Islands ancestry**

193. Indefinite leave to remain in the Isle of Man on the grounds of an Isle of Man, United Kingdom or Channel Islands born grandparent is to be refused if the Minister is not satisfied that each of the requirements of paragraph 192 is met.

## **Partners of persons who have or have had leave to enter or remain under paragraphs 128-193**

193A. Nothing in paragraphs 194-196F is to be construed as allowing a person to be granted entry clearance, leave to enter, leave to remain or variation of leave as a partner of a person granted entry clearance or leave to enter under Paragraph 159A where that entry clearance or leave to enter was granted under 159A on or after 1<sup>st</sup> October 2012.

### **Requirements for leave to enter as the partner of a person with limited leave to enter or remain in the Isle of Man under paragraphs 128-193**

194. The requirements to be met by a person seeking leave to enter the Isle of Man as partner of a person with limited leave to enter or remain in the Isle of Man under paragraphs 128-193 are that:

- (i) the applicant is the spouse, civil partner, unmarried or same-sex partner of a person with limited leave to enter in the Isle of Man under paragraphs 128-193; and
- (ii) if an unmarried or same-sex partner:
  - (1) any previous marriage or civil partnership (or similar relationship) by either partner has permanently broken down; and
  - (2) the parties are not involved in a consanguineous relationship with one another; and
  - (3) the parties have been living together in a relationship akin to marriage or civil partnership which has subsisted for 2 years or more; and
- (iii) each of the parties intends to live with the other as his or her partner during the applicant's stay and the relationship is subsisting; and
- (iv) there will be adequate accommodation for the parties and any dependants without recourse to public funds in accommodation which they own or occupy exclusively; and
- (v) the parties will be able to maintain themselves and any dependants adequately without recourse to public funds; and

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- (vi) the applicant does not intend to stay in the Isle of Man beyond any period of leave granted to his partner; and
- (vii) the applicant does not fall for refusal under the general grounds for refusal; and
- (viii) the applicant holds a valid Isle of Man entry clearance for entry in this capacity; and
- (ix) where the applicant is accompanying or joining a person granted entry clearance or leave to enter or limited leave to remain as the sole representative of an overseas business within the meaning of paragraph 144(ii)(a), the applicant does not have a majority stake in, or otherwise own or control, that overseas business, whether that ownership or control is by means of a shareholding, partnership agreement, sole proprietorship or any other arrangement.

### **Leave to enter as the partner of a person with limited leave to enter or remain in the Isle of Man under paragraphs 128-193**

195. A person seeking leave to enter the Isle of Man as the partner of a person with limited leave to enter or remain in the Isle of Man under paragraphs 128-193 may be given leave to enter for a period not in excess of that granted to the person with limited leave to enter or remain under paragraphs 128-193, subject to a condition on study as set out in Part 15 of these Rules, provided the Immigration Officer is satisfied that each of the requirements of paragraph 194 is met. If the person is seeking leave to enter as the partner of a Highly Skilled Migrant, leave which is granted will be subject to a condition prohibiting Employment as a Doctor or Dentist in Training, unless the applicant has obtained a degree in medicine or dentistry at bachelor's level or above from a UK institution that is a UK recognised or listed body, or which holds a sponsor licence under Tier 4 of the Points Based System, and provides evidence of this degree.

### **Refusal of leave to enter as the partner of a person with limited leave to enter or remain in the Isle of Man under paragraphs 128-193**

196. Leave to enter the Isle of Man as the partner of a person with limited leave to enter or remain in the Isle of Man under paragraphs 128-193 is to be refused if the Immigration Officer is not satisfied that each of the requirements of paragraph 194 is met.

### **Requirements for extension of stay as the partner of a person who has or has had leave to enter or remain in the Isle of Man under paragraphs 128-193**

196A. The requirements to be met by a person seeking an extension of stay in the Isle of Man as the partner of a person who has or has had leave to enter or remain in the Isle of Man under paragraphs 128-193 are that the applicant:

- (i) is the spouse, civil partner, unmarried or same sex partner of a person who:
  - (1) has limited leave to enter or remain in the Isle of Man under paragraphs 128-193 (but not paragraphs 135I-135K); or
  - (2) has indefinite leave to remain in the Isle of Man or has become a British citizen, and who had limited leave to enter or remain in the Isle of Man under paragraphs 128-193 (but not paragraphs 135I-135K) immediately before being granted indefinite leave to remain; and
- (ii) meets the requirements of paragraph 194(ii) - (vii); and
- (iii) was not last granted:
  - (1) entry clearance or leave as a visitor,
  - (2) temporary admission, or
  - (3) temporary release; and
- (iv) must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.

### **Extension of stay as the partner of a person who has or has had leave to enter or remain in the Isle of Man under paragraphs 128-193**

196B. An extension of stay in the Isle of Man as:

- (i) the partner of a person who has limited leave to enter or remain under paragraphs 128-193 may be granted subject to a condition on study as set out in Part 15 of these Rules, for a period not in excess of that granted to the person with limited leave to enter or remain; or
- (ii) the partner of a person who is being admitted at the same time for settlement, or the partner of a person who has indefinite leave to remain or has become a British citizen, may be granted for a period not exceeding 2 years, subject to a condition on study as set out in Part 15 of these Rules, in both instances, provided the Minister is satisfied that each of the requirements of paragraph 196A is met.

If the person is seeking an extension of stay as the partner of a Highly Skilled Migrant, leave which is granted will be subject to a condition prohibiting Employment as a Doctor or Dentist in Training, unless the applicant:

- (1) has obtained a degree in medicine or dentistry at bachelor's level or above from a UK institution that is a UK recognised or listed body, or which holds a sponsor licence under Tier 4 of the Points Based System; or
- (2) has, or has last been granted, entry clearance, leave to enter or leave to remain that was not subject to any condition restricting him from taking employment as a Doctor in Training, and has been employed during that leave as a Doctor in Training; or
- (3) has, or has last been granted, entry clearance, leave to enter or leave to remain that was not subject to any condition restricting him from taking employment as a Dentist in Training, and has been employed during that leave as a Dentist in Training.

### **Refusal of extension of stay as the partner of a person who has or has had leave to enter or remain in the Isle of Man under paragraphs 128-193**

196C. An extension of stay in the Isle of Man as the partner of a person who has or has had leave to enter or remain in the Isle of Man under paragraphs 128-193 is to be refused if the Minister is not satisfied that each of the requirements of paragraph 196A is met.

### **Requirements for indefinite leave to remain for the partner of a person who has or has had leave to enter or remain in the Isle of Man under paragraphs 128-193**

196D. The requirements to be met by a person seeking indefinite leave to remain in the Isle of Man as the partner of a person who has or has had leave to enter or remain in the Isle of Man under paragraphs 128-193 are that the applicant:

- (i) is the spouse, civil partner, unmarried or same-sex partner of a person who:
  - (1) has limited leave to enter or remain in the Isle of Man under paragraphs 128-193 (but not paragraphs 135I-135K) and who is being granted indefinite leave to remain at the same time; or
  - (2) is the spouse, civil partner, unmarried or same-sex partner of a person who has indefinite leave to remain in the Isle of Man or has become a British citizen, and who had limited leave to enter or remain in the Isle of Man under paragraphs 128-193 (but not paragraphs 135I-135K) immediately before being granted indefinite leave to remain; and
- (ii) meets the requirements of paragraph 194(ii) - (vii); and
- (iii) has demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom and Islands, unless he is under the age of 18 or aged 65 or over at the time he makes his application; and
- (iv) was not last granted:
  - (1) entry clearance or leave as a visitor,
  - (2) temporary admission, or
  - (3) temporary release; and
- (v) must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.

### **Indefinite leave to remain as the partner of a person who has or has had leave to enter or remain in the Isle of Man under paragraphs 128-193**

196E. Indefinite leave to remain in the Isle of Man as the partner of a person who has or has had leave to enter or remain in the Isle of Man under paragraphs 128-193 may be granted provided the Minister is satisfied that each of the requirements of paragraph 196D is met.

### **Refusal of indefinite leave to remain as the partner of a person who has or has had leave to enter or remain in the Isle of Man under paragraphs 128-193**

196F. Indefinite leave to remain in the Isle of Man for the spouse or civil partner of a person who has or has had limited leave to enter or remain in the Isle of Man under paragraphs 128-193 is to be refused if the Minister is not satisfied that each of the requirements of paragraph 196D is met.

### **Children of persons with limited leave to enter or remain in the Isle of Man under paragraphs 128-193**

196G. Nothing in paragraphs 197-199 is to be construed as allowing a person to be granted entry clearance, leave to enter, leave to remain or variation of leave as the child of a person granted entry clearance or leave to enter under Paragraph 159A where that entry clearance or leave to enter was granted under 159A on or after 1<sup>st</sup> October 2012.

### **Requirements for leave to enter or remain as the child of a person with limited leave to enter or remain in the Isle of Man under paragraphs 128-193**



197. The requirements to be met by a person seeking leave to enter or remain in the Isle of Man as the child of a person with limited leave to enter or remain in the Isle of Man under paragraphs 128-193 are that:

- (i) he is the child of a parent with limited leave to enter or remain in the Isle of Man under paragraphs 128-193; and
- (ii) he is under the age of 18 or has current leave to enter or remain in this capacity; and
- (iii) he is unmarried, is not a civil partner, has not formed an independent family unit and is not leading an independent life; and
- (iv) he can, and will be, maintained and accommodated adequately without recourse to public funds in accommodation which his parent(s) owns or occupy exclusively; and
- (v) he will not stay in the Isle of Man beyond any period of leave granted to his parent(s); and
- (vi) both parents are being or have been admitted to or allowed to remain in the Isle of Man save where:
  - (a) the parent he is accompanying or joining is his sole surviving parent; or
  - (b) the parent he is accompanying or joining has had sole responsibility for his upbringing; or
  - (c) there are serious and compelling family or other considerations which make exclusion from the Isle of Man undesirable and suitable arrangements have been made for his care; and
- (vii) if seeking leave to enter, he holds a valid Isle of Man entry clearance for entry in this capacity or, if seeking leave to remain, he was not last granted:
  - (1) entry clearance or leave as a visitor,
  - (2) temporary admission, or
  - (3) temporary release; and
- (viii) if seeking leave to remain, must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.

**Leave to enter or remain as the child of a person with limited leave to enter or remain in the Isle of Man under paragraphs 128-193**

198. (a) A person seeking leave to enter or remain in the Isle of Man as the child of a person with limited leave to enter or remain in the Isle of Man under paragraphs 128-193 may be given leave to enter or remain in the Isle of Man for a period of leave not in excess of that granted to the person with limited leave to enter or remain under paragraphs 128-193, subject to a condition on study as set out in Part 15 of these Rules where the applicant is 18 years of age or over at the time their leave is granted, or will be aged 18 before their period of limited leave expires, provided that:

- (i) in relation to an application for leave to enter, he is able to produce to the Immigration Officer, on arrival, a valid Isle of Man entry clearance for entry in this capacity; or
- (ii) in the case of an application for limited leave to remain, he was not last granted:
  - (1) entry clearance or leave as a visitor,
  - (2) temporary admission, or
  - (3) temporary release,
 and is able to satisfy the Minister that each of the requirements of paragraph 197 (i)-(vi) and (viii) is met.

(b) A person seeking leave to remain as the child of a parent who has indefinite leave to remain in the Isle of Man and who had limited leave under paragraphs 128 – 193 immediately before being granted indefinite leave may be given leave to remain in the Isle of Man for a period of 30 months, subject to a condition on study as set out in Part 15 of these Rules where the applicant is 18 years of age or over at the time their leave is granted, or will be aged 18 before their period of limited leave expires, provided he is in the Isle of

Man with valid leave under paragraph 198 and is able to satisfy the Minister that each of the requirements of paragraph 197(i) and 197 (ii) – (vi) and(viii) is met.

**Refusal of leave to enter or remain as the child of a person with limited leave to enter or remain in the Isle of Man under paragraphs 128-193**

198A. Leave to enter or remain in the Isle of Man as the child of a person with limited leave to enter or remain in the Isle of Man under paragraphs 128-193 is to be refused if:

- (i) in relation to an application for leave to enter, a valid Isle of Man entry clearance for entry in this capacity is not produced to the Immigration Officer on arrival; or
- (ii) in the case of an application for limited leave to remain, if the applicant was last granted:
  - (1) entry clearance or leave as a visitor,
  - (2) temporary admission, or
  - (3) temporary release,

or is unable to satisfy the Minister that each of the requirements of paragraph 197 (i)-(vi) and (viii) is met.

**Requirements for indefinite leave to remain as the child of a person who has or has had leave to enter or remain in the Isle of Man under paragraphs 128- 193**

199. The requirements to be met by a person seeking indefinite leave to remain in the Isle of Man as the child of a person who has or has had leave to enter or remain in the Isle of Man under paragraphs 128- are that the applicant:

- (i) is the child of a person who:
  - (1) has limited leave to enter or remain in the Isle of Man under paragraphs 128-193 and who is being granted indefinite leave to remain at the same time; or
  - (2) has indefinite leave to remain in the Isle of Man and who had limited leave to enter or remain in the Isle of Man under paragraphs 128-193 immediately before being granted indefinite leave to remain; and
- (ii) meets the requirements of paragraph 197(i) - (vi) and (viii); and
- (iii) was not last granted:
  - (1) entry clearance or leave as a visitor,
  - (2) temporary admission, or
  - (3) temporary release; and
- (iv) does not fall for refusal under the general grounds for refusal; and
- (v) must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded, and
- (vi) has demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom and Islands, in accordance with Appendix KoLL, unless he is under the age of 18 at the date on which the application is made.

**Indefinite leave to remain as the child of a person who has or has had leave to enter or remain in the Isle of Man under paragraphs 128-193**

199A. Indefinite leave to remain in the Isle of Man as the child of a person who has or has had leave to enter or remain in the Isle of Man under paragraphs 128-193 may be granted provided the Minister is satisfied that each of the requirements of paragraph 199 is met.

**Refusal of indefinite leave to remain as the child of a person who has or has had leave to enter or remain in the Isle of Man under paragraphs 128-193**

199B. Indefinite leave to remain in the Isle of Man as the child of a person who has or has had limited leave to enter or remain in the Isle of Man under paragraphs 128-193 is to be refused if the Minister is not satisfied that each of the requirements of paragraph 199 is met.

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**PART 6: PERSONS SEEKING TO ENTER OR REMAIN IN THE ISLE OF MAN AS A BUSINESSMAN, SELF-EMPLOYED PERSON, INVESTOR, WRITER, COMPOSER OR ARTIST**

**PERSONS INTENDING TO ESTABLISH THEMSELVES IN BUSINESS**

200A. [DELETED]

200. to 208. [DELETED]

**Indefinite leave to remain for a person admitted to establish himself in business**

209. to 210 – [DELETED]

210A – 210H [NOT USED]

211 to 221 [DELETED]

**Indefinite leave to remain for a person established in business under the provisions of an EC Association Agreement**

222. TO 223A [DELETED]

**INVESTORS**

224 to 229 [DELETED]

**Indefinite leave to remain for an investor**

230. to 231. [DELETED]

**WRITERS, COMPOSERS AND ARTISTS**

232N to 237 [DELETED]

**Indefinite leave to remain for a writer, composer or artist**

238. to 245 [DELETED]

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**Spouses or Civil Partners of persons who have or have had limited leave to enter or remain under paragraphs 200-239**

**Requirements for leave to enter as the spouse or civil partner of a person with limited leave to enter or remain under paragraphs 200-239**

240. The requirements to be met by a person seeking leave to enter the Isle of Man as the spouse or civil partner of a person with limited leave to enter or remain in the Isle of Man under paragraphs 200-239 are that:

- (i) the applicant is married to or the civil partner of a person with limited leave to enter or remain in the Isle of Man under paragraphs 200-239; and
- (ii) each of the parties intends to live with the other as his or her spouse or civil partner during the applicant's stay and the marriage or civil partnership is subsisting; and
- (iii) there will be adequate accommodation for the parties and any dependants without recourse to public funds in accommodation which they own or occupy exclusively; and
- (iv) the parties will be able to maintain themselves and any dependants adequately without recourse to public funds; and
- (v) the applicant does not intend to stay in the Isle of Man beyond any period of leave granted to his spouse or civil partner; and
- (vi) the applicant holds a valid Isle of Man entry clearance for entry in this capacity.

**Leave to enter as the spouse or civil partner of a person with limited leave to enter or remain in the Isle of Man under paragraphs 200-239**

241. A person seeking limited leave to enter the Isle of Man as the spouse or civil partner of a person with limited leave to enter or remain in the Isle of Man under paragraphs 200-239 may be given leave to enter for a period not in excess of that granted to the person with limited leave to enter or remain under paragraphs 200-239 provided the Immigration Officer is satisfied that each of the requirements of paragraph 240 is met.

**Refusal of leave to enter as the spouse or civil partner of a person with limited leave to enter or remain in the Isle of Man under paragraphs 200-239**

242. Leave to enter the Isle of Man as the spouse or civil partner of a person with limited leave to enter or remain in the Isle of Man under paragraphs 200-239 is to be refused if the Immigration Officer is not satisfied that each of the requirements of paragraph 240 is met.

**Requirements for extension of stay as the spouse or civil partner of a person who has or has had leave to enter or remain in the Isle of Man under paragraphs 200-239**

242A. The requirements to be met by a person seeking an extension of stay in the Isle of Man as the spouse or civil partner of a person who has or has had leave to enter or remain under paragraphs 200 - 239 are that the applicant:

- (i) is married to or the civil partner of a person with limited leave to enter or remain in the Isle of Man under paragraphs 200-239; or
- (ii) is married to or civil partner of a person who has limited leave to enter or remain in the Isle of Man under paragraphs 200-239 and who is being granted indefinite leave to remain at the same time; or
- (iii) is married to or civil partner of a person who has indefinite leave to remain in the Isle of Man and who had limited leave to enter or remain in the Isle of Man under paragraphs 200-239 immediately before being granted indefinite leave to remain; and
- (iv) meets the requirements of paragraph 240(ii) – (v); and
- (v) was admitted with a valid Isle of Man entry clearance for entry in this capacity, and
- (vi) must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.

**Extension of stay as the spouse or civil partner of a person who has or has had leave to enter or remain in the Isle of Man under paragraphs 200-239**

242B. An extension of stay in the Isle of Man as:

- (i) the spouse or civil partner of a person who has limited leave to enter or remain under paragraphs 200-239 may be granted for a period not in excess of that granted to the person with limited to enter or remain; or
- (ii) the spouse or civil partner of a person who is being admitted at the same time for settlement or the spouse or civil partner of a person who has indefinite leave to remain may be granted for a period not exceeding 2 years, in both instances, provided the Minister is satisfied that each of the requirements of paragraph 242A is met.

**Refusal of extension of stay as the spouse or civil partner of a person who has or has had leave to enter or remain in the Isle of Man under paragraphs 200-239**

242C. An extension of stay in the Isle of Man as the spouse or civil partner of a person who has or has had leave to enter or remain under paragraphs 200 - 239 is to be refused if the Minister is not satisfied that each of the requirements of paragraph 242A is met.

**Requirements for indefinite leave to remain as the spouse or civil partner of a person who has or has had leave to enter or remain in the Isle of Man under paragraphs 200-239**

242D. The requirements to be met by a person seeking indefinite leave to remain in the Isle of Man as the spouse or civil partner of a person who has or has had leave to enter or remain in the Isle of Man under paragraphs 200 – 239 are that the applicant:

- (i) is married to or civil partner of a person who has limited leave to enter or remain in the Isle of Man under paragraphs 200-239 and who is being granted indefinite leave to remain at the same time; or
- (ii) Is married to or civil partner of a person who has indefinite leave to remain in the Isle of Man and who had limited leave to enter or remain under paragraphs 200 – 239 immediately before being granted indefinite leave to remain; and
- (iii) meets the requirements of paragraph 240 (ii) to (v); and
- (iv) has demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom and Islands, in accordance with Appendix KoLL; and
- (v) was admitted with a valid Isle of Man entry clearance for entry in this capacity; and
- (vi) does not fall for refusal under the general grounds for refusal, and
- (vii) must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.

**Indefinite leave to remain as the spouse or civil partner of a person who has or has had leave to enter or remain in the Isle of Man under paragraphs 200-239**

242E. Indefinite leave to remain in the Isle of Man as the spouse or civil partner of a person who has or has had limited leave to enter or remain in the Isle of Man under paragraphs 200 – 239 may be granted provided the Minister is satisfied that each of the requirements of paragraph 242D is met.

**Refusal of indefinite leave to remain as the spouse or civil partner of a person who has or has had leave to enter or remain in the Isle of Man under paragraphs 200-239**

242F. Indefinite leave to remain in the Isle of Man as the spouse or civil partner of a person who has or has had limited leave to enter or remain in the Isle of Man under paragraphs 200 – 239 is to be refused if the Minister is not satisfied that each of the requirements of paragraph 242D is met.

**Children of persons with limited leave to enter or remain in the Isle of Man under paragraphs 200-239**

**Requirements for leave to enter or remain as the child of a person with limited leave to enter or remain in the Isle of Man under paragraphs 200-239**

243. The requirements to be met by a person seeking leave to enter or remain in the Isle of Man as the child of a person with limited leave to enter or remain in the Isle of Man under paragraphs 200-239 are that:

- (i) he is the child of a parent who has leave to enter or remain in the Isle of Man under paragraphs 200-239; and
- (ii) he is under the age of 18 or has current leave to enter or remain in this capacity; and
- (iii) he is unmarried, is not a civil partner, has not formed an independent family unit and is not leading an independent life; and
- (iv) he can, and will be, maintained and accommodated adequately without recourse to public funds in accommodation which his parent(s) own or occupy exclusively; and
- (v) he will not stay in the Isle of Man beyond any period of leave granted to his parent(s); and
- (vi) both parents are being or have been admitted to or allowed to remain in the Isle of Man save where:
  - (a) the parent he is accompanying or joining is his sole surviving parent; or
  - (b) the parent he is accompanying or joining has had sole responsibility for his upbringing; or
  - (c) there are serious and compelling family or other considerations which make exclusion from the Isle of Man undesirable and suitable arrangements have been made for his care; and

(vii) if seeking leave to enter, he holds a valid Isle of Man entry clearance for entry in this capacity or, if seeking leave to remain, was admitted with a valid Isle of Man entry clearance for entry in this capacity, and

(viii) if seeking leave to remain, must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.

#### **Leave to enter or remain as the child of a person with limited leave to enter or remain in the Isle of Man under paragraphs 200-239**

244. A person seeking leave to enter or remain in the Isle of Man as the child of a person with limited leave to enter or remain in the Isle of Man under paragraphs 200-239 may be admitted to or allowed to remain in the Isle of Man for the same period of leave as that granted to the person given limited leave to enter or remain under paragraphs 200-239 provided that, in relation to an application for leave to enter, he is able to produce to the Immigration Officer on arrival, a valid Isle of Man entry clearance for entry in this capacity, or in the case of an application for limited leave to remain, he was admitted with a valid Isle of Man entry clearance for entry in this capacity and is able to satisfy the Minister that each of the requirements of paragraph 243 (i)-(vi) and (viii) is met. An application for indefinite leave to remain in this category may be granted provided that the applicant was admitted with a valid Isle of Man entry clearance for entry in this capacity and is able to satisfy the Minister that each of the requirements of paragraph 243 (i)-(vi) and (viii) is met and provided indefinite leave to remain is, at the same time, being granted to the person with limited leave to remain under paragraphs 200-239.

#### **Refusal of leave to enter or remain as the child of a person with limited leave to enter or remain in the Isle of Man under paragraphs 200-239**

245. Leave to enter or remain in the Isle of Man as the child of a person with limited leave to enter or remain in the Isle of Man under paragraphs 200-239 is to be refused if, in relation to an application for leave to enter, a valid Isle of Man entry clearance for entry in this capacity is not produced to the Immigration Officer on arrival or, in the case of an application for limited leave to remain in the Isle of Man, if the applicant was not admitted with a valid Isle of Man entry clearance for entry in this capacity or is unable to satisfy the Minister that each of the requirements of paragraph 243 (i)-(vi) and (viii) is met. An application for indefinite leave to remain in this category is to be refused if the applicant was not admitted with a valid Isle of Man entry clearance for entry in this capacity or is unable to satisfy the Minister that each of the requirements of paragraph (i)-(vi) and (viii) is met or if indefinite leave to remain is not, at the same time, being granted to the person with limited leave to remain under paragraphs 200-239.

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## **PART 6A. POINTS-BASED SYSTEM**

### **Documentary evidence**

#### **General requirements for indefinite leave to remain**

245AAA. For the purposes of references in this Part to requirements for indefinite leave to remain, except for those in paragraphs 245BF, 245DF and 245EF:

(a) "continuous period of 5 years lawfully in the Isle of Man" means, subject to paragraphs 245CD, 245GF and 245HF, residence in the Isle of Man for an unbroken period with valid leave, and for these purposes a period shall not be considered to have been broken where:

(i) the applicant has been absent from the Isle of Man for a period of 180 days or less in any of the five consecutive 12 month periods preceding the date of the application for leave to remain, except that any absence from the Isle of Man for the purpose of assisting with the Ebola crisis which began in West Africa in 2014 shall not count towards the 180 days, if the applicant provides evidence that this was the purpose of the absence(s) and that his Sponsor agreed to the absence(s);

(ii) the applicant has existing limited leave to enter or remain upon their departure and return except that where that leave expired no more than 28 days prior to a further application for entry clearance, that period and any period pending the determination of an application made within that 28 day period shall be disregarded; and

(iii) the applicant has any period of overstaying between periods of entry clearance, leave to enter or leave to remain of up to 28 days and any period of overstaying pending the determination of an application made within that 28 day period disregarded.

(b) Except for periods when the applicant had leave as a Tier 1 (General) Migrant, a Tier 1 (Investor) Migrant, a Tier 1 (Entrepreneur) Migrant, a Tier 1 (Exceptional Talent) Migrant, or a highly skilled migrant, the applicant must have been employed in the Isle of Man continuously throughout the five years, under the terms of their Certificate of Sponsorship, work permit or in the employment for which they were given leave to enter or remain, except that any breaks in employment in which they applied for leave as a Tier 2 Migrant shall be disregarded, provided this is within 60 days of the end of their employment with their previous employer or Sponsor.

(c) Except for periods where the applicant had leave as a Tier 1(Investor) Migrant, a Tier 1(Entrepreneur) Migrant, a Tier 1(Exceptional Talent) Migrant or a highly skilled migrant, any absences from the Isle of Man during the five years must have been for a purpose that is consistent with the applicant's basis of stay here, including paid annual leave, or for serious or compelling reasons.

#### **245AA. Documents not submitted with applications**

(a) Subject to sub-paragraph (b) and where otherwise indicated, where Part 6A or any appendices referred to in Part 6A state that specified documents must be provided, the decision maker (that is the Entry Clearance Officer, Immigration Officer or the Minister) will only consider documents received by the Isle of Man Immigration Office before the date on which the application is considered.

(b) If the applicant has submitted the specified documents and:

(i) some of the documents within a sequence have been omitted (for example, if one page from a bank statement is missing) and the documents marking the beginning and end of that sequence have been provided; or

(ii) a document is in the wrong format (for example, if a letter is not on letterhead paper as specified); or

(iii) a document is a copy and not an original document; or

(iv) a document does not contain all of the specified information;

the decision maker may contact the applicant or his representative in writing, and request the correct documents. Such a request will only be made once, and the requested documents must be received at the address specified in the request within 10 working days of the date of the request.

(c) Documents will not be requested under sub-paragraph (b) where:



- (i) a specified document has not been submitted (for example an English language certificate is missing); or
  - (ii) where the decision maker does not think that submission of the missing or correct documents will lead to a grant because the application will be refused for other reasons.
- (d) If the applicant has submitted a specified document:
- (i) in the wrong format; or
  - (ii) which is a copy and not an original document; or
  - (iii) which does not contain all of the specified information, but the missing information is verifiable from:
    - (1) other documents submitted with the application; or
    - (2) the website of the organisation which issued the document; or
    - (3) the website of the appropriate regulatory body;

the decision maker may request the correct document under sub-paragraph (b), or may grant the application despite the error or omission, if satisfied that the specified documents are genuine and the applicant meets all the other requirements of the Rules.

### **245A. Specified documents for students previously sponsored by an overseas government or international scholarship agency**

Where Part 6A of these Rules state that specified documents must be provided to show that a sponsoring government or international scholarship agency has provided its unconditional written consent to the application, the specified documents are original letters, on the official letter-headed paper or stationery of the organisation(s), bearing the official stamp of that organisation and issued by an authorised official of that organisation. The documents must confirm that the organisation gives the applicant unconditional consent to remain in or re-enter the Isle of Man for an unlimited time.

## **Tier 1 (Exceptional Talent) Migrants**

### **245B. Purpose**

This route is for exceptionally talented individuals in the particular fields, who wish to work in the Isle of Man. These individuals are those who are already internationally recognised at the highest level as world leaders in their particular field, or who have already demonstrated exceptional promise and are likely to become world leaders in their particular area.

### **245BA. Entry to the Isle of Man**

All migrants arriving in the Isle of Man and wishing to enter as a Tier 1 (Exceptional Talent) Migrant must have a valid entry clearance for entry under this route. If they do not have a valid entry clearance, entry will be refused.

### **245BB. Requirements for entry clearance**

To qualify for entry clearance as a Tier 1 (Exceptional Talent) Migrant, an applicant must meet the requirements listed below. If the applicant meets these requirements, entry clearance will be granted. If the applicant does not meet these requirements, the application will be refused.

#### **Requirements:**

- (a) The applicant must not fall for refusal under the general grounds for refusal.
- (c) The applicant must have a minimum of 75 points under paragraphs 1 to 6 of Appendix A.
- (d) an applicant who has, or was last granted, leave as a Tier 4 Migrant and:
  - (i) is currently being sponsored by a government or international scholarship agency, or
  - (ii) was being sponsored by a government or international scholarship agency, and that sponsorship came to an end 12 months ago or less,

must provide the unconditional written consent of the sponsoring Government or agency to the application and must provide the specified documents as set out in paragraph 245A above to show that this requirement has been met.

#### **245BC. Period and conditions of grant**

- (a) Entry clearance will be granted for a period of:
  - (i) 1 year,
  - (ii) 2 years,
  - (iii) 3 years,
  - (iv) 4 years, or
  - (v) 5 years and 4 months,
 as requested by the applicant.
- (b) Entry clearance will be granted subject to the following conditions:
  - (i) no recourse to public funds,
  - (ii) registration with the police, if this is required by [paragraph 326](#),
  - (iii) no employment as a Doctor or Dentist in Training,
  - (iv) no employment as a professional sportsperson (including as a sports coach); and
  - (v) study, subject to the condition set out in [Part 15](#) of these Rules, where the applicant is 18 years of age or over at the time their leave is granted, or will be aged 18 before their period of limited leave expires.

#### **245BD. Requirements for leave to remain**

To qualify for leave to remain as a Tier 1 (Exceptional Talent) Migrant, an applicant must meet the requirements listed below. If the applicant meets these requirements, leave to remain will be granted. If the applicant does not meet these requirements, the application will be refused.

##### **Requirements:**

- (a) The applicant must not fall for refusal under the general grounds for refusal, and must not be an illegal entrant.
- (b) The applicant must have a minimum of 75 points under paragraphs [1 to 6 of Appendix A](#).
- (c) The applicant must have, or have last been granted, entry clearance, leave to enter or remain as:
  - (i) a Tier 1 Migrant,
  - (ii) a Tier 2 Migrant,
  - (iii) as a Tier 5 (Temporary Worker) Migrant, sponsored in the Government Authorised Exchange sub-category in an exchange scheme for sponsored researchers,
  - (iv) a Worker Migrant under Appendix W,
  - (v) a Start-up Migrant; or
  - (vi) an Innovator Migrant.
- (d) The applicant must not be in the UK or the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.

#### **245BE. Period and conditions of grant**

- (a) Leave to remain will be granted for a period of:
  - (i) 1 year,
  - (ii) 2 years,

- (iii) 3 years,
  - (iv) 4 years, or
  - (v) 5 years, as indicated by the applicant.
- (b) Leave to remain under this route will be subject to the following conditions:
- (i) no recourse to public funds,
  - (ii) registration with the police, if this is required by [paragraph 326](#),
  - (iii) no employment as a Doctor or Dentist in Training,
  - (iv) no employment as a professional sportsperson (including as a sports coach); and
  - (v) study, subject to the condition set out in [Part 15](#) of these Rules, where the applicant is 18 years of age or over at the time their leave is granted, or will be aged 18 before their period of limited leave expires.

### **245BF. Requirements for indefinite leave to remain**

To qualify for indefinite leave to remain, a Tier 1 (Exceptional Talent) Migrant must meet the requirements listed below. If the applicant meets these requirements, indefinite leave to remain will be granted. If the applicant does not meet these requirements, the application will be refused.

#### **Requirements:**

- (a) DELETED
- (b) The applicant must not fall for refusal under the general grounds for refusal, and must not be an illegal entrant.
- (c) The applicant must have spent a continuous period of 5 years lawfully in the UK or the Isle of Man as follows:
  - (i) the applicant must have, or have last been granted, leave as a Tier 1 (Exceptional Talent) Migrant;
  - (ii) the 5 years must have been spent with leave as a Tier 1 Migrant (excluding as a Tier 1 (Graduate Entrepreneur) Migrant or Tier 1 (Post-Study Work) Migrant) or as a Tier 2 Migrant (excluding as a Tier 2 (Intra-Company Transfer) Migrant), as a Worker Migrant (excluding as a Worker (Intra-Company Transfer) Migrant) or as an Innovator; and
  - (iii) the applicant must have had absences from the UK or the Isle of Man of no more than 180 days in any 12 calendar months during the 5 years.
- (d) The applicant must have a minimum of 75 points under [paragraphs 1 to 6 of Appendix A](#).
- (e) The applicant must have demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom and Islands, in accordance with Appendix KoLL.
- (f) The applicant must not be in the UK or Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.

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## **Tier 1 (General) Migrants**

### **Purpose**

This route is now closed except for indefinite leave to remain applications.

### **Requirements for leave to remain**

245CA - 245CB – Deleted

**Requirements for indefinite leave to remain**

245CD. To qualify for indefinite leave to remain, a Tier 1 (General) Migrant must meet the requirements listed below. If the applicant meets these requirements, indefinite leave to remain will be granted. If the applicant does not meet these requirements, the application will be refused.

**Requirements-**

(a) [Deleted]

(b) The applicant must not fall for refusal under the general grounds for refusal, and must not be an illegal entrant.

(c) The applicant must have spent a continuous period of 5 years lawfully in the Isle of Man, of which the most recent period must have been spent with leave as a Tier 1 (General) Migrant, in any combination of the following categories:

(i) as a Tier 1 (General) Migrant,

(ii) as a Highly skilled Migrant,

(iii) as a Work Permit Holder,

(iv) to (vi) DELETED

(vii) as a Tier 2 (General) Migrant, a Tier 2 (Minister of Religion) Migrant or a Tier 2 (Sportsperson) Migrant, or

(viii) as a Tier 2 (Intra-Company Transfer) Migrant, provided the continuous period of 5 years spent lawfully in the Isle of Man includes a period of leave as a Tier 2 (Intra-Company Transfer) Migrant granted under the Rules in place before 26 July 2010, or as a Work Permit Holder where the work permit was granted because the applicant was the subject of an Intra-Company Transfer.

(d) The continuous period is 5 years,

(e) If the applicant has or has had leave as a Highly Skilled Migrant, or as a Tier 1 (General) Migrant under the Rules in place before 26 July 2010, and has not been granted leave in any categories other than these under the Rules in place since 26 July 2010, the applicant must have 75 points under paragraphs 7 to 34 of Appendix A.

(f) not used

(g) in all cases other than those referred to in (e) or (f) above, the applicant must have 80 points under paragraphs 7 to 34 of Appendix A.

(h) The applicant must have sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom, in accordance with Appendix KoLL of these Rules,

(i) The applicant must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded

(j) The applicant must provide the specified documents in paragraph 245CD-SD to evidence the reason for the absences set out in paragraph 245AAA,

(k) For the purposes of sub-paragraph (c), time spent with valid leave in the Bailiwick of Guernsey, the Bailiwick of Jersey or the United Kingdom in a category equivalent to those set out in (c)(i) to (viii) may be included in the continuous period of 5 years lawful residence in the Isle of Man, provided that:

(i) the most recent period of leave was granted in the Isle of Man as a Tier 1 (General) Migrant; and

(ii) any period of leave granted in the Bailiwick of Guernsey, the Bailiwick of Jersey or the United Kingdom as a work permit holder or a Tier 2 Migrant was for employment:

(a) in a job which appears on the list of occupations skilled to Regulated Qualifications Framework level 3 or above (or from 6 April 2011, Regulated Qualifications Framework level 4 or above or from 14 June 2012, Regulated Qualifications Framework level 6 or above), as stated in the Codes of Practice in Appendix J, or

(b) in a job which appears in the Creative Sector Codes of Practice in Appendix J, or

(c) as a professional sportsperson (including as a sports coach).

(iii) In any such case, references to the “Isle of Man” in paragraph 245AAA shall include a reference to the Bailiwick of Guernsey, Bailiwick of Jersey or the United Kingdom, as the case may be.

(l) For the purposes of paragraph (e), time spent with valid leave in the Bailiwick of Guernsey, the Bailiwick of Jersey and the Isle of Man in a category equivalent to those set out in (e)(i) to (iv) may be included in the continuous period of 5 years (or 4 years as the case may be) lawful residence in the Isle of Man, provided that:

(i) the most recent period of leave was granted in the Isle of Man as a Tier 1 (General) Migrant; and

(ii) any period of leave granted in the Bailiwick of Guernsey, the Bailiwick of Jersey or the United Kingdom as a work permit holder or a Tier 2 Migrant was for employment:

(a) in a job which appears on the list of occupations skilled to National Qualifications Framework level 3 or above (or from 6 April 2011, National Qualifications Framework level 4 or above or from 14 June 2012, National Qualifications Framework level 6 or above), as stated in the Codes of Practice in Appendix J, or

(b) in a job which appears in the Creative Sector Codes of Practice in Appendix J, or

(c) as a professional sportsperson (including as a sports coach).

(iii) In any such case, references to the “UK” in paragraph 245AAA shall include a reference to the Bailiwick of Guernsey, Bailiwick of Jersey or the Isle of Man, as the case may be.

(m) The application for indefinite leave to remain must have been made before 6 April 2018.

#### **245CD-SD Specified documents**

The specified documents referred to in paragraph 245CD(j) are:

(a) For periods where the applicant was in employment in the Isle of Man, a letter from the employer detailing the purpose and period of absences in connection with the employment, including periods of annual leave.

(b) For periods where the applicant was self-employed or in business in the UK, or looking for work or setting up in business in the Isle of Man, a personal letter from the applicant detailing the purpose and period of absences in relation to those activities.

(c) A personal letter from the applicant which includes full details of the reason for the absences and all original supporting documents in relation to those reasons – e.g. medical certificates, birth/death certificates, information about the reasons which led to the absence from the Isle of Man.

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### **Tier 1 (Entrepreneur) Migrants**

#### **245D. Purpose of this route and meaning of “business”**

(a) (i) This category is now closed to new applicants.

(ii) Individuals who have leave to enter or leave to remain as:

(1) a Tier 1 (Entrepreneur) Migrant,

(2) a Tier 1 (Graduate Entrepreneur) Migrant, or

(3) a Start-up Migrant, having previously held leave as a Tier 1 (Graduate Entrepreneur) Migrant,

may apply under these rules to extend their stay or for indefinite leave to remain.

(iii) Other migrants who wish to establish, join or take over one or more businesses in the Isle of Man may apply under the rules for the Start-up or Innovator sub-categories, set out in

Appendix X of these Rules. (b) For the purpose of paragraphs 245D to 245DF and paragraphs 35 to 53 of Appendix A "business" means an enterprise as—

- (i) a sole trader,
- (ii) a partnership, or
- (iii) a company registered in the Isle of Man.

(c) Where paragraphs 245D to 245DF and paragraphs 35 to 53 of Appendix A, refer to investing funds in a business or businesses, or to money remaining available to the applicant until such time as it is spent for the purposes of his business or businesses:

(i) 'Available' means that the funds are:

- (1) in the applicant's own possession,
- (2) in the financial accounts of a Isle of Man incorporated business of which he is the director, or
- (3) available from the third party or parties named in the application under the terms of the declaration(s) referred to in paragraph 41-SD(b) of Appendix A.

(ii) 'Invested' means that the funds have been invested into a business or businesses which the applicant is running as self-employed or as a director or member of a partnership. 'Invested' or 'spent' excludes spending on:

- (1) the applicant's own remuneration,
- (2) buying the business from a previous owner, where the money ultimately goes to that previous owner (irrespective of whether it is received or held directly or indirectly by that previous owner) rather than into the business being purchased (This applies regardless of whether the money is channelled through the business en route to the previous owner, for example by means of the applicant or business purchasing 'goodwill' or other assets which were previously part of the business.),
- (3) investing in businesses, other than those which the applicant is running as self-employed or as a director, and
- (4) any spending which is not directly for the purpose of establishing or running the applicant's own business or businesses.

#### **245DA. Entry to the Isle of Man**

All migrants arriving in the Isle of Man and wishing to enter as a Tier 1 (Entrepreneur) Migrant must have a valid entry clearance for entry under this route. If they do not have a valid entry clearance, entry will be refused.

#### **245DB. Requirements for entry clearance**

[Deleted].

#### **245DC. Period and conditions of grant**

[Deleted].

#### **245DD. Requirements for leave to remain**

To qualify for leave to remain as a Tier 1 (Entrepreneur) Migrant under this rule, an applicant must meet the requirements listed below. If the applicant meets these requirements, leave to remain will be granted. If the applicant does not meet these requirements, the application will be refused.

#### **Requirements:**

- (a) The applicant must not fall for refusal under the general grounds for refusal, except that paragraph 322(10) shall not apply, and must not be an illegal entrant.
- (b) The applicant must have a minimum of 75 points under paragraphs 35 to 53 of Appendix A.

- (c) The applicant must have a minimum of 10 points under paragraphs 1 to 15 of Appendix B.
- (d) The applicant must have a minimum of 10 points under paragraphs 1 to 2 of Appendix C.
- (e) The applicant who is applying for leave to remain must have, or have last been granted leave to enter or remain as:
- (i) a Tier 1 (Entrepreneur) Migrant,
  - (ii) a Tier 1 (Graduate Entrepreneur) Migrant, or
  - (iii) a Start-up Migrant, having previously held leave as a Tier 1 (Graduate Entrepreneur) Migrant.
- (f) [Deleted].
- (g) The applicant must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.
- (h) [Deleted].
- (i) The applicant must provide a business plan, setting out his proposed business activities in the Isle of Man and how he expects to make his business succeed.
- (j) [Deleted].
- (k) Where the applicant has, or was last granted, leave as a Tier 1 (Entrepreneur) Migrant and is being assessed under Table 5 of Appendix A, the Minister must be satisfied that:
- (i) the applicant has established, taken over or become a director of one or more genuine businesses in the Isle of Man, and has genuinely operated that business or businesses while he had leave as a Tier 1 (Entrepreneur) Migrant; and
  - (ii) the applicant has genuinely invested the money referred to in Table 5 of Appendix A into one or more genuine businesses in the Isle of Man to be spent for the purpose of that business or businesses; and
  - (iii) the applicant genuinely intends to continue operating one or more businesses in the Isle of Man; and
  - (iv) the applicant does not intend to take employment in the Isle of Man other than under the terms of paragraph 245DE.
- (l) In making the assessment in (k), the Minister will assess the balance of probabilities. The Minister may take into account the following factors:
- (i) the evidence the applicant has submitted;
  - (ii) the viability and credibility of the source of the money referred to in Table 5 of Appendix A;
  - (iii) the credibility of the financial accounts of the business or businesses;
  - (iv) the credibility of the applicant's business activity in the Isle of Man, including when he had leave as a Tier 1 (Entrepreneur) Migrant;
  - (v) the credibility of the job creation for which the applicant is claiming points in Table 5 of Appendix A;
  - (vii) if the nature of the business requires mandatory accreditation, registration and/or insurance, whether that accreditation, registration and/or insurance has been obtained; and
  - (viii) any other relevant information.
- (m) The Minister reserves the right to request additional information and evidence to support the assessment in (k), and to refuse the application if the information or evidence is not provided. Any requested documents must be received by the Minister at the address specified in the request within 28 calendar days of the date of the request.
- (n) If the Minister is not satisfied with the genuineness of the application in relation to a points-scoring requirement in Appendix A, those points will not be awarded.

(o) The Minister may decide not to carry out the assessment of (k) if the application already falls for refusal on other grounds, but reserves the right to carry out this assessment in any reconsideration of the decision.

(p) The applicant must, unless he provides a reasonable explanation, comply with any request made by the Minister to attend for interview.

(q) The applicant must be at least 16 years old.

(r) Where the applicant is under 18 years of age, the application must be supported by the applicant's parents or legal guardian or by one parent if that parent has sole legal responsibility for the child.

(s) Where the applicant is under 18 years of age, the applicant's parents or legal guardian, or one parent if that parent has sole legal responsibility for the child, must confirm that they consent to the arrangements for the applicant's care in the Isle of Man.

(t) The application must have been made:

- (i) before 6 August 2022, if the applicant has, or was last granted leave to enter or remain as a Tier 1 (Graduate Entrepreneur) Migrant or a Start-up migrant;
- (ii) before 6 August 2026, if the applicant has, or was last granted leave as a Tier 1 (Graduate Entrepreneur) Migrant and is claiming points for an extension application under Table 5 of Appendix A; or
- (iii) before 6 April 2024, in all other cases.

#### **245DE. Period, conditions and curtailment of grant**

(a) Leave to remain will be granted-

- (i) for a period of 2 years, to an applicant who has, or was last granted, leave as a Tier 1 (Entrepreneur) Migrant,
- (ii) for a period of 3 years, to an applicant who has, or was last granted, leave as a Tier 1 (Graduate Entrepreneur) Migrant or a Start-up Migrant.

(b) Leave to remain under this route will be subject to the following conditions—

- (i) no recourse to public funds,
- (ii) registration with the police, if this is required by paragraph 326, and
- (iii) no employment, other than working for the business or businesses which he or she or she has established, joined or taken over but working for such business(es) does not include anything undertaken by the applicant pursuant to a contract of service or apprenticeship, whether express or implied and whether oral or written, with another business, and
- (iv) no employment as a professional sportsperson (including as a sports coach), and
- (v) study subject to the condition set out in Part 15 of these Rules where the applicant is 18 years of age or over at the time their leave is granted, or will be aged 18 before their period of limited leave expires.

(c) Without prejudice to the grounds for curtailment in Part 9: Grounds for refusal of these Rules, leave to enter or remain granted to a Tier 1 (Entrepreneur) Migrant may be curtailed if:

- (i) within 6 months of the date specified in paragraph (d), the applicant has not done one or more of the following things:
  - (1) registered with Isle of Man Treasury as self-employed,
  - (2) registered a new company or partnership in which he is a director or member, or
  - (3) registered as a director or member of an existing business or partnership, or
- (ii) the funds referred to in the relevant sections of Appendix A cease to be available to him, except where they have been spent for the purposes of his business or businesses.



(d) The date referred to in sub-paragraph (c) is—

(i) the date of the applicant's entry to the Isle of Man, in the case of an applicant granted entry clearance as a Tier 1 (Entrepreneur) Migrant where there is evidence to establish the applicant's date of entry to the Isle of Man,

(ii) the date of the grant of entry clearance to the applicant, in the case of an applicant granted entry clearance as a Tier 1 (Entrepreneur) Migrant where there is no evidence to establish the applicant's date of entry to the Isle of Man, or

(iii) the date of the grant of leave to remain to the applicant, in any other case.

#### **245DF. Requirements for indefinite leave to remain**

To qualify for indefinite leave to remain as a Tier 1 (Entrepreneur) Migrant, an applicant must meet the requirements listed below. If the applicant meets these requirements, indefinite leave to remain will be granted. If the applicant does not meet these requirements, the application will be refused.

#### **Requirements:**

(a) [Deleted]

(b) The applicant must not fall for refusal under the general grounds for refusal, and must not be an illegal entrant.

(c) The applicant must have a minimum of 75 points under paragraphs 35 to 53 of Appendix A.

(d) The applicant must have demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom and Islands, in accordance with Appendix KoLL.

(e) The applicant must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.

(f) The Minister must be satisfied that:

(i) the applicant has established, taken over or become a director of one or more genuine businesses in the Isle of Man, and has genuinely operated that business or businesses while he had leave as a Tier 1 (Entrepreneur) Migrant;; and

(ii) the applicant has genuinely invested the money referred to in Table 6 of Appendix A into one or more businesses in the Isle of Man to be spent for the purpose of that business or businesses; and

(iii) the applicant genuinely intends to continue operating one or more businesses in the Isle of Man.

(g) In making the assessment in (f), the Minister will assess the balance of probabilities. The Minister may take into account the following factors:

(i) the evidence the applicant has submitted;

(ii) the viability and credibility of the source of the money referred to in Table 6 of Appendix A;

(iii) the credibility of the financial accounts of the business or businesses;

(iv) the credibility of the applicant's business activity in the Isle of Man, including when he had leave as a Tier 1 (Entrepreneur) Migrant;;

(v) the credibility of the job creation for which the applicant is claiming points in Table 6 of Appendix A;

(vii) if the nature of the business requires mandatory accreditation, registration and/or insurance, whether that accreditation, registration and/or insurance has been obtained; and

(viii) any other relevant information.

(h) The Minister reserves the right to request additional information and evidence to support the assessment in (f), and to refuse the application if the information or evidence is not provided. Any requested documents must be received by the Minister at the address specified in the request within 28 calendar days of the date of the request.

- (i) If the Minister is not satisfied with the genuineness of the application in relation to a points-scoring requirement in Appendix A, those points will not be awarded.
- (j) The Minister may decide not to carry out the assessment in (f) if the application already falls for refusal on other grounds, but reserves the right to carry out this assessment in any reconsideration of the decision.
- (k) The applicant must, unless he provides a reasonable explanation, comply with any request made by the Minister to attend for interview.
- (l) The application for indefinite leave to remain must have been made:
  - (i) before 6 August 2028, if the applicant has ever previously had leave as a Tier 1 (Graduate Entrepreneur) Migrant; or
  - (ii) before 6 April 2026, in all other cases.

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## Tier 1 (Investor) Migrants

### 245E. Purpose

This route is for high net worth individuals making a substantial financial investment to the Isle of Man.

### 245EA. Entry to the Isle of Man

All migrants arriving in the Isle of Man and wishing to enter as a Tier 1 (Investor) Migrant must have a valid entry clearance for entry under this route. If they do not have a valid entry clearance, entry will be refused.

### 245EB. Requirements for entry clearance

To qualify for entry clearance or leave to remain as a Tier 1 (Investor) Migrant, an applicant must meet the requirements listed below. If the applicant meets these requirements, entry clearance will be granted. If the applicant does not meet these requirements, the application will be refused.

#### Requirements:

- (a) The applicant must not fall for refusal under the general grounds for refusal.
- (b) The applicant must have a minimum of 75 points under paragraphs 54 to 65-SD of [Appendix A](#).
- (c) An applicant who has, or was last granted, leave as a Tier 4 Migrant and:
  - (i) is currently being sponsored by a government or international scholarship agency, or
  - (ii) was being sponsored by a government or international scholarship agency, and that sponsorship came to an end 12 months ago or less
 must provide the unconditional written consent of the sponsoring Government or agency to the application and must provide the specified documents, as set out in paragraph 245A above, to show that this requirement has been met.
- (d) The applicant must be at least 18 years old and the assets and investment he is claiming points for must be wholly under his control.
- (e) The Entry Clearance Officer must not have reasonable grounds to believe that:
  - (i) notwithstanding that the applicant has provided the relevant specified documents required under Appendix A, the applicant is not in control of and at liberty to freely invest the money specified in their application for the purposes of meeting the requirements of Table 7 of Appendix A to these Rules (where relevant); or
  - (ii) any of the money specified in the application for the purposes of meeting the requirements of Table 7 of Appendix A to these Rules held by:
    - (1) the applicant; or

(2) where any of the specified money has been made available to the applicant by another party, that party,

has been acquired by means of conduct which is unlawful in the Isle of Man, or would constitute unlawful conduct if it occurred in the Isle of Man; or

(iii) where any of the money specified in the application for the purposes of meeting the requirements of Table 7 of Appendix A to these Rules has been made available by another party, the character, conduct or associations of that party are such that approval of the application would not be conducive to the public good,

and where the Entry Clearance Officer does have reasonable grounds to believe one or more of the applies, no points from Table 7 (where relevant) will be awarded.

(f) Where the applicant is 18 years of age or older, the applicant must provide either an original or scanned copy of a criminal record certificate from the relevant authority in any country in which they have been resident for 12 months or more (whether continuously or in total) in the past 10 years, while aged 18 or over. This requirement does not need to be met where the Minister is satisfied, by way of an explanation provided in or with the application, that it is not reasonably practicable for the applicant to obtain a certificate from the relevant authority.

(g) If the applicant has failed to provide a criminal record certificate or an explanation in accordance with sub-paragraph (f), the decision maker may contact the applicant or his representative in writing, and request the certificate(s) or an explanation. The requested certificate(s) or explanation must be received at the address specified in the request within 28 calendar days of the date of the request.

#### **245EC. Period and conditions of grant**

(a) Entry clearance will be granted for a period of 3 years and four months and will be subject to the following conditions—

(i) no recourse to public funds,

(ii) registration with the police, if this is required by paragraph 326 of these Rules,

(iii) no Employment as a Doctor or Dentist in Training, unless the applicant has obtained a primary degree in medicine or dentistry at bachelor's level or above from a UK institution that is a UK recognised or listed body, or which holds a sponsor licence under Tier 4 of the Points Based System.

(iv) no employment as a professional sportsperson (including as a sports coach), and

(v) study subject to the condition set out in Part 15 of these Rules.

#### **245ED. Requirements for leave to remain**

To qualify for leave to remain as a Tier 1 (Investor) Migrant, an applicant must meet the requirements listed below. If the applicant meets these requirements, leave to remain will be granted. If the applicant does not meet these requirements, the application will be refused.

##### **Requirements:**

(a) The applicant must not fall for refusal under the general grounds for refusal, and must not be an illegal entrant.

(b) The applicant must have a minimum of 75 points under paragraphs 54 to 65-SD of [Appendix A](#).

(c) The applicant must have, or have last been granted, entry clearance, leave to enter or remain:

(i) as a highly skilled migrant,

(ii) as a Tier 1 (General) Migrant,

(iii) as a Tier 1 (Entrepreneur) Migrant,

(iv) as a Tier 1 (Investor) Migrant,

(v) as a Tier 2 Migrant

(vi) as a Tier 4 Migrant, or

(vii) as a Worker Migrant.

(d) An applicant who has, or was last granted, leave as a Tier 4 Migrant and:

(i) is currently being sponsored by a government or international scholarship agency, or

(ii) was being sponsored by a government or international scholarship agency, and that sponsorship came to an end 12 months ago or less,

must provide the unconditional written consent of the sponsoring Government or agency to the application and must provide the specified documents, as set out in paragraph 245A above, to show that this requirement has been met.

(e) The applicant must be at least 18 years old and the assets and investment he is claiming points for must be wholly under his control.

(f) The applicant must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.

(g) The Minister must not have reasonable grounds to believe that:

(i) notwithstanding that the applicant has provided the relevant specified documents required under Appendix A, the applicant is not in control of and at liberty to freely invest the money specified in their application for the purposes of meeting the requirements of Table 7 of Appendix A to these Rules (where relevant); or

(ii) any of the money specified in the application for the purposes of meeting the requirements of Table 7 of Appendix A to these Rules held by:

(1) the applicant; or

(2) where any of the specified money has been made available to the applicant by another party, that party,

has been acquired by means of conduct which is unlawful in the Isle of Man, or would constitute unlawful conduct if it occurred in the Isle of Man; or

(iii) where any of the money specified in the application for the purposes of meeting the requirements of Table 7 of Appendix A to these Rules has been made available by another party, the character, conduct or associations of that party are such that approval of the application would not be conducive to the public good,

and where the Minister does have reasonable grounds to believe one or more of the above applies, no points from Table 7 (where relevant) will be awarded.

#### **245EE. Period, conditions and curtailment of grant**

(a) Leave to remain will be granted—

(i) for a period of 2 years, to an applicant who has, or was last granted, leave as a Tier 1 (Investor) Migrant,

(ii) for a period of 3 years, to any other applicant.

(b) Leave to remain under this route will be subject to the following conditions—

(i) no recourse to public funds,

(ii) registration with the police, if this is required by paragraph 326,

(iii) no Employment as a Doctor or Dentist in Training, unless the applicant:

(1) has obtained a primary degree in medicine or dentistry at bachelor's level or above from a UK institution that is a UK recognised or listed body, or which holds a sponsor licence under Tier 4 of the Points Based System, and provides evidence of this degree; or

(2) has, or has last been granted, entry clearance, leave to enter or leave to remain that was not subject to any condition restricting him from taking employment as a Doctor in Training, has been employed during that leave as a Doctor in Training, and provides a letter from the Postgraduate Deanery or NHS Trust employing them which confirms that they have been working in a post or programme that has been approved by the General Medical Council as a training programme or post; or

(3) has, or has last been granted, entry clearance, leave to enter or leave to remain that was not subject to any condition restricting him from taking employment as a Dentist in Training, has been employed during that leave as a Dentist in Training, and provides a letter from the Postgraduate Deanery or NHS Trust employing them which confirms that they have been working in a post or programme that has been approved by the the Joint Committee for Postgraduate Training in Dentistry as a training programme or post.

(iv) no employment as a professional sportsperson (including as a sports coach), and

(v) study subject to the condition set out in Part 15 of these Rules.

(c) Without prejudice to the grounds for curtailment in Part 9: Grounds for refusal of these Rules, leave to enter or remain as a Tier 1 (Investor) Migrant may be curtailed if:

(i) within 3 months of the date specified in paragraph (d), the applicant has not invested, or had invested on his behalf, at least the amount of capital specified in paragraph (e) in the Isle of Man by way of share capital or loan capital in active and trading Isle of Man registered companies other than those principally engaged in property investment, or

(ii) the applicant does not maintain at least the level of investment in (i) throughout the remaining period of his leave.

(d) The date referred to in sub-paragraph (c) is—

(i) the date of the applicant's entry to the Isle of Man, in the case of an applicant granted entry clearance as a Tier 1 (Investor) Migrant where there is evidence to establish the applicant's date of entry to the Isle of Man, or

(ii) the date of the grant of entry clearance to the applicant, in the case of an applicant granted entry clearance as a Tier 1 (Investor) Migrant where there is no evidence to establish the applicant's date of entry to the Isle of Man, or

(iii) the date of the grant of leave to remain to the applicant, in any other case.

(e) The amount of capital referred to in paragraph (c) is:

(i) at least £2 million if the applicant was last granted leave under the Rules in place from 10 November 2014 and was awarded points as set out in Table 7 or Table 8A of Appendix A to these Rules in that last grant, or

(ii) at least £750,000 if the applicant was last granted leave under the Rules in place before 10 November 2014 or was awarded points as set out in Table 8B of Appendix A to these Rules in his last grant.

(f) Paragraph 245EE(c) does not apply where the applicant's two most recent grants of leave were as a Tier 1 (Investor) Migrant .

#### **245EF. Requirements for indefinite leave to remain**

To qualify for indefinite leave to remain, a Tier 1 (Investor) Migrant must meet the requirements listed below. If the applicant meets these requirements, indefinite leave to remain will be granted. If the applicant does not meet these requirements, the application will be refused.

#### **Requirements:**

(a) [Deleted]

- (b) The applicant must not fall for refusal under the general grounds for refusal, and must not be an illegal entrant.
- (c) The applicant must have a minimum of 75 points under paragraphs 54 to 65-SD of [Appendix A](#)
- (d) The applicant must have demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom and Islands, in accordance with Appendix KoLL.
- (e) The applicant must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.

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## **Tier 1 (Graduate Entrepreneur) Migrants**

### **245F. Purpose of the route and meaning of business**

This category is now closed and has been replaced by the Start-up category in Appendix X.

### **245FA. Entry to the Isle of Man**

[Deleted].

### **245FB Requirements for leave to remain**

[Deleted],

### **245FC. Period and conditions of grant**

[Deleted],

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## **TIER 2 MIGRANTS**

### **245G. Tier 2 (Intra-Company Transfer) Migrants**

With effect from 6 April 2018 this route is closed to new applicants.

Those who immediately prior to that date held leave to enter or remain as a Tier 2 (Intra Company Transfer) Migrant will be deemed to be Worker (Intra Company Transfer) Migrants and may apply for leave to remain under Appendix W of these Rules. The period of leave granted before 6 April 2018 shall not be reduced by reason only of changes coming into operation on that date.

### **245H. Tier 2 (General) Migrants, Tier 2 (Minister of Religion) Migrants and Tier 2 (Sportsperson) Migrants**

With effect from 6 April 2018 these routes are closed to new applicants. Those who immediately prior to that date held leave to enter or remain as Tier 2 (General) Migrants, Tier 2 (Minister of Religion) Migrants and Tier 2 (Sportsperson) Migrants will be deemed to Worker Migrants and may apply for leave to remain under Appendix W of these Rules,. The period of leave granted before 6 April 2018 shall not be reduced by reason only of changes coming into operation on that date.

### **Leave to remain and indefinite leave to remain applications will be considered under Appendix W of these Rules. Tier 5 (Youth Mobility Scheme) Temporary Migrants**

#### **245ZI. Purpose of this route**

This route is for sponsored young people from participating countries and territories who wish to live and work temporarily in the Isle of Man.

#### **245ZJ. Entry clearance**

All migrants arriving in the Isle of Man and wishing to enter under this route must have a valid entry clearance for entry under this route. If a migrant does not have a valid entry clearance, entry will be refused.

**245ZK. Requirements for entry clearance**

To qualify for entry clearance as a Tier 5 (Youth Mobility Scheme) Temporary Migrant, an applicant must meet the requirements listed below. However, whether or not the requirements listed below are met, if a citizen of a country or the rightful holder of a passport issued by a territory listed in Appendix G makes an application for entry clearance which, if granted, would mean that the annual allocation, by the United Kingdom, of places under this route for citizens of that country or rightful holders of passports issued by that territory would be exceeded, the application will be refused. The applicant will also be refused if the requirements listed below are not met.

**Requirements:**

- (a) The applicant must not fall for refusal under the general grounds for refusal; and
- (b) The applicant must be—
  - (i) a citizen of a country or rightful holder of a passport issued by a territory listed in Appendix G to these Rules, or
  - (ii) a British Overseas Citizen, British Overseas Territories Citizen or British National (Overseas), as defined by the British Nationality Act 1981 (of Parliament)<sup>23</sup> and must provide a valid passport to show that this requirement has been met; and
- (c) The applicant must be sponsored by his country of citizenship or the territory of which he is a rightful passport holder as follows —
  - (i) if the applicant is a citizen of a country or the rightful holder of a passport issued by a territory that does not have deemed sponsorship status, the applicant must hold a valid Certificate of Sponsorship issued by that country or territory and must use that Certificate of Sponsorship in support of an application lodged in the country or territory of issue; or
  - (ii) if the applicant is a citizen of a country or the rightful holder of a passport issued by a territory that has deemed sponsorship status, his valid passport issued by the country or territory holding such status will stand as evidence of sponsorship and the application for leave may be made at any post worldwide; and
- (ca) A Certificate of Sponsorship will only be considered to be valid if:
  - (i) the country or territory issued it to the applicant no more than 3 months before the application for entry clearance is made, and
  - (ii) it has not have been cancelled by the country or territory since it was issued.
- (d) The applicant must have a minimum of 40 points under paragraphs 101 to 104 of Appendix A; and
- (e) The applicant must have a minimum of 10 points under paragraphs 6 and 7 of Appendix C; and
- (f) The applicant must have no children under the age of 18 who are either living with him or her or for whom he or she is financially responsible; and
- (g) The applicant must not previously have spent time in the Isle of Man as a Working Holidaymaker or a Tier 5 (Youth Mobility Scheme) Temporary Migrant.

**245ZL. Period and conditions of grant**

Entry clearance will be granted for a period of 2 years subject to the following conditions:

- (a) no recourse to public funds,
- (b) registration with the police, if this is required by paragraph 326,
- (c) no employment as a professional sportsperson (including as a sports coach), and

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<sup>23</sup> 1981 c. 61

(d) no employment as a Doctor or Dentist in Training, unless the applicant has obtained a degree in medicine or dentistry at bachelor's level or above from a UK institution that is a UK recognised or listed body, or which holds a sponsor licence under Tier 4 of the Points Based System, and provides evidence of this degree.

(e) no self employment, except where the following conditions are met:

(i) the migrant has no premises which he or she or she owns, other than his or her home, from which he or she or she carries out his or her business,

(ii) the total value of any equipment used in the business does not exceed £5,000, and

(iii) the migrant has no employees.

(f) study subject to the condition set out in Part 15 of these Rules.

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## Tier 5 (Temporary Worker) Migrants

### 245ZM. Purpose of this route and definitions

(a) This route is for certain types of temporary worker whose entry helps to satisfy cultural, charitable, religious or international objectives, including volunteering and job shadowing.

(b) For the purposes of paragraphs 245ZM to 245ZS and paragraphs 105 to 112 of Appendix A:

a migrant has "consecutive engagements" if:

(i) more than one Certificate of Sponsorship reference number has been allocated in respect of the migrant,

(ii) there is no gap of more than 14 days between any of the periods of engagement, and

(iii) all the Certificate of Sponsorship references record that the migrant is being sponsored in the creative and sporting subcategory of the Tier 5 (Temporary Worker) Migrant route.

"Period of engagement" means a period beginning with the employment start date as recorded on the Certificate of Sponsorship Checking Service entry which relates to the Certificate of Sponsorship reference number for which the migrant was awarded points under paragraphs 105 to 111 of Appendix A, and ending on the employment end date as recorded in the same entry.

### 245ZN. Entry clearance

(a) Subject to paragraph (b), all migrants arriving in the Isle of Man and wishing to enter as a Tier 5 (Temporary Worker) Migrant must have a valid entry clearance for entry under this route. If they do not have a valid entry clearance, entry will be refused.

(b) A migrant arriving in the Isle of Man and wishing to enter as a Tier 5 (Temporary Worker) Migrant who does not have a valid entry clearance will not be refused entry if the following conditions are met:

(i) the migrant is not a visa national,

(ii) the Certificate of Sponsorship reference number provided by the migrant leading to points being obtained under Appendix A links to an entry in the Certificate of Sponsorship Checking Service recording that their Sponsor has sponsored them in the creative and sporting subcategory of the Tier 5 (Temporary Worker) Migrant route,

(iii) if the migrant has consecutive engagements, the total length of all the periods of engagement, together with any gap between those engagements, is 3 months or less,

(iv) if the migrant does not have consecutive engagements, the total length of the period of engagement is 3 months or less, and

(v) the migrant meets the requirements in paragraph 245ZO below.

### 245ZO. Requirements for entry clearance or leave to enter



To qualify for entry clearance or, as the case may be, leave to enter, as a Tier 5 (Temporary Worker) Migrant, an applicant must meet the requirements listed below. If the applicant meets these requirements, entry clearance will be granted. If the applicant does not meet these requirements, the application will be refused.

**Requirements:**

- (a) The applicant must not fall for refusal under the general grounds for refusal.
- (b) The applicant must have a minimum of 30 points under paragraphs 105 to 112 of Appendix A.
- (c) The applicant must have a minimum of 10 points under paragraphs 8 to 9 of Appendix C.
- (d) Where the applicant is under 18 years of age, the application must be supported by the applicant's parents or legal guardian or by just one parent if that parent has sole legal responsibility for the child.
- (e) Where the applicant is under 18 years of age, the applicant's parents or legal guardian, or just one parent if that parent has sole responsibility for the child, must confirm that they consent to the arrangements for the applicant's travel to, and reception and care in, the Isle of Man.
- (f) Not Used
- (g) Not Used
- (h) Where the Certificate of Sponsorship Checking Service reference number for which the applicant was awarded points under Appendix A records that the applicant is being sponsored as a Contractual Service Supplier, or Independent Professional in the International Agreement sub-category of the Tier 5 (Temporary Worker) Migrant route, the grant of leave to enter will not result in the applicant being granted leave to enter or remain as a Contractual Service Supplier, or Independent Professional under the International Agreement sub-category of the Tier 5 (Temporary Worker) Migrant route for a cumulative period exceeding 6 months in any 12 month period ending during the period of leave to enter requested.
- (i) The Entry Clearance Officer or Immigration Officer must be satisfied that:
  - (i) the applicant genuinely intends to undertake, and is capable of undertaking, the role recorded by the Certificate of Sponsorship Checking Service; and
  - (ii) the applicant will not undertake employment in the Isle of Man other than under the terms of paragraph 245ZP(f)(iii); and
  - (iii) Not Used
- (j) To support the assessment in paragraph 245ZO(i), the Entry Clearance Officer or Immigration Officer may:
  - (i) request additional information and evidence, and refuse the application if the information or evidence is not provided. Any requested documents must be received by the Home Office at the address specified in the request within 28 calendar days of the date the request is sent, and
  - (ii) request the applicant attends an interview, and refuse the application if the applicant fails to comply with any such request without providing a reasonable explanation.
- (k) If the Entry Clearance Officer or Immigration Officer is not satisfied following the assessment in paragraph 245ZO(i), no points will be awarded under paragraphs 105 to 112 of Appendix A.
- (l) The Entry Clearance Officer or Immigration Officer may decide not to carry out the assessment in paragraph 245ZO(i) if the application already falls for refusal on other grounds, but reserves the right to carry out this assessment in any reconsideration of the decision.

**245ZP. Period and conditions of grant**

- (a) Where paragraph 245ZN(b) applies and the applicant has consecutive engagements, leave to enter will be granted for:
  - (i) a period commencing not more than 14 days before the beginning of the first period of engagement and ending 14 days after the end of the last period of engagement, or

(ii) 3 months

whichever is the shorter.

(b) Where paragraph 245ZN(b) applies and the applicant does not have consecutive engagements, leave to enter will be granted for:

(i) a period commencing not more than 14 days before the beginning of the period of engagement and ending 14 days after the end of that period of engagement, or

(ii) 3 months

whichever is the shorter.

(c) Where paragraph 255ZN(b) does not apply and the Certificate of Sponsorship Checking Service reference number for which the applicant was awarded points under Appendix A records that the applicant is being sponsored in the Creative and Sporting subcategory, the Government Authorised Exchange subcategory for a Work Experience Programme, or the Charity Workers sub-category of the Tier 5 (Temporary Worker) Migrant route, entry clearance or leave to enter will be granted for:

(i) a period commencing 14 days before the beginning of the period of engagement (or of the first period of engagement, where the applicant has consecutive engagements) and ending 14 days after the end of that period of engagement (or of the last period of engagement, where the applicant has consecutive engagements), or

(ii) 12 months

whichever of (i) or (ii) is the shorter.

(d) Where paragraph 245ZN(b) does not apply and the Certificate of Sponsorship Checking Service reference number for which the applicant was awarded points under Appendix A records that the applicant is being sponsored in the religious workers, government authorised exchange or, other than as a Contractual Service Supplier, in the international agreement subcategory of the Tier 5 (Temporary Worker) Migrant route, entry clearance will be granted for:

(i) a period commencing 14 days before the beginning of the period of engagement and ending 14 days after the end of that period of engagement, or

(ii) 2 years,

whichever is the shorter.

(e) Where paragraph 245ZN(b) does not apply and the Certificate of Sponsorship Checking Service reference number for which the applicant was awarded points under Appendix A records that the applicant is being sponsored as a Contractual Service Supplier, or Independent Professional in the International Agreement sub-category of the Tier 5 (Temporary Worker) Migrant route, entry clearance will be granted for:

(i) a period commencing 14 days before the beginning of the period of engagement and ending 14 days after the end of that period of engagement, or

(ii) 6 months,

whichever is the shorter.

(f) Leave to enter and entry clearance will be granted subject to the following conditions:

(i) no recourse to public funds,

(ii) registration with the police if this is required by paragraph 326 of these Rules,

(iii) no employment except:

(1) unless paragraph (2) applies, working for the person who for the time being is the Sponsor in the employment that the Certificate of Sponsorship Checking Service records that the migrant is being sponsored to do for that Sponsor,

(2) in the case of a migrant whom the Certificate of Sponsorship Checking Service records as being sponsored in the Government Authorised Exchange subcategory of Tier 5 (Temporary Workers), the work, volunteering or job shadowing authorised by the Sponsor and that the Certificate of Sponsorship Checking Service records that the migrant is being sponsored to do,

(3) supplementary employment except in the case of a migrant whom the Certificate of Sponsorship records as being sponsored in the international agreement sub-category, to work as a Contractual service Supplier, or Independent Professional, and

(4) in the case of a migrant whom the Certificate of Sponsorship Checking Service records as being sponsored in the creative and sporting subcategory of Tier 5 (Temporary Workers), employment as a sports person for his national team while his national team is in the UK, playing in British University and College Sport (BUCS) competitions and Temporary Engagement as a Sports Broadcaster.

(iv) Not Used

(v) study subject to the condition set out in Part 15 of these Rules where the applicant is 18 years of age or over at the time their leave is granted, or will be aged 18 before their period of limited leave expires.

### **245ZQ. Requirements for leave to remain**

To qualify for leave to remain as a Tier 5 (Temporary Worker) Migrant under this rule, an applicant must meet the requirements listed below. Subject to paragraph 245ZR(a), if the applicant meets these requirements, leave to remain will be granted. If the applicant does not meet these requirements, the application will be refused.

#### **Requirements:**

(a) The applicant must not fall for refusal under the general grounds for refusal, and must not be an illegal entrant.

(b) The applicant must have, or have last been granted.

(i) entry clearance or leave to remain as a Tier 5 (Temporary Worker) Migrant, or

(ii) entry clearance, leave to enter or leave to remain as a visitor who has been in the Isle of Man undertaking permitted activities in the sports or creative sectors, provided:

(1) the Certificate of Sponsorship Checking Service reference for which he is being awarded points in this application shows that he is being sponsored in the creative and sporting subcategory; and

(2) the Certificate of Sponsorship reference number was allocated to the applicant before he entered the Isle of Man as a visitor (excluding visitors for permitted paid engagements, marriage or civil partnership or transit), or

(iii) DELETED

(iv) DELETED

(v) DELETED

(vi) entry clearance, leave to enter or leave to remain as a Tier 4 (General) Migrant who, in respect of such leave, is or was last sponsored by:

(a) a Isle of Man recognised body or a body in receipt of public funding as a higher education institution from the Isle of Man Government Department of Education and Children; or

(b) an overseas higher education institution to undertake a short-term study abroad programme in the Isle of Man,

provided the Certificate of Sponsorship Checking Service reference for which he is being awarded points in this application confirms:

(1) he is being sponsored in the government authorised exchange sub-category, and

(2) he lawfully obtained a UK recognised bachelor or postgraduate degree (not a qualification of equivalent level which is not a degree) during his last grant of leave, and

(3) he is being sponsored to:

(a) undertake a period of postgraduate professional training or work experience which is required to obtain a professional qualification or professional registration in the same professional field as the qualification in (2) above, and will not be filling a permanent vacancy, such that the employer he is directed to work for by the Sponsor does not intend to employ him in the Isle of Man once the training or work experience for which he is being sponsored has concluded, or

(b) undertake an internship for up to 12 months which directly relates to the qualification in(2) above, and will not be filling a permanent vacancy, such that the employer he is directed to work for by the Sponsor does not intend to employ him in the Isle of Man once the training or work experience for which he is being sponsored has concluded,

(c) The applicant must have a minimum of 30 points under paragraphs 105 to 112 of Appendix A.

(d) The applicant must have a minimum of 10 points under paragraphs 8 to 9 of Appendix C.

(e) The Certificate of Sponsorship Checking Service entry to which the Certificate of Sponsorship reference number, for which points under Appendix A were awarded, relates must:

(i) record that the applicant is being sponsored in the same subcategory of the Tier 5 (Temporary Worker) Migrant route as the one in which he was being sponsored to work when he was last granted entry clearance or leave to remain as a Tier 5 (Temporary Worker) Migrant, and

(ii) Not Used

(f) Where the applicant is under 18 years of age, the application must be supported by the applicant's parents or legal guardian, or by just one parent if that parent has sole legal responsibility for the child.

(g) Where the applicant is under 18 years of age, the applicant's parents or legal guardian, or just one parent if that parent has sole legal responsibility for the child, must confirm that they consent to the arrangements for the applicant's care in the Isle of Man.

(h) An applicant who has, or was last granted, leave as a Student, a Student Re-Sitting an Examination, a Person Writing Up a Thesis, a Postgraduate Doctor or Dentist, a Student Nurse, a, or a Tier 4 (General) Migrant and:

(i) is currently being sponsored by a government or international scholarship agency, or

(ii) was being sponsored by a government or international scholarship agency, and that sponsorship came to an end 12 months ago or less

must provide the unconditional written consent of the sponsoring Government or agency to the application and must provide the specified documents as set out in paragraph 245A above to show that this requirement has been met.

(i) The applicant must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.

(j) Where the Certificate of Sponsorship Checking Service reference number for which the applicant was awarded points under Appendix A records that the applicant is being sponsored as a Contractual Service Supplier, or Independent Professional in the International Agreement subcategory of the Tier 5 (Temporary Worker) Migrant route, the grant of leave to remain will not result in the applicant being granted leave to enter or remain as a Contractual Service Supplier, or Independent Professional under the international agreement sub-category of the Tier 5 (Temporary Worker) Migrant route for a cumulative period exceeding 6 months in any 12 month period ending during the period of leave to remain requested.

(k) The Minister must be satisfied that:

(i) the applicant genuinely intends to undertake, and is capable of undertaking, the role recorded by the Certificate of Sponsorship Checking Service; and

(ii) the applicant will not undertake employment in the Isle of Man other than under the terms of paragraph 245ZR(h)(iii); and

(iii) Not used

(l) To support the assessment in paragraph 245ZQ(k), the Minister may:

(i) request additional information and evidence, and refuse the application if the information or evidence is not provided. Any requested documents must be received by the Isle of Man Immigration Office at the address specified in the request within 28 calendar days of the date the request is sent, and

(ii) request the applicant attends an interview, and refuse the application if the applicant fails to comply with any such request without providing a reasonable explanation.

(m) If the Minister is not satisfied following the assessment in paragraph 245ZQ(k), no points will be awarded under paragraphs 105 to 112 of Appendix A.

(n) The Minister may decide not to carry out the assessment in paragraph 245ZQ(k) if the application already falls for refusal on other grounds, but reserves the right to carry out this assessment in any reconsideration of the decision.

(o) Not Used

#### **245ZR. Period and conditions of grant**

(a) If any calculation of period of leave comes to zero or a negative number, leave to remain will be refused.

(b) Subject to paragraphs (c) to (f) below, leave to remain will be granted for:

(i) the length of the period of engagement, as recorded in the Certificate of Sponsorship Checking Service entry, plus 14 days (or, where the applicant has consecutive engagements, a period beginning on the first day of the first period of engagement and ending 14 days after the last day of the last period of engagement), or

(ii) the difference between the period that the applicant has already spent in the Isle of Man since his last grant of entry clearance, leave to enter, or leave to remain as a Tier 5 (Temporary Worker) Migrant and:

(1) 12 months, if he is being sponsored in the Government Authorised exchange sub-category for a Work Experience Programme where the initial grant of leave was granted under the Rules in place from 6 April 2012, the Creative and Sporting subcategory, or the Charity Workers subcategory, or

(2) 2 years, if he is being sponsored in the Government Authorised Exchange sub-category where the initial grant of leave was made under the Rules in place before 6 April 2012 or for a Research Programme or Training Programme, the Religious Workers subcategory, or the International Agreement subcategory other than as a Contractual Service Supplier, or Independent Professional, or

(3) 6 months, if the applicant is being sponsored in the International Agreement subcategory and is a Contractual Service Supplier or Independent Professional,

whichever of (i) or (ii) is the shorter.

(c) Where the provisions in paragraph 245ZQ(b)(ii) apply, the migrant will be granted leave to remain for:

(i) the period of engagement plus 14 days (or, where the applicant has consecutive engagements, a period beginning on the first day of the first period of engagement and ending 14 days after the last day of the last period of engagement), or

(ii) 12 months

whichever of (i) or (ii) is the shorter.

(d) Where the Certificate of Sponsorship Checking Service reference records that the migrant is being sponsored in the international agreement subcategory of the Tier 5 (Temporary Worker) Migrant route as an overseas government employee, employee of an international organisation leave to remain will be granted for:

- (i) the period of engagement plus 14 days, or
- (ii) 24 months,

whichever of (i) or (ii) is the shorter, unless at the date of the application for leave to remain the applicant has spent more than 4 years continuously in the UK with leave as a Tier 5 (Temporary Worker) Migrant, in which case leave to remain will be granted for:

- (iii) the period of engagement plus 14 days, or
- (iv) a period equal to 6 years less X, where X is the period of time, beginning with the date on which the applicant was last granted entry clearance, leave to enter, or leave to remain as a Tier 5 (Temporary Worker) Migrant, that the applicant has already spent in the UK as a Tier 5 (Temporary Worker) Migrant

whichever of (iii) or (iv) is the shorter.

(e) Not used

(f) Where:

(i) the Certificate of Sponsorship Checking Service reference number records that the applicant is being sponsored in the creative and sporting subcategory of the Tier 5 (Temporary Worker) Migrant route as a creative worker, and

(ii) the Sponsor is the Sponsor who sponsored the applicant when he received his last grant of leave leave to remain will be granted for the period set out in paragraph (g) below.

(g) Where the conditions in paragraph (f) above are met, leave to remain will be granted for:

(i) the period of engagement plus 14 days (or, where the applicant has consecutive engagements, a period beginning on the first day of the first period of engagement and ending 14 days after the last day of the last period of engagement), or

(ii) 12 months

whichever of (i) or (ii) is the shorter, unless the applicant has spent more than 1 year continuously in the Isle of Man with leave as a Tier 5 (Temporary Worker) Migrant, in which case leave to remain will be granted for:

(iii) the period of engagement plus 14 days (or, where the applicant has consecutive engagements, a period beginning on the first day of the first period of engagement and ending 14 days after the last day of the last period of engagement), or

(iv) a period equal to 2 years less X, where X is the period of time, beginning with the date on which the applicant was last granted entry clearance or leave to enter as a Tier 5 (Temporary Worker) Migrant, that the applicant has already spent in the Isle of Man as a Tier 5 (Temporary Worker) Migrant

whichever of (iii) or (iv) is the shorter.

(h) Leave to remain will be granted subject to the following conditions:

(i) no recourse to public funds,

(ii) registration with the police if this is required by paragraph 326 of these Rules, and

(iii) no employment except:

(1) unless paragraph (2) applies, working for the person who for the time being is the Sponsor in the employment that the Certificate of Sponsorship Checking Service records that the migrant is being sponsored to do for that Sponsor,

(2) in the case of a migrant whom the Certificate of Sponsorship Checking Service records as being sponsored in the government authorised exchange subcategory of Tier 5 (Temporary Workers), the work, volunteering or job shadowing authorised by the Sponsor and that the Certificate of Sponsorship Checking Service records that the migrant is being sponsored to do, and

(3) supplementary employment, and

(4) in the case of a migrant whom the Certificate of Sponsorship Checking Service records as being sponsored in the creative and sporting subcategory of Tier 5 (Temporary Workers), employment as a sports person for his national team while his national team is in the UK, playing in British University and College Sport (BUCS) competitions and Temporary Engagement as a Sports Broadcaster.

(iv) Not used

(v) study subject to the condition set out in Part 15 of these Rules where the applicant is 18 years of age or over at the time their leave is granted, or will be aged 18 before their period of limited leave expires.

### **245ZS. Requirements for indefinite leave to remain**

To qualify for indefinite leave to remain as a Tier 5 (Temporary Worker) Migrant, an applicant must meet the requirements listed below. If the applicant meets these requirements, indefinite leave to remain will be granted. If the applicant does not meet these requirements, the application will be refused.

#### **Requirements:**

(aa) Deleted]

(a) The applicant must not fall for refusal under the general grounds for refusal and must not be an illegal entrant.

(b) The applicant must have spent a continuous period of 5 years lawfully in the Isle of Man with leave in the international agreement sub-category of Tier 5 and working as a private servant in a diplomatic household.

(c) The applicant must have demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom and Islands, in accordance with Appendix KoLL.

(d) The applicant must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.

(e) the applicant must provide a letter from the employer detailing the purpose and period of absences in connection with the employment, including periods of annual leave. Where the absence was due to a serious or compelling reason, the applicant must provide a personal letter which includes full details of the reason for the absences and all original supporting documents in relation to those reasons – e.g. medical certificates, birth/death certificates, information about the reasons which led to the absence from the UK.

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## **Tier 4 (General) Student**

### **245ZT. Purpose of this route**

This route is for migrants aged 16 or over who wish to study in the Isle of Man at an institution that is not an Academy or a school maintained by a local authority.

### **245ZU. Entry clearance**

All migrants arriving in the Isle of Man and wishing to enter as a Tier 4 (General) Student must have a valid entry clearance for entry under this route. If they do not have a valid entry clearance, entry will be refused.

### **245ZV. Requirements for entry clearance**

To qualify for entry clearance as a Tier 4 (General) Student, an applicant must meet the requirements listed below. If the applicant meets these requirements, entry clearance will be granted. If the applicant does not meet these requirements, the application will be refused.

**Requirements:**

- (a) The applicant must not fall for refusal under the General Grounds for Refusal.
- (b) The applicant must have a minimum of 30 points under paragraphs 113 to 120 of Appendix A.
- (c) The applicant must have a minimum of 10 points under paragraphs 10 to 14 of Appendix C.
- (ca) The applicant must, if required to do so on examination or interview, be able to demonstrate without the assistance of an interpreter English language proficiency of a standard to be expected from an individual who has reached the standard specified in a Confirmation of Acceptance for Studies assigned in accordance with Appendix A paragraph 118(b) (for the avoidance of doubt, the applicant will not be subject to a test at the standard set out in Appendix A, paragraph 118(b).
- (da) If the applicant wishes to undertake a course starting on or after 1<sup>st</sup> June 2012 which is:
  - (i) undergraduate or postgraduate studies leading to a Doctorate or Masters degree by research in one of the disciplines listed in paragraph 1 of Appendix 6 of these Rules, or
  - (ii) undergraduate or postgraduate studies leading to a taught Masters degree or other postgraduate qualification in one of the disciplines listed in paragraph 2 of Appendix 6 of these Rules, or
  - (iii) a period of study or research in excess of 6 months in one of the disciplines listed in paragraphs 1 or 2 of Appendix 6 of these Rules at an institution of higher education where this forms part of an overseas postgraduate qualification

the applicant must hold a valid Academic Technology Approval Scheme clearance certificate from the Counter-Proliferation Department of the Foreign and Commonwealth Office which relates to the course, or area of research, that the applicant will be taking and at the institution at which the applicant wishes to undertake it and must provide a print-out of his Academic Technology Approval Scheme clearance certificate to show that these requirements have been met.

- (e) If the applicant wishes to be a postgraduate doctor or dentist on a recognised Foundation Programme:
  - (i) the applicant must have successfully completed a recognised UK degree in medicine or dentistry from:
    - (1) an institution with a Tier 4 Sponsor Licence,
    - (2) a UK publicly funded institution of further or higher education or
    - (3) a UK bona fide private education institution which maintains satisfactory records of enrolment and attendance,
  - (ii) the applicant must have previously been granted leave:
    - (1) as a Tier 4 (General) Student, or as a Student, for the final academic year of the studies referred to in paragraph (i) above, and
    - (2) as a Tier 4 (General) Student, or as a Student, for at least one other academic year (aside from the final year) of the studies referred to in paragraph (i) above,
  - (iii) if the applicant has previously been granted leave as a Postgraduate Doctor or Dentist, the applicant must not be seeking entry clearance or leave to enter or remain to a date beyond 3 years from the date on which he was first granted leave to enter or remain in that category, and
  - (iv) if the applicant has previously been granted leave as a Tier 4 (General) Student to undertake a course as a postgraduate doctor or dentist, the applicant must not be seeking entry clearance or leave to enter or remain to a date beyond 3 years from the date on which the applicant was first granted leave to undertake such a course.



- (f) If the applicant is currently being sponsored wholly by a Government or international sponsorship agency by means of an award which covers both fees and maintenance, or within the last 12 months has come to the end of such a period of sponsorship, the applicant must provide the written consent of the sponsoring Government or agency to the application and must provide the specified documents, as set out in paragraph 245A above, to show that this requirement has been met.
- (g) If the course is below degree level the grant of entry clearance the applicant is seeking must not lead to the applicant having been granted more than 2 years in the UK or Isle of Man as a Tier 4 Migrant since the age of 18 to study courses that did not consist of degree level study.

For the avoidance of doubt, the calculation of whether the applicant has exceeded the time limit will be based on what was previously granted by way of period of leave and level of course rather than (if different) periods and courses actually studied.

- (ga) If the course is at degree level or above, the grant of entry clearance the applicant is seeking must not lead to the applicant having been granted more than 5 years as a Tier 4 (General) Migrant, or as a Student, to study courses at degree level or above unless:
- (i) the applicant has successfully completed a course at degree level in the Isle of Man of a minimum duration of 4 academic years, and will follow a course of study at Master's degree level sponsored by a UK Recognised Body or a body in receipt of public funding as a higher education institution from the Department of Education and Children, and the grant of entry clearance must not lead to the applicant having spent more than 6 years in the Isle of Man as a Tier 4 (General) Migrant, or as a Student, studying courses at degree level or above; or
  - (ii) the grant of entry clearance is to follow a course leading to the award of a PhD, and the applicant is sponsored by a UK Recognised Body or a body in receipt of public funding as a higher education institution from the Department for Education and Children; or
  - (iii) the applicant is following a course of study in;
    - (1) Architecture;
    - (2) Medicine;
    - (3) Dentistry;
    - (4) Law, where the applicant has completed a course at degree level in the Isle of Man and is progressing to:
      - a. a law conversion course validated by the Joint Academic Stage Board; or
      - b. the Legal Practice Course; or
      - c. the Bar Professional Training Course.
    - (5) Veterinary Medicine & Science; or
    - (6) Music at a music college that is a member of Conservatoires UK (CUK).

For the avoidance of doubt, the calculation of whether the applicant has exceeded the time limit will be based on what was previously granted by way of period of leave and level of course rather than (if different) periods and courses actually studied.

- (gb) If the applicant has completed a course leading to the award of a PhD in the Isle of Man, the grant of entry clearance the applicant is seeking must not lead to the applicant having spent more than 8 years in the UK as a Tier 4 (General) Migrant, or as a student.
- (h) The applicant must be at least 16 years old.
- (i) Where the applicant is under 18 years of age, the application must be supported by the applicant's parents or legal guardian, or by just one parent if that parent has sole legal responsibility for the child.

- (j) Where the applicant is under 18 years of age, the applicant's parents or legal guardian, or just one parent if that parent has sole responsibility for the child, must confirm that they consent to the arrangements for the applicant's travel to, and reception and care in, the Isle of Man.
- (ja) Where the consent of the applicant's parent(s) or legal guardian is required, evidence of how the applicant is related to the consenting party must be provided with the application. One of the following original, or notarised copy, documents can be used:
- (i) a birth certificate showing the names of the applicant's parent(s),
  - (ii) a certificate of adoption showing the names of the applicant's parent(s) or legal guardian, or
  - (iii) a Court document naming the applicant's legal guardian.
- (k) The Entry Clearance Officer must be satisfied that the applicant is a genuine student.

#### **245ZW. Period and conditions of grant**

(a) Subject to paragraph (b), entry clearance will be granted for the duration of the course.

(b) In addition to the period of entry clearance granted in accordance with paragraph (a), entry clearance will also be granted for the periods set out in the following table. Notes to accompany the table appear below the table.

<b>Type of course</b>	<b>Period of entry clearance to be granted before the course starts</b>	<b>Period of entry clearance to be granted after the course ends</b>
12 months or more	1 month before the course starts or 7 days before the intended date of travel, whichever is later	4 months
6 months or more but less than 12 months	1 month before the course starts or 7 days before the intended date of travel, whichever is later	2 months
Pre-sessional course of less than 6 months	1 month before the course starts or 7 days before the intended date of travel, whichever is later	1 month
Course of less than 6 months that is not a pre-sessional course	7 days before the course starts	7 days
Postgraduate doctor or dentist	1 month before the intended date of travel, whichever is later	1 month

#### **Notes**

- (i) If the grant of entry clearance is made less than 7 days before the intended date of travel, entry clearance will be granted with immediate effect.
- (ii) The intended date of travel is the date recorded by the applicant either through the relevant online application process or in the specified application form for Tier 4 (General) Students, as their intended date for travel to the Isle of Man.
- (iii) A pre-sessional course is a course which prepares a student for the student's main course of study in the Isle of Man.
- (iv) The additional periods of entry clearance granted further to the table above will be included for the purposes of calculating whether a migrant has exceeded the limits specified at 245ZV(g) to 245ZV(gb).
- (c) Entry clearance will be granted subject to the following conditions:
- (i) no recourse to public funds,
  - (ii) registration with the police, if this is required by paragraph 326 of these Rules,
  - (iii) no employment except:

(1) employment during term time of no more than 20 hours per week and employment (of any duration) during vacations, where the student is following a course of degree level study and is either:

- (a) sponsored by a UK Recognised Body or a body in receipt of public funding, as a higher education institution, from the Department of Education and Children
- (b) sponsored by an overseas higher education institution to undertake a short-term study abroad programme in the Isle of Man.

(2) employment during term time of no more than 10 hours per week and employment (of any duration) during vacations, where the student is following a course of below degree level study and is sponsored by a Recognised Body or a body in receipt of public funding, as a higher education institution, from the Department of Education and Children

(3) Deleted

(4) employment as part of a course-related work placement which forms an assessed part of the applicant's course and provided that any period that the applicant spends on that placement does not exceed one third of the total length of the course undertaken in the Isle of Man except:

- (i) where it is a Isle of Man statutory requirement that the placement should exceed one third of the total length of the course; or
- (ii) where the placement does not exceed one half of the total length of the course undertaken in the Isle of Man and the student is following a course of degree level study and is either:
  - (a) sponsored by a UK recognised body or a body in receipt of public funding as a higher education institution from the Department of Education and Children; or
  - (b) sponsored by an overseas higher education institution to undertake a short-term Study Abroad Programme in the Isle of Man.

(5) [NOT USED]

(6) employment as a postgraduate doctor or dentist on a recognised Foundation Programme

(7) until such time as a decision is received from the Isle of Man Immigration Office on an application which is supported by a Certificate of Sponsorship assigned by a licensed Tier 2 Sponsor and which is made following successful completion of a course at degree level or above at a UK Recognised Body or a body in receipt of public funding as a higher education institution from the Department of Education and Children and while the applicant has extant leave, and any appeal against that decision has been determined, employment with the Tier 2 Sponsor, in the role for which they assigned the Certificate of Sponsorship to the Tier 4 migrant,(8) self-employment, providing the migrant has made an application for leave to remain as a Tier 1 (Graduate Entrepreneur) Migrant which:

- (a) is supported by an endorsement from a qualifying Higher Education Institution,
- (b) is made following successful completion of a UK recognised Bachelor degree, Masters degree or PhD (not a qualification of equivalent level which is not a degree) course at a UK Recognised Body or a body in receipt of public funding as a higher education institution from the Department of Education and Children, and
- (c) is made while the applicant has extant leave,

until such time as a decision is received from the Isle of Man Immigration Office on that application and any appeal against that decision has been determined,

provided that the migrant is not self-employed or engaged in business activity other than under the conditions of (8) above, or employed as a Doctor or Dentist in Training other than under the conditions of (v) below, professional sportsperson (including a sports coach) or an entertainer, and provided that the

migrant's employment would not fill a permanent full time vacancy other than under the conditions of (7) above, or a vacancy on a recognised Foundation Programme; and

(iv) no study except:

(1) study at the institution that the Confirmation of Acceptance for Studies records as the migrant's sponsor, unless:

(a) the migrant is studying at an institution which is a partner institution of the migrant's sponsor; or

(b) until such time as a decision is received from the Isle of Man Immigration Office on an application which is supported by a Confirmation of Acceptance for Studies assigned by a sponsor with Tier 4 Sponsor status and which is made while the applicant has extant leave, and any appeal against that decision has been determined, the migrant is studying at the sponsor with Tier 4 Sponsor status that the Confirmation of Acceptance for Studies records as having assigned such Confirmation of Acceptance for Studies to the migrant; or

(c) the study is supplementary study,

(2) study on the course, or courses where a pre-sessional is included, for which the Confirmation of Acceptance for Studies was assigned, unless the student:

(a) has yet to complete the course for which the Confirmation of Acceptance for Studies was assigned; and

(b) begins studying a new course at their sponsor institution, instead of the course for which the Confirmation of Acceptance for Studies was assigned, and:

1. the course is taught by a Sponsor with a Tier 4 Sponsor Licence and is registered on the Isle of Man Register of Licenced Sponsors,

2. the course is at degree level or above,

3. the new course is not at a lower level than the previous course for which the applicant was granted leave as a Tier 4 (General) Student or as a Student,

4. The sponsor has Tier 4 Sponsor Status,

5. the applicant will be able to complete the new course within their extant period of leave, and

6. if the applicant has previously been granted leave as a Tier 4 (General) Student or as a Student, the sponsor confirms that:

a. the course is related to the previous course for which the applicant was granted leave as a Tier 4 (General) Student or as a Student, meaning that it is either connected to the previous course, part of the same subject group, or involves deeper specialisation, or

b. the previous course and the new course in combination support the applicant's genuine career aspirations.

(3) subject to (1) and (2) above, study on a course (or period of research) to which paragraph 245ZV(da) applies only if the migrant holds a valid Academic Technology Approval Scheme certificate issued prior to the commencement of the course (or period of research) that specifically relates to the course or (area of research) and to the institution at which the migrant undertakes such course (or period of research). Where:

(a) the migrant's course (or research) completion date reported on the Confirmation of Acceptance for Studies is postponed or delayed for a period of more than three calendar months, or if there are any changes to the course contents (or the research proposal), the migrant must apply for a new Academic Technology Approval Scheme certificate within 28 calendar days; and

(b) the migrant begins studying a new course (or period of research) as permitted in (2) above and the new course (or area of research) is of a type specified in paragraph 245ZV(da), the migrant must obtain an Academic Technology Approval Scheme clearance certificate relating to the new course (or area of research) prior to commencing it.

(v) no employment as a Doctor or Dentist in Training unless:

(1) the course that the migrant is being sponsored to do (as recorded by the Confirmation of Acceptance for Studies) is a recognised Foundation Programme, or

(2) the migrant has made an application as a Tier 4 (General) Student which is supported by a Confirmation of Acceptance for Studies assigned by a sponsor with Tier 4 Sponsor status to sponsor the applicant to do a recognised Foundation Programme, and this study satisfies the requirements of (iv)(2) above, or

(3) the migrant has made an application as a Worker Migrant which is supported by a Confirmation of Employment provided by an Employer for the applicant to work as a Doctor or Dentist in Training, and this employment satisfies the conditions of (iii)(7) above.

(vi) no study at schools maintained by the Department of Education and Children.

### **245ZX. Requirements for leave to remain**

To qualify for leave to remain as a Tier 4 (General) Student under this rule, an applicant must meet the requirements listed below. If the applicant meets these requirements, leave to remain will be granted. If the applicant does not meet these requirements, the applicant will be refused.

#### **Requirements:**

(a) The applicant must not fall for refusal under the general grounds for refusal and must not be an illegal entrant.

(b) The applicant must have, or last been granted, entry clearance, leave to enter or leave to remain:

(i) as a Tier 4 (General) Student, and in respect of such leave, is or was last sponsored by:

(1) a UK recognised body or a body in receipt of public funding as a higher education institution from the Department of Education and Children; or

(2) an overseas higher education institution to undertake a short-term study abroad programme in the United Kingdom; or

(3) an Embedded College offering Pathway Courses; or

(4) an independent school,

(ii) as a Tier 4 (Child) student,

(iii) as a Tier 2 Migrant, or

(iv) as a Worker Migrant.

(c) The applicant must have a minimum of 30 points under paragraphs 113 to 120 and 120A of Appendix A.

(d) The applicant must have a minimum of 10 points under paragraphs 10 to 14 of Appendix C.

(da) The applicant must, if required to do so on examination or interview, be able to demonstrate without the assistance of an interpreter English language proficiency of a standard to be expected from an individual who has reached the standard specified in a Confirmation of Acceptance for Studies assigned in accordance with Appendix A paragraph 118(b) (for the avoidance of doubt, the applicant will not be subject to a test at the standard set out in Appendix A, paragraph 118(b)).

(ea) if the applicant wishes to undertake a course:

(i) undergraduate or postgraduate studies leading to a Doctorate or Masters degree by research in one of the disciplines listed in paragraph 1 of Appendix 6 of these Rules, or

(ii) undergraduate or postgraduate studies leading to a taught Masters degree or other postgraduate qualification in one of the disciplines listed in paragraph 2 of Appendix 6 of these Rules, or

(iii) a period of study or research in excess of 6 months in one of the disciplines listed in paragraphs 1 or 2 of Appendix 6 of these Rules at an institution of higher education where this forms part of an overseas postgraduate qualification

the applicant must hold a valid Academic Technology Approval Scheme clearance certificate from the Counter-Proliferation Department of the Foreign and Commonwealth Office which relates to the course, or area of research, that the applicant will be taking and at the institution at which the applicant wishes to undertake it and must provide a print-out of his Academic Technology Approval Scheme clearance certificate to show that these requirements have been met.

Applicants applying for leave to remain under the doctorate extension scheme are not required to meet the conditions of paragraph 245ZX (ea) if they continue to study on a course (or period of research) for which they have a valid Academic Technology Approval Scheme certificate.

(f) If the applicant wishes to be a postgraduate doctor or dentist on a recognised Foundation Programme:

(i) the applicant must have successfully completed a recognised UK degree in medicine or dentistry from:

(1) an institution with a Tier 4 Sponsor Licence,

(2) a UK publicly funded institution of further or higher education or

(3) a UK bona fide private education institution which maintains satisfactory records of enrolment and attendance,

(ii) the applicant must have previously been granted leave:

(1) as a Tier 4 (General) Student, or as a Student, for the final academic year of the studies referred to in paragraph (i) above, and

(2) as a Tier 4 (General) Student, or as a Student, for at least one other academic year (aside from the final year) of the studies referred to in paragraph (i) above,

(iii) if the applicant has previously been granted leave as a Postgraduate Doctor or Dentist the applicant must not be seeking entry clearance or leave to enter or remain to a date beyond 3 years from the date on which he was first granted leave to enter or remain in that category, and

(iv) if the applicant has previously been granted leave as a Tier 4 (General) Student to undertake a course as a postgraduate doctor or dentist, the applicant must not be seeking entry clearance or leave to enter or remain to a date beyond 3 years from the date on which he was first granted leave to undertake such a course.

(g) If the applicant is currently being sponsored wholly by a Government or international sponsorship agency by means of an award which covers both fees and maintenance, or within the last 12 months has come to the end of such a period of sponsorship, the applicant must provide the unconditional written consent of the sponsoring Government or agency to the application and must provide the specified documents, as set out in paragraph 245A above, to show that this requirement has been met.

(h) If the course is below degree level the grant of leave to remain the applicant is seeking must not lead to the applicant having been granted more than 2 years as a Tier 4 Migrant since the age of 18 to study courses that did not consist of degree level study.

For the avoidance of doubt, the calculation of whether the applicant has exceeded the time limit will be based on what was previously granted by way of period of leave and level of course rather than (if different) periods and courses actually studied.

(ha) If the course is at degree level or above, the grant of leave to remain the applicant is seeking must not lead to the applicant having been granted more than 5 years as a Tier 4 (General) Migrant, or as a Student, to study courses at degree level or above unless:

(i) the applicant has successfully completed a course at degree level in the Isle of Man of a minimum duration of 4 academic years, and will follow a course of study at Master's degree level sponsored by a UK Recognised Body or a body in receipt of public funding as a higher education institution from the Department of Education and Children, and the grant of leave to remain must not lead to the applicant having spent more than 6 years in the Isle of Man as a Tier 4 (General) Migrant, or as a Student, studying courses at degree level or above; or

(ii) the grant leave to remain is to follow a course leading to the award of a PhD and the applicant is sponsored by a UK Recognised Body or a body in receipt of public funding as a higher education institution from the Isle of Man Department of Education and Children; or

(iii) the applicant is following a course of study in;

(1) Architecture;

(2) Medicine;

(3) Dentistry;

(4) Law, where the applicant has completed a course at degree level in the UK and is progressing to:

a. a law conversion course validated by the Joint Academic Stage Board; or

b. the Legal Practice Course; or

c. the Bar Professional Training Course.

(5) Veterinary Medicine & Science; or

(6) Music at a music college that is a member of Conservatoires UK (CUK).

For the avoidance of doubt, the calculation of whether the applicant has exceeded the time limit will be based on what was previously granted by way of period of leave and level of course rather than (if different) periods and courses actually studied.

(hb) If the applicant has completed a course leading to the award of a PhD, postgraduate research qualification or a Masters degree by research in the Isle of Man, the grant of leave to remain the applicant is seeking must not lead to the applicant having spent more than 8 years in the Isle of Man as a Tier 4 (General) Migrant, or as a student.

(i) The applicant must be at least 16 years old.

(j) Where the applicant is under 18 years of age, the application must be supported by the applicant's parents or legal guardian, or by just one parent if that parent has sole legal responsibility for the child.

(k) Where the applicant is under 18 years of age, the applicant's parents or legal guardian, or just one parent if that parent has sole legal responsibility for the child, must confirm that they consent to the arrangements for the applicant's care in the Isle of Man.

(ka) Where the consent of the applicant's parent(s) or legal guardian is required, evidence of how the applicant is related to the consenting party must be provided with the application. One of the following original, or notarised copy, documents can be used:

(i) a birth certificate showing the names of the applicant's parent(s),

(ii) a certificate of adoption showing the names of the applicant's parent(s) or legal guardian, or

(iii) a Court document naming the applicant's legal guardian.

(l) Unless applying for leave to remain as a Tier 4 (General) Student on the doctorate extension scheme, the applicant must be applying for leave to remain for the purpose of studies which commence within 28 days of the expiry of the applicant's current or most recent leave to enter or remain or, where the application is made in circumstances to which paragraph 39E(2) applies, within 28 days of the relevant event specified under paragraph 39E(2)(b).

(m) The applicant must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.

(n) Where the applicant is applying for leave to remain as a Tier 4 (General) Student on the doctorate extension scheme:

(i) leave to remain as a Tier 4 (General) Student on the doctorate extension scheme must not have previously been granted;

(ii) the applicant must have entry clearance or leave to remain as a Tier 4 (General) Student and must be following a course leading to the award of a PhD;

(iii) the applicant must be sponsored by a UK recognised body or a body in receipt of public funding as a higher education institution from the Department of Education and Children and that sponsor will be the sponsor awarding the PhD; and

(iv) the date of the application must be within 60 days of the expected end date of a course leading to the award of a PhD.

(o) the Minister must be satisfied that the applicant is a genuine student.

### **245ZY. Period and conditions of grant**

(a) Subject to paragraphs (b), (ba) and (c) below, leave to remain will be granted for the duration of the course.

(b) In addition to the period of leave to remain granted in accordance with paragraph (a), leave to remain will also be granted for the periods set out in the following table. Notes to accompany the table appear below the table.

<b>Type of course</b>	<b>Period of leave to remain to be granted before the course starts</b>	<b>Period of leave to remain to be granted after the course ends</b>
12 months or more	1 month	4 months
6 months or more but less than 12 months	1 month	2 months
Pre-sessional course of less than 6 months	1 month	1 month
Course of less than 6 months that is not a pre-sessional course	7 days	7 days
Postgraduate doctor or dentist	1 month	1 month

### **Notes**

(i) If the grant of leave to remain is being made less than 1 month or, in the case of a course of less than 6 months that is not a pre-sessional course, less than 7 days before the start of the course, leave to remain will be granted with immediate effect.

(ii) A pre-sessional course is a course which prepares a student for the student's main course of study in the Isle of Man.

(iii) The additional periods of leave to remain granted further to the table above will be included for the purposes of calculating whether a migrant has exceeded the limits specified at 245ZX(h) to 245ZX(hb).

(ba) Leave to remain as a Tier 4 (General) Student on the doctorate extension scheme will be granted for 12 months, commencing on the expected end date of a course leading to the award of a PhD.

(bb) Leave to remain as a Tier 4 (General) Student on the doctorate extension scheme will not be subject to the conditions on the limited time that can be spent as a Tier 4 (General) Student or as a student, specified at 245ZX(hb).



(c) Leave to remain will be granted subject to the following conditions:

- (i) no recourse to public funds,
- (ii) registration with the police, if this is required by paragraph 326 of these Rules,
- (iii) no employment except:

(1) employment during term time of no more than 20 hours per week and employment (of any duration) during vacations, where the student is following a course of degree level study and is :

(a) sponsored by a Recognised Body or a body in receipt of public funding as a higher education institution from the Department for Education and Children; or

(2) employment during term time of no more than 10 hours per week and employment (of any duration) during vacations, where the student is following a course of below degree level study and is sponsored by a Recognised Body or a body in receipt of public funding, as a higher education institution from the Department for Education and Children,

(3) DELETED

(4) employment as part of a course-related work placement which forms an assessed part of the applicant's course and provided that any period that the applicant spends on that placement does not exceed one third of the total length of the course undertaken in the Isle of Man except:

(i) where it is a statutory requirement that the placement should exceed one third of the total length of the course; or

(ii) where the placement does not exceed one half of the total length of the course undertaken in the Isle of Man and the student is following a course of degree level study and is either:

(a) sponsored by a UK Recognised Body or a body in receipt of public funding as a higher education institution from the Department of Education and Children; or

(b) sponsored by an overseas higher education institution to undertake a short-term study abroad programme in the Isle of Man.

(5) [NOT USED]

(6) employment as a Postgraduate Doctor or Dentist on a recognised Foundation Programme

(7) until such time as a decision is received from the Isle of Man Immigration Office on an application which is supported by a Certificate of Sponsorship assigned by a licensed Tier 2 Sponsor and which is made following successful completion of a course at degree level or above at a UK Recognised Body or a body in receipt of public funding as a higher education institution from the Department of Education and Children, and while the applicant has extant leave, and any appeal against that decision has been determined, employment with the Tier 2 Sponsor institution, in the role for which they assigned the Certificate of Sponsorship to the Tier 4 migrant.

(8) self-employment, providing the migrant has made an application for leave to remain as a Tier 1 (Graduate Entrepreneur) Migrant which is supported by an endorsement from a qualifying Higher Education Institution and which is made following successful completion of a course at degree level or above at a UK Recognised Body or a body in receipt of public funding as a higher education institution from the Department of Education and Children, and while the applicant has extant leave, until such time as a decision is received from the Isle of Man Immigration Office on an application and any appeal or administrative review against that decision has been determined,

provided that the migrant is not self-employed or engaged in business activity other than under the conditions of (8) above, or employed as a Doctor or Dentist in Training other than under the conditions of (v) below, a professional sportsperson (including a sports coach) or an entertainer, and provided that the migrant's employment would not fill a permanent full time vacancy under the conditions of (7) above, or other than a vacancy on a recognised Foundation Programme.

(9) where, during the current period of leave, the migrant has successfully completed a PhD at a UK recognised body or a body in receipt of public funding as a higher education institution from the

Department of Education and Children, and has been granted leave to remain as a Tier 4 (General) Student on the doctorate extension scheme or has made a valid application for leave to remain as a Tier 4 (General) Student on the doctorate extension scheme but has not yet received a decision from the Isle of Man Immigration Office on that application, there will be no limitation on the type of employment that may be taken, except for:

(a) no employment as a Doctor or Dentist in Training other than under the conditions of (v) below;

(b) no employment as a professional sportsperson (including a sports coach).

(iv) no study except:

(1) study at the institution that the Confirmation of Acceptance for Studies records as the migrant's sponsor, unless:

(a) the migrant is studying at an institution which is a partner institution of the migrant's sponsor; or

(b) until such time as a decision is received from the Isle of Man Immigration Office on an application which is supported by a Confirmation of Acceptance for Studies assigned by a sponsor with Tier 4 Sponsor status and which is made while the applicant has extant leave, and any appeal against that decision has been determined, the migrant is studying at the sponsor with Tier 4 Sponsor status that the Confirmation of Acceptance for Studies records as having assigned such Confirmation of Acceptance for Studies to the migrant; or

(c) the study is supplementary study, and

(2) study on the course, or courses where a pre-sessional is included, for which the Confirmation of Acceptance for Studies was assigned, unless the student:

(a) has yet to complete the course for which the Confirmation of Acceptance for Studies was assigned; and

(b) begins studying a new course at their sponsor institution, instead of the course for which the Confirmation of Acceptance for Studies was assigned, and:

1. the course is taught by a Sponsor with a Tier 4 Sponsor Licence and is registered on the Isle of Man Register of Licenced Sponsors,

2. the course is at degree level or above,

3. the new course is not at a lower level than the previous course for which the applicant was granted leave as a Tier 4 (General) Student or as a Student,

5. the applicant will be able to complete the new course within their extant period of leave, and

6. if the applicant has previously been granted leave as a Tier 4 (General) Student or as a Student, the sponsor confirms that:

a. the course is related to the previous course for which the applicant was granted leave as a Tier 4 (General) Student or as a Student, meaning that it is either connected to the previous course, part of the same subject group, or involves deeper specialisation, or

b. the previous course and the new course in combination support the applicant's genuine career aspirations.

(3) subject to (1) and (2), study on a course (or period of research) to which paragraph 245ZX(ea) applies only if the migrant holds a valid Academic Technology Approval Scheme certificate issued prior to the commencement of the course (or period of research) that specifically relates to the course or (area of research) and to the institution at which the migrant undertakes such course (or period of research). Where:

(a) the migrant's course (or research) completion date reported on the Confirmation of Acceptance for Studies is postponed or delayed for a period of more than three calendar months, or if there are any changes to the course contents (or the research proposal), the migrant must apply for a new Academic Technology Approval Scheme certificate within 28 calendar days.

(b) the migrant begins studying a new course (or period of research) as permitted in (2) above and the new course (or period of research) is of a type specified in paragraph 245ZX(ea), the migrant must obtain an Academic Technology Approval Scheme clearance certificate from the Counter-Proliferation Department of the Foreign and Commonwealth Office relating to the new course (or area of research) prior to commencing it.(v) no employment as a Doctor or Dentist in Training unless:

(1) the course that the migrant is being sponsored to do (as recorded by the Confirmation of Acceptance for Studies) is a recognised Foundation Programme, or

(2) the migrant has made an application as a Tier 4 (General) Student which is supported by a Confirmation of Acceptance for Studies assigned by a sponsor with a Tier 4 Sponsor status to sponsor the applicant to do a recognised Foundation Programme, and this study satisfies the requirements of (iv)(2) above, or

(3) the migrant has made an application as a Worker Migrant which is supported by a Confirmation of Employment assigned by an Employer to the applicant to work as a Doctor or Dentist in Training, and this employment satisfies the conditions of (iii)(7) above.

(vi) no study at schools maintained by the Department of Education and Children

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## Tier 4 (Child) Student

### 245ZZ. Purpose of route

**This route is for children at least 4 years old and under the age of 18 who wish to be educated in the Isle of Man at an Independent School. Schools maintained by the Department of Education and Children are not permitted to sponsor students under this route.245ZZA. Entry clearance**

All migrants arriving in the Isle of Man and wishing to enter as a Tier 4 (Child) Student must have a valid entry clearance for entry under this route. If they do not have a valid entry clearance, entry will be refused.

#### Requirements:

(a) The applicant must not fall for refusal under the general grounds for refusal.

(b) The applicant must have a minimum of 30 points under paragraphs 121 to 126 of Appendix A.

(c) The applicant must have a minimum of 10 points under paragraphs 15 to 22 of Appendix C.

(d) The applicant must be at least 4 years old and under the age of 18.

(e) The applicant must have no children under the age of 18 who are either living with the applicant or for whom the applicant is financially responsible.

(f) If a foster carer or a relative (not a parent or guardian) of the applicant will be responsible for the care of the applicant:

(i) the arrangements for the care of the applicant by the foster carer or relative must meet the requirements in paragraph 245ZZE and the applicant must provide the specified documents in paragraph 245ZZE to show that this requirement has been met, and

(ii) the applicant must provide details of the care arrangements as specified in paragraph 245ZZE.

(g) The application must be supported by the applicant's parents or legal guardian, or by just one parent if that parent has sole legal responsibility for the child.

(h) The applicant's parents or legal guardian, or just one parent if that parent has sole responsibility for the child, must confirm that they consent to the arrangements for the applicant's travel to, and reception and care in, the Isle of Man.

(ha) Where the consent of the applicant's parent(s) or legal guardian is required, evidence of how the applicant is related to the consenting party must be provided with the application. One of the following original, or notarised copy, documents can be used:

- (i). a birth certificate showing the names of the applicant's parent(s),
- (ii). a certificate of adoption showing the names of the applicant's parent(s) or legal guardian, or
- (iii). a Court document naming the applicant's legal guardian.

(i) If the applicant is currently being sponsored wholly by a Government or international sponsorship agency by means of an award which covers both fees and maintenance, or within the last 12 months has come to the end of such a period of sponsorship, the applicant must provide the written consent of the sponsoring Government or agency to the application and must provide the specified documents as set out in paragraph 245A above, to show that this requirement has been met.

(j) Where the applicant is aged 16 or over, the Entry Clearance Officer must be satisfied that the applicant is a genuine student.

#### **245ZZB. Period and conditions of grant**

(a) Where the applicant is under the age of 16, entry clearance will be granted for:

- (i) a period of no more than 1 month before the course starts, plus
- (ii) a period:
  - (1) requested by the applicant,
  - (2) equal to the length of the programme the applicant is following, or
  - (3) of 6 years

whichever is the shorter, plus

- (iii) 4 months.

(b) Where the applicant is aged 16 or over, entry clearance will be granted for:

- (i) a period of no more than 1 month before the course starts, plus
- (ii) a period:
  - (1) requested by the applicant,
  - (2) equal to the length of the programme the applicant is following, or
  - (3) of 3 years

whichever is the shorter, plus

- (iii) 4 months.

(c) Entry clearance will be granted subject to the following conditions:

- (i) no recourse to public funds,
- (ii) registration with the police, if this is required by paragraph 326 of these Rules,
- (iii) no employment whilst the migrant is aged under 16,
- (iv) no employment whilst the migrant is aged 16 or over except:
  - (1) employment during term time of no more than 10 hours per week,
  - (2) employment (of any duration) during vacations,

(3) employment as part of a course-related work placement which forms an assessed part of the applicant's course and provided that any period that the applicant spends on that placement does not exceed half of the total length of the course undertaken in the Isle of Man except where it is a statutory requirement that the placement should exceed half the total length of the course

provided that the migrant is not self employed or engaged in business activity, or employed as a Doctor in Training, a professional sportsperson (including a sports coach) or an entertainer, and provided that the migrant's employment would not fill a permanent full time vacancy other than a vacancy as a sabbatical officer.

(4) [NOT USED]

(v) no study except:

(1) study at the institution that the Confirmation of Acceptance for Studies Checking Service records as the migrant's sponsor, unless:

(a) the migrant is studying at an institution which is a partner institution of the migrant's sponsor; or

(b) until such time as a decision is received from the Isle of Man Immigration Office on an application which is supported by a Confirmation of Acceptance for Studies assigned by a sponsor with Tier 4 Sponsor status and which is made while the applicant has extant leave, and any appeal against that decision has been determined, the migrant is studying at the sponsor with Tier 4 Sponsor status that the Confirmation of Acceptance for Studies Checking Service records as having assigned such Confirmation of Acceptance for Studies to the migrant; or

(c) the study is supplementary study,  
and

(2) study on the course, or courses where a pre-sessional is included, for which the Confirmation of Acceptance for Studies was assigned, unless the student:

(a) has yet to complete the course for which the Confirmation of Acceptance for Studies was assigned; and

(b) begins studying a new course at the sponsor institution, instead of the course for which the Confirmation of Acceptance for Studies was assigned, and the new course is at a higher or the same level as the course for which the Confirmation of Acceptance for Studies was assigned and is not a foundation course intended to prepare the student for entry to a higher education institution.

(vi) no study at schools maintained by the Department of Education and Children.

#### **245ZZC. Requirements for leave to remain**

To qualify for leave to remain as a Tier 4 (Child) Student under this rule, an applicant must meet the requirements listed below. If the applicant meets these requirements, leave to remain will be granted. If the applicant does not meet these requirements, leave to remain will be refused.

#### **Requirements:**

(a) The applicant must not fall for refusal under the general grounds for refusal and must not be an illegal entrant.

(b) The applicant must have, or have last been granted, entry clearance, leave to enter or leave to remain:

(i) as a Tier 4 Migrant,

(ii) as a Student, or

(iii) Deleted.

(c) The applicant must have a minimum of 30 points under paragraphs 121 to 126 of Appendix A.

- (d) The applicant must have a minimum of 10 points under paragraphs 15 to 22 of Appendix C.
- (e) The applicant must be under the age of 18.
- (f) The applicant must have no children under the age of 18 who are either living with the applicant or for whom the applicant is financially responsible.
- (g) If a foster carer or a relative (not a parent or guardian) of the applicant will be responsible for the care of the applicant:
- (i) the arrangements for the care of the applicant by the foster carer or relative must meet the requirements in paragraph 245ZZE and the applicant must provide the specified documents in paragraph 245ZZE to show that this requirement has been met, and
  - (ii) the applicant must provide details of the care arrangements as specified in paragraph 245ZZE.
- (h) The application must be supported by the applicant's parents or legal guardian, or by just one parent if that parent has sole legal responsibility for the child.
- (i) The applicant's parents or legal guardian, or just one parent if that parent has sole legal responsibility for the child, must confirm that they consent to the arrangements for the applicant's care in the Isle of Man.
- (ia) Where the consent of the applicant's parent(s) or legal guardian is required, evidence of how the applicant is related to the consenting party must be provided with the application. One of the following original, or notarised copy, documents can be used:
- (i) a birth certificate showing the names of the applicant's parent(s),
  - (ii) a certificate of adoption showing the names of the applicant's parent(s) or legal guardian, or
  - (iii) a Court document naming the applicant's legal guardian.
- (j) The applicant must be applying for leave to remain for the purpose of studies which commence within 28 days of the expiry of the applicant's current or most recent leave to enter or remain or, where the application is made in circumstances to which paragraph 39E(2) applies, within 28 days of the relevant event specified under paragraph 39E(2)(b).
- (k) If the applicant is currently being sponsored wholly by a Government or international sponsorship agency by means of an award which covers both fees and maintenance, or within the last 12 months has come to the end of such a period of sponsorship, the applicant must provide the written consent of the sponsoring Government or agency to the application and must provide the specified documents, as set out in paragraph 245A above, to show that this requirement has been met.
- (l) The applicant must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.
- (m) Where the applicant is aged 16 or over, the Minister must be satisfied that the applicant is a genuine student.

#### **245ZZD. Period and conditions of grant**

- (a) Where the applicant is under the age of 16, leave to remain will be granted for:
- (i) a period of no more than 1 month before the course starts, plus
  - (ii) a period:
    - (1) requested by the applicant,
    - (2) equal to the length of the programme the applicant is following, or
    - (3) of 6 years
 whichever is the shorter, plus
  - (iii) 4 months.
- (b) Where the applicant is aged 16 or over, leave to remain will be granted for:

(i) a period of no more than 1 month before the course starts, plus

(ii) a period:

(1) requested by the applicant,

(2) equal to the length of the programme the applicant is following, or

(3) of 3 years

whichever is the shorter, plus

(iii) 4 months.

(c) Leave to remain will be granted subject to the following conditions:

(i) no recourse to public funds,

(ii) registration with the police, if this is required by paragraph 326 of these Rules,

(iii) no employment whilst the migrant is aged under 16,

(iv) no employment whilst the migrant is aged 16 or over except:

(1) employment during term time of no more than 10 hours per week,

(2) employment (of any duration) during vacations,

(3) employment as part of a course-related work placement which forms an assessed part of the applicant's course, and provided that any period that the applicant spend on that placement does not exceed half of the total length of the course undertaken in the Isle of Man except where it is a statutory requirement that the placement should exceed half the total length of the course,

(4) [NOT USED]

provided that the migrant is not self-employed or engaged in business activity, or employed as a Doctor in Training, a professional sportsperson (including a sports coach) or an entertainer, and provided that the migrant's employment would not fill a permanent full time vacancy other than a vacancy as a sabbatical officer.

(v) no study except:

(1) study at the institution that the Confirmation of Acceptance for Studies Checking Service records as the migrant's sponsor, unless:

(a) the migrant is studying at an institution which is a partner institution of the migrant's sponsor; or

(b) until such time as a decision is received from the Isle of Man Immigration Office on an application which is supported by a Confirmation of Acceptance for Studies assigned by a sponsor with Tier 4 Sponsor status and which is made while the applicant has extant leave, and any appeal against that decision has been determined, the migrant is studying at the sponsor with Tier 4 Sponsor status that the Confirmation of Acceptance for Studies Checking Service records as having assigned such Confirmation of Acceptance for Studies to the migrant; or

(c) the study is supplementary study, and

(2) study on the course, or courses where a pre-sessional is included, for which the Confirmation of Acceptance for Studies was assigned, unless the student:

(a) has yet to complete the course for which the Confirmation of Acceptance for Studies was assigned; and

(b) begins studying a new course at the sponsor institution, instead of the course for which the Confirmation of Acceptance for Studies was assigned, and the new course is at a higher or the same level as the course for which the Confirmation of Acceptance for Studies was

assigned and is not a foundation course intended to prepare the student for entry to a higher education institution.

(vi) no study at schools maintained by the Department of Education and Children.

### **245ZZE Specified documents, details and requirements of care arrangements**

The specified documents, details and requirements of care arrangements referred to in paragraph 245ZZA(f) and paragraph 245ZZC(g) are:

(i) The applicant must provide a written letter of undertaking from the intended carer confirming the care arrangement, which shows:

- (1) the name, current address and contact details of the intended carer,
- (2) the address where the carer and the Tier 4 (Child) student will be living in the Isle of Man if different from the intended carer's current address,
- (3) confirmation that the accommodation offered to the Tier 4 (Child) student is a private address, and not operated as a commercial enterprise, such as a hotel or a youth hostel,
- (4) the nature of the relationship between the Tier 4 (Child) student's parent(s) or legal guardian and the intended carer,
- (5) that the intended carer agrees to the care arrangements for the Tier 4 (Child) student,
- (6) that the intended carer has at least £570 per month (up to a maximum of nine months) available to look after and accommodate the Tier 4 (Child) student for the length of the course,
- (7) a list of any other people that the intended carer has offered support to, and
- (8) the signature and date of the undertaking.

(ii) The applicant must provide a letter from his parent(s) or legal guardian confirming the care arrangement, which shows:

- (1) the nature of their relationship with the intended carer,
- (2) the address in the Isle of Man where the Tier 4 (Child) student and the Tier 4 (Child) student's intended carer will be living,
- (3) that the parent(s) or legal guardian support the application, and authorise the intended carer to take responsibility for the care of the Tier 4 (Child) student during his stay in the Isle of Man,
- (4) the intended carer's current passport, travel document or certificate of naturalisation, confirming that they are settled in the Isle of Man. The Isle of Man Immigration Office will accept a notarised copy of the original passport or travel document, but reserves the right to request the original.

(iii) [Not used]

(iv) [Not used]

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## **PART 7: OTHER CATEGORIES**

### **Persons exercising rights of access to a child resident in the Isle of Man**

#### **Requirements for leave to enter the Isle of Man as a person exercising rights of access to a child resident in the Isle of Man**

A246. Paragraphs 246 to 248F apply only to a person who has made an application before 19 November 2012 for leave to enter or remain or indefinite leave to remain as a person exercising rights of access to a child resident in the Isle of Man, or who before 19 November 2012 has been granted leave to enter or remain as a person exercising rights of access to a child resident in the Isle of Man.

AB246. Where an application for leave to enter or remain is made on or after 19 November 2012 as a person exercising rights of access to a child resident in the Isle of Man Appendix FM will apply.

246. The requirements to be met by a person seeking leave to enter the Isle of Man to exercise access rights to a child resident in the Isle of Man are that:

- (i) the applicant is the parent of a child who is resident in the Isle of Man; and
- (ii) the parent or carer with whom the child permanently resides is resident in the Isle of Man; and
- (iii) the applicant produces evidence that he has access rights to the child in the form of:
  - (a) a Residence Order or a Contact Order granted by a Court in the Isle of Man; or
  - (b) a certificate issued by a Court in the Isle of Man confirming the applicant's intention to maintain contact with the child; and
- (iv) the applicant intends to continue to take an active role in the child's upbringing; and
- (v) the child is under the age of 18; and
- (vi) there will be adequate accommodation for the applicant and any dependants without recourse to public funds in accommodation which the applicant owns or occupies exclusively; and
- (vii) the applicant will be able to maintain himself and any dependants adequately Without recourse to public funds; and
- (viii) the applicant holds a valid Isle of Man entry clearance for entry in this capacity.

#### **Leave to enter the Isle of Man as a person exercising rights of access to a child resident in the Isle of Man**

247. Leave to enter as a person exercising access rights to a child resident in the Isle of Man may be granted for 12 months in the first instance, provided that a valid Isle of Man entry clearance for entry in this capacity is produced to the Immigration Officer on arrival.

#### **Refusal of leave to enter the Isle of Man as a person exercising rights of access to a child resident in the Isle of Man**

248. Leave to enter as a person exercising rights of access to a child resident in the Isle of Man is to be refused if a valid Isle of Man entry clearance for entry in this capacity is not produced to the Immigration Officer on arrival.

#### **Requirements for leave to remain in the Isle of Man as a person exercising rights of access to a child resident in the Isle of Man**

248A. The requirements to be met by a person seeking leave to remain in the Isle of Man to exercise access rights to a child resident in the Isle of Man are that:

- (i) the applicant is the parent of a child who is resident in the Isle of Man; and
- (ii) the parent or carer with whom the child permanently resides is resident in the Isle of Man; and
- (iii) the applicant produces evidence that he has access rights to the child in the form of:
  - (a) a Residence Order or a Contact Order granted by the Court in the Isle of Man; or

(b) a certificate issued by a Court in the Isle of Man confirming the applicant's intention to maintain contact with the child; or

(c) a statement from the child's other parent (or, if contact is supervised, from the supervisor) that the applicant is maintaining contact with the child; and

(iv) the applicant takes and intends to continue to take an active role in the child's upbringing; and

(v) the child visits or stays with the applicant on a frequent and regular basis and the applicant intends this to continue; and

(vi) the child is under the age of 18; and

(vii) the applicant has limited leave to remain in the Isle of Man as the spouse, civil partner, unmarried partner or same-sex partner of a person present and settled in the Isle of Man who is other parent of the child; and

(viii) the applicant has not remained in breach of the immigration laws; and

(ix) there will be adequate accommodation for the applicant and any dependants without recourse to public funds in accommodation which the applicant owns or occupies exclusively; and

(x) and the applicant will be able to maintain himself and any dependents adequately without recourse to public funds

#### **Leave to remain in the Isle of Man as a person exercising rights of access to a child resident in the Isle of Man**

248B. Leave to remain as a person exercising access rights to a child resident in the Isle of Man may be granted for 12 months in the first instance, provided the Minister is satisfied that each of the requirements of paragraph 248A is met.

#### **Refusal of leave to remain in the Isle of Man as a person exercising rights of access to a child resident in the Isle of Man**

248C. Leave to remain as a person exercising rights of access to a child resident in the Isle of Man is to be refused if the Minister is not satisfied that the requirements of paragraph 248A is met.

#### **Indefinite leave to remain in the Isle of Man as a person exercising rights of access to a child resident in the Isle of Man**

248D. The requirements for indefinite leave to remain in the Isle of Man as a person exercising rights of access to a child resident in the Isle of Man are that:

(i) the applicant was admitted to the Isle of Man or granted leave to remain in the Isle of Man for a period of 12 months as a person exercising rights of access to a child; and has completed a period of 12 months as a person exercising rights of access to a child in the Isle of Man; and

(ii) the applicant takes and intends to continue to take an active role in the child's upbringing; and

(iii) the child visits or stays with the applicant on a frequent and regular basis and the applicant intends this to continue; and

(iv) there will be adequate accommodation for the applicant and any dependants without recourse to public funds in accommodation which the applicant owns or occupies exclusively; and

(v) the applicant will be able to maintain himself and any dependants adequately without recourse to public funds; and

(vi) the child is under 18 years of age; and

(vii) the applicant must have demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom and Islands, in accordance with Appendix KoLL; and

(viii) the applicant does not fall for refusal under the general grounds for refusal.

#### **Indefinite leave to remain as a person exercising rights of access to a child resident in the Isle of Man**

248E. Indefinite leave to remain as a person exercising rights of access to a child may be granted provided the Minister is satisfied that each of the requirements of paragraph 248D is met.

### **Refusal of indefinite leave to remain in the Isle of Man as a person exercising rights of access to a child resident in the Isle of Man**

248F. Indefinite leave to remain as a person exercising rights of access to a child is to be refused if the Minister is not satisfied that each of the requirements of paragraph 248D is met.

[249-254 Not Used]

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## **EEA Nationals and their families**

### **Settlement**

255. [Omitted].

256. [Omitted].

257. [Omitted].

### **Requirements for leave to enter or remain as the primary carer or relative of an EEA national self-sufficient child**

257C. [Deleted]

### **Leave to enter or remain as the primary carer or relative of an EEA national self-sufficient child**

257D. [Deleted]

### **Refusal of leave to enter or remain as the primary carer or relative of an EEA national self-sufficient child**

257E. [Deleted]

### **The EEA family permit**

258 to 261 [DELETED]

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## **Retired persons of independent means**

### **Requirements for leave to enter the Isle of Man as a retired person of independent means**

263. [DELETED]

### **Leave to enter as a retired person of independent means**

264. [DELETED]

### **Refusal of leave to enter as a retired person of independent means**

265. [DELETED]

### **Requirements for an extension of stay as a retired person of independent means**

266. The requirements for an extension of stay as a retired person of independent means are that the applicant –

(i) entered the Isle of Man with a valid Isle of Man entry clearance as a retired person of independent means, and

(ii) meets the following requirements:

(a) has under his control and disposable in the Isle of Man an income of his own of not less than £50,000 per annum,

(b) is able and willing to maintain and accommodate himself and any dependants indefinitely in the Isle of Man from his own resources with no assistance from any other person and without taking employment or having recourse to public funds,

(c) can demonstrate a close connection with the Isle of Man, and

(iii) has made the Isle of Man his main home, and

(iv) must not be in the Isle of Man in breach of immigration laws, except that any period of overstaying for a period of 28 days or less will be disregarded.

266A to 266D. [DELETED]

266E [NOT USED]

### **Extension of stay as a retired person of independent means**

267. An extension of stay as a retired person of independent means, with a prohibition on the taking of employment, may be granted so as to bring the person's stay in this category up to a maximum of 5 years in aggregate, provided the Minister is satisfied that each of the requirements of paragraph 266 is met. An extension of stay as a retired person of independent means, with a prohibition on the taking of employment and a condition on study as set out in Part 15 of these Rules, may be granted for a maximum period of 5 years, provided the Minister is satisfied that each of the requirements of paragraph 266A, 266B, 266C or 266D is met.

### **Refusal of extension of stay as a retired person of independent means**

268. An extension of stay as a retired person of independent means is to be refused if the Minister is not satisfied that each of the requirements of paragraph 266, 266A, 266B, 266C or 266D is met.

### **Indefinite leave to remain for a retired person of independent means**

269. Indefinite leave to remain may be granted, on application, to a person admitted as a retired person of independent means provided the applicant:

(i) has spent a continuous period of 5 years lawfully in the Isle of Man in this capacity; and

(ii) has met the requirements of paragraph 266 throughout the 5 year period and continues to do so; and

(iii) The applicant must not fall for refusal under the general grounds for refusal, and

(vi) must not be in the Isle of Man in breach of immigration laws, except that any period of overstaying for a period of 28 days or less will be disregarded.

(v) in the case of absences for serious or compelling reasons, submits a personal letter which includes full details of the reason for the absences and all original supporting documents in relation to those reasons – e.g. medical certificates, birth/death certificates, information about the reasons which led to the absence from the Isle of Man.

continuous period of 5 years lawfully in the Isle of Man" means residence in the Isle of Man for an unbroken period with valid leave, and for these purposes a period shall not be considered to have been broken where:

(i) the applicant has been absent from the Isle of Man for a period of 180 days or less in any of the five consecutive 12 calendar month periods preceding the date of the application for indefinite leave to remain; and

(ii) the applicant has existing limited leave to enter or remain upon their departure and return, except that where that leave expired no more than 28 days prior to a further application for entry clearance, that period and any period pending the determination of an application made within that 28 day period shall be disregarded; and

(iii) the applicant has any period of overstaying between periods of entry clearance, leave to enter or leave to remain of up to 28 days and any period of overstaying pending the determination of an application made within that 28 day period disregarded.

**Refusal of indefinite leave to remain for a retired person of independent means**

270. Indefinite leave to remain in the Isle of Man for a retired person of independent means is to be refused if the Minister is not satisfied that each of the requirements of paragraph 269 is met.

**partners of persons who have or have had leave to enter or remain in the Isle of Man as retired persons of independent means****Requirements for leave to enter as the partner of a person with limited leave to enter or remain in the Isle of Man as a retired person of independent means**

271. The requirements to be met by a person seeking leave to enter the Isle of Man as the partner of a person with limited leave to enter or remain in the Isle of Man as a retired person of independent means are that:

- (i) the applicant is the spouse, civil partner, unmarried or same-sex partner of a person with limited leave to enter or remain in the Isle of Man as a retired person of independent means; and
- (ii) if an unmarried or same-sex partner:
  - (1) any previous marriage or civil partnership (or similar relationship) by either partner has permanently broken down; and
  - (2) the parties are not involved in a consanguineous relationship with one another; and
  - (3) the parties have been living together in a relationship akin to marriage or civil partnership which has subsisted for 2 years or more; and
- (iii) each of the parties intends to live with the other as his or her partner during the applicant's stay and the relationship is subsisting; and
- (iv) there will be adequate accommodation for the parties and any dependants without recourse to public funds in accommodation which they own or occupy exclusively; and
- (v) the parties will be able to maintain themselves and any dependants adequately without recourse to public funds; and
- (vi) the applicant does not intend to stay in the Isle of Man beyond any period of leave granted to his partner; and
- (vii) the applicant does not fall for refusal under the general grounds for refusal; and
- (viii) the applicant holds a valid Isle of Man entry clearance for entry in this capacity.

**Leave to enter as the partner of a person with limited leave to enter or remain in the Isle of Man as a retired person of independent means**

272. A person seeking leave to enter the Isle of Man as the partner of a person with limited leave to enter or remain in the Isle of Man as a retired person of independent means may be given leave to enter for a period not in excess of that granted to the person with limited leave to enter or remain as a retired person of independent means and a condition on study as set out in Part 15 of these Rules, provided the Immigration Officer is satisfied that each of the requirements of paragraph 271 is met.

**Refusal of leave to enter as the partner of a person with limited leave to enter or remain in the Isle of Man as a retired person of independent means**

273. Leave to enter as the partner of a person with limited leave to enter or remain in the Isle of Man as a retired person of independent means is to be refused if the Immigration Officer is not satisfied that each of the requirements of paragraph 271 is met.

**Requirements for extension of stay as the partner of a person who has or has had leave to enter or remain in the Isle of Man as a retired person of independent means**

273A. The requirements to be met by a person seeking an extension of stay in the Isle of Man as the partner of a person who has or has had leave to enter or remain in the Isle of Man as a retired person of independent means are that the applicant:

- (i) is the spouse, civil partner, unmarried or same sex partner of a person who:
  - (1) has limited leave to enter or remain in the Isle of Man as a retired person of independent means; or
  - (2) has indefinite leave to remain in the Isle of Man or has become a British citizen, and who had limited leave to enter or remain in the Isle of Man as a retired person of independent means immediately before being granted indefinite leave to remain; and
- (ii) meets the requirements of paragraph 271(ii) - (vii); and
- (iii) was not last granted:
  - (1) entry clearance or leave as a visitor,
  - (2) temporary admission, or
  - (3) temporary release; and
- (iv) must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.

**Extension of stay as the partner of a person who has or has had leave to enter or remain in the Isle of Man as a retired person of independent means**

273B. An extension of stay in the Isle of Man as:

- (i) the partner of a person who has limited leave to enter or remain as a retired person of independent means may be granted for a period not in excess of that granted to the person with limited leave to enter or remain and a condition on study as set out in Part 15 of these Rules; or
- (ii) the partner of a person who is being admitted at the same time for settlement or the spouse or civil partner of a person who has indefinite leave to remain or has become a British citizen may be granted for a period not exceeding 2 years and a condition on study as set out in Part 15 of these Rules,

in both instances, provided the Minister is satisfied that each of the requirements of paragraph 273A is met.

**Refusal of extension of stay as the partner of a person who has or has had leave to enter or remain in the Isle of Man as a retired person of independent means**

273C. An extension of stay in the Isle of Man as the partner of a person who has or has had leave to enter or remain in the Isle of Man as a retired person of independent means is to be refused if the Minister is not satisfied that each of the requirements of paragraph 273A is met.

**Requirements for indefinite leave to remain for the partner of a person who has or has had leave to enter or remain in the Isle of Man as a retired person of independent means**

273D. The requirements to be met by a person seeking indefinite leave to remain in the Isle of Man as the partner of a person who has or has had leave to enter or remain in the Isle of Man as a retired person of independent means are that the applicant:

- (i) is the spouse, civil partner, unmarried or same-sex partner of a person who:
  - (1) has limited leave to enter or remain in the Isle of Man as a retired person of independent means and who is being granted indefinite leave to remain at the same time; or
  - (2) is the spouse, civil partner, unmarried or same-sex partner of a person who has indefinite leave to remain in the Isle of Man or has become a British citizen, and who had limited leave to enter or remain in the Isle of Man as a retired person of independent means immediately before being granted indefinite leave to remain; and
- (ii) meets the requirements of paragraph 271(ii) - (vii); and

(iii) has demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom and Islands, in accordance with Appendix KOLL; and

(iv) was not last granted:

- (1) entry clearance or leave as a visitor,
- (2) temporary admission, or
- (3) temporary release; and

(v) must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.

### **Indefinite leave to remain as the partner of a person who has or has had leave to enter or remain in the Isle of Man as a retired person of independent means**

273E. Indefinite leave to remain in the Isle of Man as the partner of a person who has or has had leave to enter or remain in the Isle of Man as a retired person of independent means may be granted provided the Minister is satisfied that each of the requirements of paragraph 273D is met.

### **Refusal of indefinite leave to remain as the partner of a person who has or has had leave to enter or remain in the Isle of Man as a retired person of independent means**

273F. Indefinite leave to remain in the Isle of Man as the partner of a person who has or has had leave to enter or remain in the Isle of Man as a retired person of independent means is to be refused if the Minister is not satisfied that each of the requirements of paragraph 273D is met.

## **CHILDREN OF PERSONS WITH LIMITED LEAVE TO ENTER OR REMAIN IN THE ISLE OF MAN AS RETIRED PERSONS OF INDEPENDENT MEANS**

### **Requirements for leave to enter or remain as the child of a person with limited leave to enter or remain in the Isle of Man as a retired person of independent means**

274. The requirements to be met by a person seeking leave to enter or remain in the Isle of Man as the child of a person with limited leave to enter or remain in the Isle of Man as a retired person of independent means are that:

- (i) he is the child of a parent who has been admitted to or allowed to remain in the Isle of Man as a retired person of independent means or, for applications for leave to remain, of a parent with indefinite leave to remain in the Isle of Man and who had limited leave as a retired person of independent means immediately before being granted indefinite leave; and
- (ii) he is under the age of 18 or has current leave to enter or remain in this capacity; and
- (iii) he is unmarried, is not a civil partner, has not formed an independent family unit and is not leading an independent life; and
- (iv) he can, and will be, maintained and accommodated adequately without recourse to public funds in accommodation which his parent(s) own or occupy exclusively; and
- (v) will not stay in the Isle of Man beyond any period of leave granted to his parent(s); and
- (vi) both parents are being or have been admitted to or allowed to remain in the Isle of Man save where:
  - (a) the parent he is accompanying or joining is his sole surviving parent; or
  - (b) the parent he is accompanying or joining has had sole responsibility for his upbringing; or
  - (c) there are serious and compelling family or other considerations which make exclusion from the Isle of Man undesirable and suitable arrangements have been made for his care; and
- (vii) if seeking leave to enter, he holds a valid United Kingdom entry clearance for entry in this capacity or, if seeking leave to remain, he was not last granted:
  - (1) entry clearance or leave as a visitor,

- (2) temporary admission, or
- (3) temporary release; and

(viii) if seeking leave to remain, must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.

### **Leave to enter or remain as the child of a person with limited leave to enter or remain in the Isle of Man as a retired person of independent means**

275 (a) A person seeking leave to enter or remain in the Isle of Man as the child of a person with limited leave to enter or remain in the Isle of Man as a retired person of independent means may be given leave to enter or remain in the Isle of Man for a period of leave not in excess of that granted to the person with limited leave to enter or remain as a retired person of independent means, subject to a condition on study as set out in Part 15 of these Rules, if:

- (i) in relation to an application for leave to enter, he is able to produce to the Immigration Officer, on arrival, a valid Isle of Man entry clearance for entry in this capacity; or
- (ii) in the case of an application for limited leave to remain, he was not last granted:

- (1) entry clearance or leave as a visitor,
- (2) temporary admission, or
- (3) temporary release,

and is able to satisfy the Minister that each of the requirements of paragraph 274(i)-(vi) and (viii) is met.

(b) A person seeking limited leave to remain as the child of a parent who has indefinite leave to remain in the Isle of Man and who had limited leave as a retired person of independent means immediately before being granted indefinite leave may be given leave to remain in the Isle of Man for a period of 30 months, subject to a condition on study as set out in Part 15 of these Rules, provided he is in the Isle of Man with valid leave under paragraph 275 and is able to satisfy the Minister that each of the requirements of paragraph 274(i) to (vi) and (viii) are satisfied.

### **Refusal of leave to enter or remain as the child of a person with limited leave to enter or remain in the Isle of Man as a retired person of independent means**

276. Leave to enter or remain in the Isle of Man as the child of a person with limited leave to enter or remain in the Isle of Man as a retired person of independent means is to be refused if, in relation to an application for leave to enter, a valid Isle of Man entry clearance for entry in this capacity is not produced to the Immigration Officer on arrival, or in the case of an application for limited leave to remain, if the applicant was not admitted with a valid Isle of Man entry clearance for entry in this capacity or is unable to satisfy the Minister that each of the requirements of paragraph 274 (i)-(vii) and (viii) is met. An application for indefinite leave to remain in this category is to be refused if the applicant was not admitted with a valid Isle of Man entry clearance for entry in this capacity or is unable to satisfy the Minister that each of the requirements of paragraph 275 is met.

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### **Long residence in the Isle of Man**

276A. For the purposes of paragraphs 276B to 276E, 276ADE(1):

(a) "continuous residence" means residence in the Isle of Man for an unbroken period, and for these purposes a period shall not be considered to have been broken where an applicant is absent from the Isle of Man for a period of 6 months or less at any one time, provided that the applicant in question has existing limited leave to enter or remain upon their departure and return, but shall be considered to have been broken if the applicant:

- (i) has been removed under Schedule 2 of the 1971 Act, has been deported or has left the Isle of Man having been refused leave to enter or remain here; or



(ii) has left the Isle of Man and , on doing so, evidenced a clear intention not to return; or

(iii) left the Isle of Man in circumstances in which he could have had no reasonable expectation at the time of leaving that he would lawfully be able to return; or

(iv) has been convicted of an offence and was sentenced to a period of imprisonment or was directed to be detained in an institution other than a prison (including, in particular, a hospital or an institution for young offenders), provided that the sentence in question was not a suspended sentence; or

(v) has spent a total of more than 18 months absent from the Isle of Man during the period in question.

(b) "lawful residence" means residence which is continuous residence pursuant to:

(i) existing leave to enter or remain; or

(ii) temporary admission within section 11 of the 1971 Act where leave to enter or remain is subsequently granted; or

(iii) an exemption from immigration control, including where an exemption ceases to apply if it is immediately followed by a grant of leave to enter or remain.

(c) 'lived continuously' and 'living continuously' mean 'continuous residence', except that paragraph 276A(a)(iv) shall not apply.

(2) Where leave to enter is granted in accordance with paragraph 276A01(1), paragraph 276BE(1) shall apply to an application for leave to remain on the grounds of private life in the Isle of Man as if for "leave to remain under this sub-paragraph" there were substituted "leave to enter in accordance with paragraph 276A01(1)".

276A0. For the purposes of paragraph 276ADE(1) the requirement to make a valid application will not apply when the Article 8 claim is raised:

(i) Not Used

(ii) where a migrant is in immigration detention. A migrant in immigration detention or their representative must submit any application or claim raising Article 8 to a prison officer, a prisoner custody officer, a detainee custody officer or a member of Isle of Man Immigration staff at the migrant's place of detention; or

(iii) in an appeal (subject to the consent of the Lieutenant Governor where applicable).

276A00. Where leave to remain is granted under paragraphs 276ADE-276DH, or where an applicant does not meet the requirements in paragraph 276ADE(1) but the Minister grants leave to remain outside the rules on Article 8 grounds, (and without prejudice to the specific provision that is made in paragraphs 276ADE-276DH in respect of a no recourse to public funds condition), that leave may be subject to such conditions as the Minister considers appropriate in a particular case.

276A01(1). Where an applicant for leave to enter the Isle of Man remains in the Isle of Man on temporary admission or temporary release and satisfies the requirements in paragraph 276ADE(1), as if those were requirements for leave to enter not leave to remain (and except that the reference to "leave to remain" in sub-paragraph (ii) is to be read as if it said "leave to enter"), or the Minister decides to grant leave to enter outside the rules on Article 8 grounds:

(a) paragraph 276BE(1) shall apply, as if the first reference in paragraph 276BE(1) to limited leave to remain were to limited leave to enter and as if the wording from "provided that" to "under this sub-paragraph" were omitted; and

(b) paragraph 276BE(2) shall apply, as if the reference in paragraph 276BE(2) to limited leave to remain were to limited leave to enter.

276A02. In all cases where:

(a) limited leave on the grounds of private life in the Isle of Man is granted under paragraph 276BE(1) or 276DG; or

(b) limited leave is granted outside the rules on Article 8 grounds under paragraph 276BE(2), leave will normally be granted subject to a condition of no recourse to public funds, unless the applicant has provided the decision-maker with (i) satisfactory evidence that the applicant is destitute as defined in section 95 of the Immigration and Asylum Act 1999 (of Parliament), or (ii) satisfactory evidence that there are particularly compelling reasons relating to the welfare of a child of a parent in receipt of a very low income.

276A03. Where a person aged 18 or over is granted limited leave to remain under this Part on the basis of long residence or private life in the Isle of Man or limited leave to enter in accordance with paragraph 276A01(1) (or limited leave to enter or remain outside the rules on Article 8 grounds), or where a person granted such limited leave to enter or remain will be aged 18 before that period of limited leave expires, the leave will, in addition to any other conditions which may apply, be granted subject to the conditions in Part 15 of these rules.

276A04. Where a person who has made an application for indefinite leave to remain under this Part does not meet the requirements for indefinite leave to remain but falls to be granted limited leave to remain under this Part on the basis of long residence or private life in the Isle of Man, or outside the rules on Article 8 grounds—

(a) the Minister will treat that application for indefinite leave to remain as an application for limited leave to remain;

(b) [not used]; and

(c) [not used]

#### **Requirements for an extension of stay on the ground of long residence in the Isle of Man**

276A1. The requirement to be met by a person seeking an extension of stay on the ground of long residence in the Isle of Man is that the applicant meets each of the requirements in paragraph 276B(i)-(ii) and (v).

#### **Extension of stay on the ground of long residence in the Isle of Man**

276A2. An extension of stay on the ground of long residence in the Isle of Man may be granted for a period not exceeding 2 years provided that the Minister is satisfied that the requirement in paragraph 276A1 is met, and a person granted such an extension of stay following an application made before 28<sup>th</sup> October 2013 will remain subject to the rules in force on 27<sup>th</sup> October 2013.

#### **Conditions to be attached to extension of stay on the ground of long residence in the Isle of Man**

276A3. Where an extension of stay is granted under paragraph 276A2:

(i) if the applicant has spent less than 20 years in the Isle of Man, the grant of leave should be subject to the same conditions attached to his last period of lawful leave, or

(ii) if the applicant has spent 20 years or more in the Isle of Man, the grant of leave should not contain any restriction on employment.

#### **Refusal of extension of stay on the ground of long residence in the Isle of Man**

276A4. An extension of stay on the ground of long residence in the Isle of Man is to be refused if the Minister is not satisfied that the requirement in paragraph 276A1 is met."

#### **Requirements for indefinite leave to remain on the ground of long residence in the Isle of Man**

276B. The requirements to be met by an applicant for indefinite leave to remain on the ground of long residence in the Isle of Man are that:

(i).(a) he has had at least 10 years continuous lawful residence in the Isle of Man.

(ii).having regard to the public interest there are no reasons why it would be undesirable for him to be given indefinite leave to remain on the ground of long residence, taking into account his:

- (a) age; and
- (b) strength of connections in the Isle of Man; and
- (c) personal history, including character, conduct, associations and employment record; and
- (d) domestic circumstances; and
- (e) compassionate circumstances; and
- (f) any representations received on the person's behalf, and

(iii) the applicant does not fall for refusal under the general grounds for refusal, and

(iv) the applicant has demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom and Islands, in accordance with Appendix KoLL.

(v) the applicant must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded, as will any period of overstaying between periods of entry clearance, leave to enter or leave to remain of up to 28 days and any period of overstaying pending the determination of an application made within that 28 day period.

### **Indefinite leave to remain on the ground of long residence in the Isle of Man**

276C. Indefinite leave to remain on the ground of long residence in the Isle of Man may be granted provided that the Minister is satisfied that each of the requirements of paragraph 276B is met.

### **Refusal of indefinite leave to remain on the ground of long residence in the Isle of Man**

276D. Indefinite leave to remain on the ground of long residence in the Isle of Man is to be refused if the Minister is not satisfied that each of the requirements of paragraph 276B is met.

## **Private life**

### **Requirements to be met by an applicant for leave to remain on the grounds of private life**

276ADE (1). The requirements to be met by an applicant for leave to remain on the grounds of private life in the Isle of Man are that at the date of application, the applicant:

- (i) does not fall for refusal under any of the grounds in Section S-LTR 1.1 to S-LTR 2.2 and S-LTR.3.1 to S-LTR.4.5. in Appendix FM; and
- (ii) has made a valid application for leave to remain on the grounds of private life in the Isle of Man; and
- (iii) has lived continuously in the Isle of Man for at least 20 years (discounting any period of imprisonment); or
- (iv) is under the age of 18 years and has lived continuously in the Isle of Man for at least 7 years (discounting any period of imprisonment) and it would not be reasonable to expect the applicant to leave the Isle of Man; or
- (v) is aged 18 years or above and under 25 years and has spent at least half of his life residing continuously in the Isle of Man (discounting any period of imprisonment); or
- (vi) is aged 18 years or above, has lived continuously in the Isle of Man for less than 20 years (discounting any period of imprisonment) but there would be very significant obstacles to the applicant's integration into the country to which he would have to go if required to leave the Isle of Man.

(2) Not Used

### **Leave to remain on the grounds of private life in the Isle of Man**

276BE (1). Limited leave to remain on the grounds of private life in the Isle of Man may be granted for a period not exceeding 30 months provided that the Minister is satisfied that the requirements in paragraph 276ADE are met or, in respect of the requirements in paragraph 276ADE(iv) and (v), were met in a previous application which led to a grant of limited leave to remain under this sub-paragraph. Such leave

shall be given subject to a condition of no recourse to public funds unless the Minister considers that the person should not be subject to such a condition.

276BE(2). Where an applicant does not meet the requirements in paragraph 276ADE(1) but the Minister grants leave to remain outside the rules on Article 8 grounds, the applicant will normally be granted leave for a period not exceeding 30 months and subject to a condition of no recourse to public funds unless the Minister considers that the person should not be subject to such a condition.

276BE(3). Where an applicant has extant leave at the date of decision, the remaining period of that extant leave up to a maximum of 28 days will be added to the period of limited leave to remain granted under paragraph 276BE(1) or 276BE(2) (which may therefore exceed 30 months.)

### **Refusal of limited leave to remain on the grounds of private life in the Isle of Man**

276CE. Limited leave to remain on the grounds of private life in the Isle of Man is to be refused if the Minister is not satisfied that the requirements in paragraph 276ADE(1) are met.

### **Requirements for indefinite leave to remain on the grounds of private life in the Isle of Man**

276DE. The requirements to be met for the grant of indefinite leave to remain on the grounds of private life in the Isle of Man are that:

- (a) the applicant has been in the Isle of Man with continuous leave on the grounds of private life for a period of at least 120 months. This continuous leave will disregard any current period of overstaying where paragraph 39E of these Rules applies. Any previous period of overstaying between periods of leave on the grounds of private life will also be disregarded where –
  - (i) the further application was made before 4 February 2019 and within 28 days of the expiry of leave; or
  - (ii) the further application was made on or after 4 February 2019 and paragraph 39E of these Rules applied;
- (b) the applicant meets the requirements of paragraph 276ADE or, in respect of the requirements in paragraph 276ADE1(iv) and (v), the applicant met the requirements in a previous application which led to a grant of limited leave to enter or remain under paragraph 276BE1, or, in respect of the requirements in paragraph 276ADE1(iv) and (v), the applicant met the requirements in a previous application which led to a grant of limited leave to remain under paragraph 276BE1;
- (c) the applicant does not fall for refusal under any of the grounds in Section S-ILR: Suitability-indefinite leave to remain in Appendix FM;
- (d) the applicant has demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom and Islands, in accordance with Appendix KoLL; and
- (e) there are no reasons why it would be undesirable to grant the applicant indefinite leave to remain based on the applicant's conduct, character or associations or because the applicant represents a threat to national security.

### **Indefinite leave to remain on the grounds of private life in the Isle of Man**

276DF. Indefinite leave to remain on the grounds of private life in the Isle of Man may be granted provided that the Minister is satisfied that each of the requirements of paragraph 276DE is met.

276DG. If the applicant does not meet the requirements for indefinite leave to remain on the grounds of private life in the Isle of Man only for one or both of the following reasons:

- (a) paragraph S-ILR.1.5. or S-ILR.1.6. in Appendix FM applies;
- (b) the applicant has not demonstrated sufficient knowledge of the English language or about life in the UK and Islands in accordance with Appendix KoLL,

the applicant may be granted further limited leave to remain on the grounds of private life in the Isle of Man for a period not exceeding 30 months, and subject to a condition of no recourse to public funds unless the Minister considers that the person should not be subject to such a condition.

## **Refusal of indefinite leave to remain on the grounds of private life in the Isle of Man**

276DH. Indefinite leave to remain on the grounds of private life in the Isle of Man is to be refused if the Minister is not satisfied that each of the requirements of paragraph 276DE is met, subject to paragraph 276DG.

276D1 to 276BS1 Not used.

### **Parent of a Tier 4 (child) student**

Requirements for leave to enter or remain as the parent of a Tier 4 (child) student

276BT1 The requirements to be met by a person seeking leave to enter or remain in the United Kingdom as the parent of a Tier 4 (child) student is that the parent is over 18 years old and:

(i) is genuinely seeking leave to enter or remain for a period of up to 12 months to be the sole carer for their child who is under 12 years of age and attending or seeking to attend an independent fee paying day school in the United Kingdom, provided the child:

a) meets the requirements of paragraph 245ZZA if seeking leave to enter as a Tier 4 (Child) Student, or

b) meets the requirements of paragraph 245ZZC if seeking leave to remain as a Tier 4 (Child) Student;

(ii) will maintain and accommodate himself, the child and any other dependants adequately out of resources available to him without recourse to public funds or taking employment;

(iii) can provide satisfactory evidence of adequate and reliable funds for maintaining a second home in the United Kingdom;

(iv) is not seeking to make the United Kingdom their main home;

(v) does not intend to take employment, to produce goods or provide services within the United Kingdom including the selling of goods or services direct to members of the public;

(vi) does not intend to study in the Isle of Man ;

(vii) the parent was not last admitted to the United Kingdom under the Approved Destination Status Agreement with China;

(viii) if seeking leave to remain must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.

Leave to enter or remain as the parent of a Tier 4 (child) student

276BU1 A person seeking leave to enter or remain in the United Kingdom as the parent of a Tier 4 (child) student may be admitted or allowed to remain for a period not exceeding 12 months, subject to a condition prohibiting employment, study and recourse to public funds, provided the Immigration Officer or, in the case of an application for limited leave to remain, the Minister is satisfied that each of the requirements of paragraph 276BT1 is met.”.

Refusal of leave to enter or remain as the parent of a Tier 4 (child) student

276BV1 Leave to enter or remain in the United Kingdom as the parent of a Tier 4 (child) student is to be refused if the Immigration Officer or, in the case of an application for limited leave to remain, the Minister is not satisfied that each of the requirements of paragraph 276BT1 is met.

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**PART 8: FAMILY MEMBERS****Transitional provisions and interaction between Part 8, Appendix FM and Appendix FM-SE**

A277. From 19 November 2012 Appendix FM will apply to all applications to which Part 8 of these rules applied on or before 19 November 2012 except where the provisions of Part 8 are preserved and continue to apply, as set out in paragraphs A280 to A280B.

A277A. Where the Minister is considering an application for limited leave to remain or indefinite leave to remain to which Part 8 of these rules continues to apply (excluding an application from a family member of a Relevant Points Based System Migrant, Business Migrant or a Relevant Worker Migrant), and where the applicant:

- (a) does not meet the requirements of Part 8 for indefinite leave to remain where the application is for indefinite leave to remain, and
- (b) meets or continues to meet the requirements for limited leave to remain under Part 8 in force at the date of decision, further limited leave to remain under Part 8 may be granted of such a period and subject to such conditions as the Minister deems appropriate.

For the purposes of this sub-paragraph an applicant last granted limited leave to enter under Part 8 will be considered as if they had last been granted limited leave to remain under Part 8; or

- (c) if the applicant does not meet the requirements of Part 8 for indefinite leave to remain as a bereaved partner where the application is for indefinite leave to remain as a bereaved partner only because paragraph 322(1C)(iii) or 322(1C)(iv) of these rules applies, the applicant will be granted limited leave to remain under Part 8 for a period not exceeding 30 months and subject to such conditions as the Minister deems appropriate.

A277B. Where the Minister is considering an application for limited leave to remain or indefinite leave to remain to which Part 8 of these rules continues to apply (excluding an application from a family member of a Relevant Points Based System Migrant, Business Migrant or a Relevant Worker Migrant) and where the application does not meet the requirements for indefinite leave to remain (where the application is for indefinite leave to remain) or limited leave to remain under Part 8 in force at the date of decision:

- (a) the application will also be considered under paragraphs R-LTRP.1.1.(a), (b) and (d), R-LTRPT.1.1.(a), (b) and (d) and EX.1. of Appendix FM (family life) and paragraphs 276ADE to 276DH (private life) of these rules;
- (b) if the applicant meets the requirements for leave under those paragraphs of Appendix FM or paragraphs 276ADE to 276DH (except the requirement for a valid application under that route), the applicant will be granted leave under those provisions; and
- (c) if the applicant is granted leave under those provisions, the period of the applicant's continuous leave under Part 8 at the date of application will be counted towards the period of continuous leave which must be completed before the applicant can apply for indefinite leave to remain under paragraph 276B.
- (d) Except sub-paragraph (c) does not apply to a person last granted leave as the family member of a Relevant Points Based System Migrant, Business Migrant or a Relevant Worker Migrant.

A277C. Subject to paragraphs A277 to A280B, paragraph 276A0, and paragraph GEN.1.9. of Appendix FM of these rules, where the Minister deems it appropriate, the Minister will consider any application to which the provisions of Appendix FM (family life) and paragraphs 276ADE to 276DH (private life) of these rules do not already apply, under paragraphs R-LTRP.1.1.(a), (b) and (d), R-LTRPT.1.1.(a), (b) and (d) and EX.1. of Appendix FM (family life) and paragraph 276ADE1 (private life) of these rules. If the applicant meets the requirements for leave under those provisions (except the requirement for a valid application), the applicant will be granted leave under paragraph D-LTRP.1.2. or D-LTRPT.1.2. of Appendix FM or under paragraph 276BE(1) of these rules.

A278 The requirements to be met under Part 8 after 19 November 2012 may be modified or supplemented by the requirements in Appendix FM and Appendix FM-SE.

A279. Paragraphs A398-399D apply to all immigration decisions made further to applications under Part 8 and paragraphs 276A-276D where a decision is made on or after 10 November 2014, irrespective of the date the application was made.

A280 The following provisions of Part 8 apply in the manner and circumstances specified:

(a) The following paragraphs apply in respect of all applications made under Part 8 and Appendix FM, irrespective of the date of application or decision:

277-280
289AA
295AA
296

(b) The following paragraphs of Part 8 continue to apply to all applications made on or after 19 November 2012. The paragraphs apply in their current form unless an additional requirement by reference to Appendix FM is specified:

Paragraph number	Additional requirement
295J	None
297 – 300	Where the applicant falls under paragraph 297, the applicant must not fall for refusal under paragraph S-EC.1.9. of Appendix FM in respect of a parent of the applicant. For these purposes, "a parent of the applicant" is to be construed as including "a relative of the applicant" under paragraph 297.
304-309	Where the applicant falls under paragraph 305, the applicant must not fall for refusal under paragraph S-EC.1.9. of Appendix FM in respect of a parent of the applicant.
309A – 316F	Where (1) the applicant: <ul style="list-style-type: none"> <li>• Falls under paragraph 314(i)(a); or</li> <li>• Falls under paragraph 316A(i)(d) or (e); and</li> <li>• Is applying on or after 19 November 2012; and (2)</li> <li>• the "other parent" mentioned in paragraph 314(i)(a), or one of the prospective parents mentioned in paragraph 316A(i)(d) or (e), has or is applying for entry clearance or limited leave to remain as a partner under Appendix FM,</li> </ul>

	<p>The application must also meet the requirements of paragraphs E-ECC 2.1 – 2.3 (entry clearance applications) or E-LTRC 2.1 – 2.3 (leave to remain applications) of Appendix FM.</p> <p>Where the applicant:</p> <ul style="list-style-type: none"> <li>• falls under paragraph 314(i)(d);</li> <li>• is applying on or after 19 November 2012; and</li> <li>• has two parents or prospective parents and one of the applicant’s parents or prospective parents does not have right of abode, indefinite leave to enter or remain, is not present and settled in the Isle of Man or being admitted for settlement on the same occasion as the applicant is seeking admission but otherwise has or is applying for entry clearance or limited leave to remain as a partner under Appendix FM,</li> </ul> <p>the applicant must also meet the requirements of paragraphs E-ECC 2.1 – 2.3 (entry clearance applications) or E-LTRC 2.1 – 2.3 (leave to remain applications) of Appendix FM.</p>
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(c) The following provisions of Part 8 continue to apply on or after 19 November 2012, and are not subject to any additional requirement listed in (b) above:

(i) to persons who have made an application before 19 November 2012 under Part 8 which was not decided as at 19 November 2012; and

(ii) to applications made by persons in the Isle of Man who have been granted entry clearance or limited leave to enter or remain under Part 8 before 19 November 2012 and, where this is a requirement of Part 8, this leave to enter or limited leave to remain is extant:

281-289
289A-289C
290-295
295A-295O
297-316F
317-319
319L-319U
319V-319Y

(d) (i) The following provisions of Part 8 continue to apply to applications made on or after 19 November 2012, and are not subject to any additional requirement listed in (b) above, by persons who have made an application for entry clearance, leave to enter or remain as the fiancé(e), proposed civil partner, spouse, civil partner, unmarried partner, same sex partner, or child or other dependent relative of a British citizen or settled person who is a full-time member of HM Forces:

281-289
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289A-289C
290-295
295A-295O
297-316F
317-319

(d)(ii) Not Used

(e) The following provisions of Part 8 shall continue to apply to applications made on or after 19 November 2012, and are not subject to any additional requirement listed in (b) above, by a spouse, civil partner, unmarried partner or same sex partner who was admitted to the Isle of Man before 19 November 2012 further to paragraph 282(c) or 295B(c) of these Rules who has not yet applied for indefinite leave to remain:

284-286
287(a)(i)(c)
287(a)(ii)-(vii)
287(b)
288-289
289A-289C
295D-295F
295G(i)(c)
295G(ii)-(vii)
295H-295I

(f) Paragraphs 301-303F continue to apply to applications made under this route on or after 19 November 2012, and are not subject to any additional requirement listed in (b) above, by a child of a person to whom those paragraphs relate who has been granted limited leave to enter or remain or an extension of stay following an application made before 19 November 2012,

(g) For the avoidance of doubt, notwithstanding the introduction of Appendix FM, paragraphs 319AA – 319J of Part 8 continue to apply, and are not subject to any additional requirement listed in paragraph (b) above, to applications for entry clearance or leave to enter or remain as the spouse, civil partner, unmarried partner, same sex partner, or child of a Relevant Points Based System Migrant, Business Migrant or of a Relevant Worker Migrant.

A280A. The sponsor of an applicant under Part 8 for limited or indefinite leave to remain as a spouse, civil partner, unmarried partner or same sex partner must be the same person as the sponsor of the applicant's last grant of leave in that category.

A280AA. Where a person aged 18 or over is granted limited leave to enter or remain under Part 8 of these rules, or where a person granted such limited leave to enter or remain will be aged 18 before that period of limited leave expires, the leave will, in addition to any other conditions which may apply, be granted subject to the condition in Part 15 of these rules.

A280B. An applicant aged 18 or over may not rely on paragraph A280 where, since their last grant of limited leave to enter or remain under Part 8, they have been granted or refused leave under Appendix FM, Appendix Armed Forces or paragraph 276BE to CE of these rules, or been granted limited leave to enter or remain in a category outside their original route to settlement.

A281. In Part 8 **"specified"** means specified in Appendix FM-SE, unless otherwise stated, and "English language test provider approved by the Secretary of State" means a provider published on the UK Visas and Immigration pages of Gov.uk for this purpose.

A282. From 1 January 2021, all references to "refusal under General Grounds for Refusal" in Part 8 are to be read as "refusal under Part 9: Grounds for Refusal".

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## Spouses and Civil Partners

277. Nothing in these Rules shall be construed as permitting a person to be granted entry clearance, leave to enter, leave to remain or variation of leave as a spouse or civil partner of another if either the applicant or the sponsor will be aged under 18 on the date of arrival in the Isle of Man or (as the case may be) on the date on which the leave to remain or variation of leave would be granted. In these Rules the term "sponsor" includes "partner" as defined in GEN 1.2 of Appendix FM.

278. Nothing in these Rules shall be construed as allowing a person to be granted entry clearance, leave to enter, leave to remain or variation of leave as the spouse or civil partner of a man or woman (the sponsor) if:

- (i) his or her marriage or civil partnership to the sponsor is polygamous; and
- (ii) there is another person living who is the husband or wife of the sponsor and who:
  - (a) is, or at any time since his or her marriage or civil partnership to the sponsor has been, in the Isle of Man; or
  - (b) has been granted a certificate of entitlement in respect of the right of abode mentioned in Section 2(1)(a) of the Immigration Act 1988 or an entry clearance to enter the Isle of Man as the husband or wife of the sponsor.

For the purpose of this paragraph a marriage may be polygamous although at its inception neither party had any other spouse or civil partner.

279. Paragraph 278 does not apply to any person who seeks entry clearance, leave to enter, leave to remain or variation of leave where:

- (i) he or she has been in the Isle of Man before 1 August 1988 having been admitted for the purpose of settlement as the husband or wife of the sponsor ; or
- (ii) he or she has, since her marriage or civil partnership to the sponsor , been in the Isle of Man at any time when there was no such other spouse or civil partner living as is mentioned in paragraph 278 (ii).

But where a person claims that paragraph 278 does not apply to them because they have been in the Isle of Man in circumstances which cause them to fall within sub-paragraph (i) or (ii) of that paragraph it shall be for them to prove that fact.

280. For the purposes of paragraphs 278 and 279 the presence of any wife or husband in the Isle of Man in any of the following circumstances shall be disregarded:

- (i) as a visitor; or
- (ii) as an illegal entrant; or

(iii) in circumstances whereby a person is deemed by virtue of Section 11 (1) of the Immigration Act 1971 not to have entered the Isle of Man.

## **SPOUSES OR CIVIL PARTNERS OF PERSONS PRESENT AND SETTLED IN THE ISLE OF MAN OR BEING ADMITTED ON THE SAME OCCASION FOR SETTLEMENT**

### **Requirements for leave to enter the Isle of Man with a view to settlement as the spouse or civil partner of a person present and settled in the Isle of Man or being admitted on the same occasion for settlement**

281. The requirements to be met by a person seeking leave to enter the Isle of Man with a view to settlement as the spouse or civil partner of a person present and settled in the Isle of Man or who is on the same occasion being admitted for settlement are that:

(i)(a)(i) the applicant is married to, or the civil partner of, a person present and settled in the Isle of Man or who is on the same occasion being admitted for settlement; and

(a)(ii) the applicant provides an original English language test certificate in speaking and listening from an English language test provider approved by the Secretary of State for these purposes, which clearly shows the applicant's name and the qualification obtained (which must meet or exceed level A1 of the Common European Framework of Reference) unless:

(a) the applicant is aged 65 or over at the time he makes his application; or

(b) the applicant has a physical or mental condition that would prevent him from meeting the requirement; or

(c) there are exceptional compassionate circumstances that would prevent the applicant from meeting the requirement; or

(a)(iii) the applicant is a national of one of the following countries: Antigua and Barbuda; Australia; the Bahamas; Barbados; Belize; Canada; Dominica; Grenada; Guyana; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and the Grenadines; Trinidad and Tobago; United States of America; or

(a)(iv) the applicant has obtained an academic qualification (not a professional or vocational qualification), which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Master's degree or PhD in the UK, from an educational establishment in one of the following countries: Antigua and Barbuda; Australia; The Bahamas; Barbados; Belize; Dominica; Grenada; Guyana; Ireland; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and The Grenadines; Trinidad and Tobago; the UK; the USA; and provides the specified documents; or

(a)(v) the applicant has obtained an academic qualification (not a professional or vocational qualification) which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Master's degree or PhD in the UK; and

(1) provides the specified evidence to show he has the qualification; and

(2) Ecctis has confirmed that the qualification was taught or researched in English; or

(a)(vi) has obtained an academic qualification (not a professional or vocational qualification) which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Master's degree or PhD in the UK, and provides the specified evidence to show:

(1) he has the qualification; and

(2) that the qualification was taught or researched in English, or

(b)(i) the applicant is married to or the civil partner of a person who has a right of abode in the Isle of Man or indefinite leave to enter or remain in the Isle of Man and is on the same occasion seeking admission to the Isle of Man for the purposes of settlement and the parties were married or formed a civil partnership at least 4 years ago, since which time they have been living together outside the Isle of Man; and

(b)(ii) the applicant has demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom and Islands, in accordance with Appendix KoLL; and

(b)(iii) – [Deleted]

- (ii) the parties to the marriage or civil partnership have met; and
- (iii) each of the parties intends to live permanently with the other as his or her spouse or civil partner and the marriage or civil partnership is subsisting; and
- (iv) there will be adequate accommodation for the parties and any dependants without recourse to public funds in accommodation which they own or occupy exclusively; and
- (v) the parties will be able to maintain themselves and any dependants adequately without recourse to public funds; and
- (vi) the applicant holds a valid Isle of Man entry clearance for entry in this capacity.
- (vii) the applicant does not fall for refusal under the general grounds for refusal.

For the purposes of this paragraph and paragraphs 282-289 a member of HM Forces serving overseas, or a permanent member of HM Diplomatic Service or a comparable UK-based staff member of the British Council on a tour of duty abroad, or a staff member of the Department for International Development who is a British Citizen or is settled in the Isle of Man, is to be regarded as present and settled in the Isle of Man.

**Leave to enter as the spouse or civil partner of a person present and settled in the Isle of Man or being admitted for settlement on the same occasion**

282. A person seeking leave to enter the Isle of Man as the spouse or civil partner of a person present and settled in the Isle of Man or who is on the same occasion being admitted for settlement may:

- (a) in the case of a person who meets the requirements of paragraph 281(i)(a)(i) and one of the requirements of paragraph 281(i)(a)(ii) – (vi), be admitted for an initial period not exceeding 27 months, or
- (b) in the case of a person who meets all of the requirements in paragraph 281(i)(b), be granted indefinite leave to enter, or
- (c) in the case of a person who meets the requirement in paragraph 281(i)(b)(i), but not the requirement in paragraph 281(i)(b)(ii) to have sufficient knowledge of the English language and about life in the United Kingdom and Islands, be admitted for an initial period not exceeding 27 months, in all cases provided the Immigration Officer is satisfied that each of the relevant requirements of paragraph 281 is met.

**Refusal of leave to enter as the spouse or civil partner of a person present and settled in the Isle of Man or being admitted on the same occasion for settlement**

283. Leave to enter the Isle of Man as the spouse or civil partner of a person present and settled in the Isle of Man or who is on the same occasion being admitted for settlement is to be refused if the Immigration Officer is not satisfied that each of the requirements of paragraph 281 is met.

**Requirements for an extension of stay as the spouse or civil partner of a person present and settled in the Isle of Man**

284. The requirements for an extension of stay as the spouse or civil partner of a person present and settled in the Isle of Man are that:

- (i) the applicant has or was last granted limited leave to enter or remain in the Isle of Man which meets the following requirements:
  - (a) The leave was given in accordance with any of the provisions of these Rules; and
  - (b) The leave was granted for a period of 6 months or more, unless it was granted as a fiancé(e) or proposed civil partner; and
  - (c) The leave was not as the spouse, civil partner, unmarried or same-sex partner of a Relevant Points Based System Migrant, Business Migrant or Relevant Worker Migrant; and
- (ii) the applicant is married to or the civil partner of a person present and settled in the Isle of Man, and

- (iii) the parties to the marriage or civil partnership have met, and
- (iv) the applicant has not remained in breach of the immigration laws, disregarding any period of overstaying for a period of 28 days or less, and
- (v) the marriage or civil partnership has not taken place after a decision has been made to deport the applicant or he has been recommended for deportation or been given notice under Section 6(2) of the 1971 Act or been given directions for his removal under section 10 of the Immigration and Asylum Act 1999, and
- (vi) each of the parties intends to live permanently with the other as his or her spouse or civil partner and the marriage or civil partnership is subsisting, and
- (vii) there will be adequate accommodation for the parties and any dependants without recourse to public funds in accommodation which they own or occupy exclusively; and
- (viii) the parties will be able to maintain themselves and any dependants adequately without recourse to public funds; and
- (ix)(a) the applicant provides an original English language test certificate in speaking and listening from an English language test provider approved by Secretary of State for these purposes, which clearly shows the applicant's name and the qualification obtained (which must meet or exceed level A1 of the Common European Framework of Reference) unless:
  - (i) the applicant is aged 65 or over at the time he makes his application; or
  - (ii) the applicant has a physical or mental condition that would prevent him from meeting the requirement; or
  - (iii) there are exceptional compassionate circumstances that would prevent the applicant from meeting the requirement; or
- (ix)(b) the applicant is a national of one of the following countries: Antigua and Barbuda; Australia; the Bahamas; Barbados; Belize; Canada; Dominica; Grenada; Guyana; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and the Grenadines; Trinidad and Tobago; United States of America; or
- (ix)(c) the applicant has obtained an academic qualification (not a professional or vocational qualification), which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Master's degree or PhD in the UK, from an educational establishment in one of the following countries: Antigua and Barbuda; Australia; The Bahamas; Barbados; Belize; Dominica; Grenada; Guyana; Ireland; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and The Grenadines; Trinidad and Tobago; the UK; the USA; and provides the specified documents; or
 

which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Master's degree or PhD in the UK; and

  - (1) provides the specified evidence to show he has the qualification; and
  - (2) Ecctis has confirmed that the qualification was taught or researched in English; or
- (ix)(e) has obtained an academic qualification (not a professional or vocational qualification) which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Master's degree or PhD in the UK, and provides the specified evidence to show:
  - (1) he has the qualification; and
  - (2) that the qualification was taught or researched in English.

### **Extension of stay as the spouse or civil partner of a person present and settled in the Isle of Man**

285. An extension of stay as the spouse or civil partner of a person present and settled in the Isle of Man may be granted for a period of 2 years in the first instance, provided the Minister is satisfied that each of the requirements of paragraph 284 is met.

### **Refusal of extension of stay as the spouse or civil partner of a person present and settled in the Isle of Man**

286. An extension of stay as the spouse or civil partner of a person present and settled in the Isle of Man is to be refused if the Minister is not satisfied that each of the requirements of paragraph 284 is met.

### **Requirements for indefinite leave to remain as the spouse or civil partner of a person present and settled in the Isle of Man**

287.(a) The requirements for indefinite leave to remain for the spouse or civil partner of a person present and settled in the Isle of Man are that:

(i)(a) the applicant was admitted to the Isle of Man for a period not exceeding 27 months or given an extension of stay for a period of 2 years in accordance with paragraphs 281 to 286 of these Rules and has completed a period of 2 years as the spouse or civil partner of a person present and settled in the Isle of Man, or

(i)(b) the applicant was admitted to the Isle of Man for a period not exceeding 27 months or given an extension of stay for a period of 2 years in accordance with paragraphs 295AA to 295F of these Rules and during that period married or formed a civil partnership with the person whom he or she was admitted or granted an extension of stay to join and has completed a period of 2 years as the unmarried or same-sex partner and then the spouse or civil partner of a person present and settled in the Isle of Man, or

(i)(c) was admitted to the Isle of Man in accordance with leave granted under paragraph 282(c) of these rules, or

(i)(d) the applicant was admitted to the Isle of Man or given an extension of stay as the spouse or civil partner of a Relevant Points Based System Migrant, Business Migrant or Relevant Worker Migrant; and then obtained an extension of stay under paragraphs 281 to 286 of these Rules and has completed a period of 2 years as the spouse or civil partner of the person who is now present and settled here; or

(i)(e) the applicant was admitted to the UK or given an extension of stay as the unmarried or same-sex partner of a Relevant Points Based System Migrant, Business Migrant or Relevant Worker Migrant; and during that period married or formed a civil partnership with the person whom he or she was admitted or granted an extension of stay to join and has completed a period of 2 years as the unmarried or same-sex partner and then the spouse or civil partner of the person who is now present and settled in the UK; or

(ii) the applicant is still the spouse or civil partner of the person he or she was admitted or granted an extension of stay to join and the marriage or civil partnership is subsisting, and

(iii) each of the parties intends to live permanently with the other as his or her spouse or civil partner, and

(iv) there will be adequate accommodation for the parties and any dependants without recourse to public funds in accommodation which they own or occupy exclusively, and

(v) the parties will be able to maintain themselves and any dependants without recourse to public funds, and

(vi) The applicant has demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom and Islands, in accordance with Appendix KoLL; and

(vii) the applicant does not fall for refusal under the general grounds for refusal.

(b) The requirements for indefinite leave to remain for the bereaved spouse or civil partner of a person present and settled in the Isle of Man are that:

(i)(a) the applicant was admitted to the Isle of Man for a period not exceeding 27 months or given an extension of stay for a period of 2 years as the spouse or civil partner of a person present and settled in the Isle of Man in accordance with paragraphs 281 to 286 of these Rules, or

(i)(b) the applicant was admitted to the Isle of Man for a period not exceeding 27 months or given an extension of stay for a period of 2 years as the unmarried or same-sex partner of a person present and settled in the Isle of Man in accordance with paragraphs 295AA to 295F of these Rules and during that period married or formed a civil partnership with the person whom he or she was admitted or granted an extension of stay to join, and

(ii) the person whom the applicant was admitted or granted an extension of stay to join died during that period, and

(iii) the applicant was still the spouse or civil partner of the person he or she was admitted or granted an extension of stay to join at the time of death, and

(iv) each of the parties intended to live permanently with the other as his or her spouse or civil partner and the marriage or civil partnership was subsisting at the time of death; and

(v) the applicant does not have one or more unspent convictions.

### **Indefinite leave to remain for the spouse or civil partner of a person present and settled in the Isle of Man**

288. Indefinite leave to remain as the spouse or civil partner of a person present and settled in the Isle of Man may be granted provided the Minister is satisfied that each of the requirements of paragraph 287 is met.

### **Refusal of indefinite leave to remain for the spouse or civil partner of a person present and settled in the Isle of Man**

289. Indefinite leave to remain for the spouse or civil partner of a person present and settled in the Isle of Man is to be refused if the Minister is not satisfied that each of the requirements of paragraph 287 is met.

### **Requirements for indefinite leave to remain in the Isle of Man as the victim of domestic violence**

289A. The requirements to be met by a person who is the victim of domestic violence and who is seeking indefinite leave to remain in the Isle of Man are that;

(i)(a) the applicant was last admitted to the Isle of Man for a period not exceeding 27 months in accordance with sub-paragraph 282(a), 282(c), 295B(a) or 295B(c) of these Rules; or

(b) the applicant was last granted leave to remain as the spouse or civil partner or unmarried partner or same-sex partner of a person present and settled in the Isle of Man in accordance with paragraph 285 or 295E of these Rules, except where that leave extends leave originally granted to the applicant as the partner of a Relevant Points Based System Migrant, Business Migrant or Relevant Worker Migrant; or

(c) the applicant was last granted leave to enable access to public funds pending an application under paragraph 289A and the preceding grant of leave was given in accordance with paragraph 282(a), 282(c), 285, 295B(a), 295B(c) or 295E of these Rules, except where that leave extends leave originally granted to the applicant as the partner of a Relevant Points Based System Migrant, Business Migrant or Relevant Worker Migrant; and

(ii) the relationship with their spouse or civil partner or unmarried partner or same-sex partner, as appropriate, was subsisting at the beginning of the last period of leave granted in accordance with paragraph 282(a), 282(c), 285, 295B(a), 295B(c) or 295E of these Rules; and;

(iii) the applicant is able to produce evidence to establish that the relationship was caused to permanently break down before the end of that period as a result of domestic violence;

(v) – [Deleted]

### **Indefinite leave to remain as the victim of domestic violence**

289B. Indefinite leave to remain as the victim of domestic violence may be granted provided the Minister is satisfied that each of the requirements of paragraph 289A is met.

### **Refusal of indefinite leave to remain as the victim of domestic violence**

289C. Indefinite leave to remain as the victim of domestic violence is to be refused if the Minister is not satisfied that each of the requirements of paragraph 289A is met.

289D. If the applicant does not meet the requirements for indefinite leave to remain as a victim of domestic violence only because paragraph 322(1C)(iii) or 322(1C)(iv) applies, they may be granted further limited leave to remain for a period not exceeding 30 months and subject to such conditions as the Minister deems appropriate.

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## **FIANCÉ(E)S AND PROPOSED CIVIL PARTNERS**

### **Fiancé(e)s and Proposed Civil Partners**

289AA. Nothing in these Rules shall be construed as permitting a person to be granted entry clearance, leave to enter or variation of leave as a fiancé(e) or proposed civil partner if either the applicant or the sponsor will be aged under 18 on the date of arrival of the applicant in the Isle of Man or (as the case may be) on the date on which the leave to enter or variation on leave would be granted.

### **Requirements for leave to enter the Isle of Man as a fiancé(e) or proposed civil partner (ie with a view to marriage and permanent settlement in the Isle of Man)**

290. The requirements to be met by a person seeking leave to enter the Isle of Man as a fiancé(e) or proposed civil partner are that:

- (i) the applicant is seeking leave to enter the Isle of Man for marriage or civil partnership to a person present and settled in the Isle of Man or who is on the same occasion being admitted for settlement; and
- (ii) the parties to the proposed marriage or civil partnership have met; and
- (iii) each of the parties intends to live permanently with the other as his or her spouse or civil partner after the marriage or civil partnership; and
- (iv) adequate maintenance and accommodation without recourse to public funds will be available for the applicant until the date of the marriage or civil partnership; and
- (v) there will, after the marriage or civil partnership, be adequate accommodation for the parties and any dependants without recourse to public funds in accommodation which they own or occupy exclusively; and
- (vi) the parties will be able after the marriage or civil partnership to maintain themselves and any dependants adequately without recourse to public funds; and
- (vii)(a) the applicant provides an original English language test certificate in speaking and listening from an English language test provider approved by the Secretary of State for these purposes, which clearly shows the applicant's name and the qualification obtained (which must meet or exceed level A1 of the Common European Framework of Reference) unless:
  - (i) the applicant is aged 65 or over at the time he makes his application; or
  - (ii) the applicant has a physical or mental condition that would prevent him from meeting the requirement; or
  - (iii) there are exceptional compassionate circumstances that would prevent the applicant from meeting the requirement; or
- (vii)(b) the applicant is a national of one of the following countries: Antigua and Barbuda; Australia; the Bahamas; Barbados; Belize; Canada; Dominica; Grenada; Guyana; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and the Grenadines; Trinidad and Tobago; United States of America, or
- (vii)(c) the applicant has obtained an academic qualification (not a professional or vocational qualification), which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Master's degree or PhD in the UK, from an educational establishment in one of the following countries: Antigua



and Barbuda; Australia; The Bahamas; Barbados; Belize; Dominica; Grenada; Guyana; Ireland; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and The Grenadines; Trinidad and Tobago; the UK; the USA; and provides the specified documents; or

(viid)(d) the applicant has obtained an academic qualification (not a professional or vocational qualification) which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Master's degree or PhD in the UK; and

(1) provides the specified evidence to show he has the qualification; and

(2) Ecctis has confirmed that the qualification was taught or researched in English; or

(vii)(e) has obtained an academic qualification (not a professional or vocational qualification) which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Master's degree or PhD in the UK, and provides the specified evidence to show:

(1) he has the qualification; and

(2) that the qualification was taught or researched in English; and

(viii) the applicant holds a valid Isle of Man entry clearance for entry in this capacity.

290A – DELETED

### **Leave to enter as a fiancé(e) or proposed civil partner**

291. A person seeking leave to enter the Isle of Man as a fiancé(e) or proposed civil partner may be admitted, with a prohibition on employment, for a period not exceeding 6 months to enable the marriage or civil partnership to take place provided a valid Isle of Man entry clearance for entry in this capacity is produced to the Immigration Officer on arrival.

### **Refusal of leave to enter as a fiancé(e) or proposed civil partner**

292. Leave to enter the Isle of Man as a fiancé(e) or proposed civil partner is to be refused if a valid Isle of Man entry clearance for entry in this capacity is not produced to the Immigration Officer on arrival.

### **Requirements for an extension of stay as a fiancé(e) or proposed civil partner**

293. The requirements for an extension of stay as fiancé(e) or proposed civil partner are that:

(i) the applicant was admitted to the Isle of Man with a valid Isle of Man entry clearance as a fiancé(e) or proposed civil partner; and

(ii) good cause is shown why the marriage or civil partnership did not take place within the initial period of leave granted under paragraph 291; and

(iii) there is satisfactory evidence that the marriage or civil partnership will take place at an early date; and

(iv) the requirements of paragraph 290 (ii)-(vii) are met.

### **Extension of stay as a fiancé(e) or proposed civil partner**

294. An extension of stay as a fiancé(e) or proposed civil partner may be granted for an appropriate period with a prohibition on employment to enable the marriage or civil partnership to take place provided that the Minister is satisfied that each of the requirements of paragraph 293 is met.

### **Refusal of extension of stay as a fiancé(e) or proposed civil partner**

295. An extension of stay is to be refused if the Minister is not satisfied that each of the requirements of paragraph 293 is met.

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## **UNMARRIED PARTNERS**

### **LEAVE TO ENTER AS THE UNMARRIED PARTNER OF A PERSON PRESENT AND SETTLED IN THE ISLE OF MAN OR BEING ADMITTED ON THE SAME OCCASION FOR SETTLEMENT**

295AA. Nothing in these Rules shall be construed as permitting a person to be granted entry clearance, leave to enter or variation of leave as an unmarried partner if either the applicant or the sponsor will be aged under 18 on the date of arrival of the applicant in the Isle of Man or (as the case maybe) on the date on which the leave to enter or variation of leave would be granted.

**Requirements for leave to enter the Isle of Man with a view to settlement as the unmarried partner of a person present and settled in the Isle of Man or being admitted on the same occasion for settlement**

295A. The requirements to be met by a person seeking leave to enter the Isle of Man with a view to settlement as the unmarried partner of a person present and settled in the Isle of Man or being admitted on the same occasion for settlement, are that:

(i) (a)(i) the applicant is the unmarried partner of a person present and settled in the Isle of Man or who is on the same occasion being admitted for settlement and the parties have been living together in a relationship akin to marriage which has subsisted for two years or more; and

(a)(ii) the applicant provides an original English language test certificate in speaking and listening from an English language test provider approved by the Secretary of State for these purposes, which clearly shows the applicant's name and the qualification obtained (which must meet or exceed level A1 of the Common European Framework of Reference) unless:

(a) the applicant is aged 65 or over at the time he makes his application, or

(b) the applicant has a physical or mental condition that would prevent him from meeting the requirement; or

(c) there are exceptional compassionate circumstances that would prevent the applicant from meeting the requirement; or

(a)(iii) the applicant is a national of one of the following countries: Antigua and Barbuda; Australia; the Bahamas; Barbados; Belize; Canada; Dominica; Grenada; Guyana; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and the Grenadines; Trinidad and Tobago; United States of America; or

(a)(iv) the applicant has obtained an academic qualification (not a professional or vocational qualification), which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Master's degree or PhD in the UK, from an educational establishment in one of the following countries: Antigua and Barbuda; Australia; The Bahamas; Barbados; Belize; Dominica; Grenada; Guyana; Ireland; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and The Grenadines; Trinidad and Tobago; the UK; the USA; and provides the specified documents; or

(a)(v) the applicant has obtained an academic qualification (not a professional or vocational qualification) which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Master's degree or PhD in the UK; and

(1) provides the specified evidence to show he has the qualification ;and

(2) Ecctis has confirmed that the qualification was taught or researched in English; or

(a)(vi) has obtained an academic qualification (not a professional or vocational qualification) which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Master's degree or PhD in the UK, and provides the specified evidence to show:

(1) he has the qualification; and

(2) that the qualification was taught or researched in English; and

(b)(i) the applicant is the unmarried or same-sex partner of a person who has a right of abode in the Isle of Man or indefinite leave to enter or remain in the Isle of Man and is on the same occasion seeking admission to the Isle of Man for the purposes of settlement and the parties have been living together outside the Isle of Man in a relationship akin to marriage which has subsisted for 4 years or more; and

(i)(b)(ii) the applicant has demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom and Islands, in accordance with Appendix KoLL; and

- (iii) [Deleted],
- (ii) any previous marriage (or similar relationship) by either partner has permanently broken down; and
- (iii) the parties are not involved in a consanguineous relationship with one another; and;
- (iv) there will be adequate accommodation for the parties and any dependants without recourse to public funds in accommodation which they own or occupy exclusively; and
- (v) the parties will be able to maintain themselves and any dependants adequately without recourse to public funds; and
- (vi) the parties intend to live together permanently; and
- (vii) the applicant holds a valid Isle of Man entry clearance for entry in this capacity.

For the purposes of this paragraph and paragraphs 295B-295I, a member of HM Forces serving overseas or a permanent member of HM Diplomatic Service or a comparable UK-based staff member of the British Council on a tour of duty abroad, or a staff member of the Department for International Development who is a British Citizen or is settled in the Isle of Man, is to be regarded as present and settled in the Isle of Man.

**Leave to enter the Isle of Man with a view to settlement as the unmarried partner of a person present and settled in the Isle of Man or being admitted on the same occasion for settlement**

295B A person seeking leave to enter the Isle of Man as the unmarried or same-sex partner of a person present and settled in the Isle of Man or who is on the same occasion being admitted for settlement may:

- (a) in the case of a person who meets the requirements of paragraph 295A(i)(a)(i), and one of the requirements of paragraph 295A(i)(a)(ii) – (vi), be admitted for an initial period not exceeding 27 months, or
- (b) in the case of a person who meets all of the requirements in paragraph 295A(i)(b), be granted indefinite leave to enter, or
- (c) in the case of a person who meets the requirement in paragraph 295A(i)(b)(i), but not the requirement in paragraph 295A(i)(b)(ii) to have sufficient knowledge of the English language and about life in the United Kingdom and Islands, be admitted for an initial period not exceeding 27 months, in all cases provided the Immigration Officer is satisfied that each of the relevant requirements of paragraph 295A is met.

**Refusal of leave to enter the Isle of Man with a view to settlement as the unmarried partner of a person present and settled in the Isle of Man or being admitted on the same occasion for settlement**

295C. Leave to enter the Isle of Man with a view to settlement as the unmarried partner of a person present and settled in the Isle of Man or being admitted on the same occasion for settlement, is to be refused if the Immigration Officer is not satisfied that each of the requirements of paragraph 295A is met..

**LEAVE TO REMAIN AS THE UNMARRIED PARTNER OF A PERSON PRESENT AND SETTLED IN THE ISLE OF MAN**

**Requirements for leave to remain as the unmarried partner of a person present and settled in the Isle of Man**

295D. The requirements to be met by a person seeking leave to remain as the unmarried partner of a person present and settled in the Isle of Man are that:

- (i) the applicant has or was last granted limited leave to enter or remain in the Isle of Man which was given in accordance with any of the provisions of these Rules, unless:
  - (a) as a result of that leave he would not have been in the Isle of Man beyond 6 months from the date on which he was admitted to the Isle of Man; or

- (b) the leave was granted as the unmarried or same-sex partner of a Relevant Points Based System Migrant, Business Migrant or Relevant Worker Migrant; and
- (ii) any previous marriage (or similar relationship) by either partner has permanently broken down; and
- (iii) the applicant is the unmarried partner of a person present and settled in the Isle of Man; and
- (iv) the applicant has not remained in breach of the immigration laws disregarding any period of overstaying for a period of 28 days or less; and
- (v) the parties have been living together in a relationship akin to marriage which has subsisted for two years or more; and
- (vi) the parties' relationship pre-dates any decision to deport the applicant, recommend him for deportation, give him notice under Section 6(2) of the Immigration Act 1971; and
- (vii) the parties are not involved in a consanguineous relationship with one another, and;
- (viii) there will be adequate accommodation for the parties and any dependants without recourse to public funds in accommodation which they own or occupy exclusively; and
- (ix) the parties will be able to maintain themselves and any dependants adequately without recourse to public funds; and
- (x) the parties intend to live together permanently: and
- (xi)(a) the applicant provides an original English language test certificate in speaking and listening from an English language test provider approved by the Secretary of State for these purposes, which clearly shows the applicant's name and the qualification obtained (which must meet or exceed level A1 of the Common European Framework of Reference) unless:
  - (i) the applicant is aged 65 or over at the time he makes his application; or
  - (ii) the applicant has a physical or mental condition that would prevent him from meeting the requirement; or;
  - (iii) there are exceptional compassionate circumstances that would prevent the applicant from meeting the requirement; or
- (xi)(b) the applicant is a national of one of the following countries: Antigua and Barbuda; Australia; the Bahamas; Barbados; Belize; Canada; Dominica; Grenada; Guyana; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and the Grenadines; Trinidad and Tobago; United States of America; or
- (xi)(c) the applicant has obtained an academic qualification (not a professional or vocational qualification), which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Master's degree or PhD in the UK, from an educational establishment in one of the following countries: Antigua and Barbuda; Australia; The Bahamas; Barbados; Belize; Dominica; Grenada; Guyana; Ireland; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and The Grenadines; Trinidad and Tobago; the UK; the USA; and provides the specified documents; or
- (xi)(d) the applicant has obtained an academic qualification (not a professional or vocational qualification) which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Master's degree or PhD in the UK; and
  - (1) provides the specified evidence to show he has the qualification; and
  - (2) Ecctis has confirmed that the qualification was taught or researched in English; or
- (xi)(e) has obtained an academic qualification (not a professional or vocational qualification) which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Master's degree or PhD in the UK, and provides the specified evidence to show:
  - (1) he has the qualification; and
  - (2) that the qualification was taught or researched in English.

**Leave to remain as the unmarried partner of a person present and settled in the Isle of Man**

295E. Leave to remain as the unmarried partner of a person present and settled in the Isle of Man may be granted for a period of 2 years in the first instance provided that the Minister is satisfied that each of the requirements of paragraph 295D are met.

### **Refusal of leave to remain as the unmarried partner of a person present and settled in the Isle of Man**

295F. Leave to remain as the unmarried partner of a person present and settled in the Isle of Man is to be refused if the Minister is not satisfied that each of the requirements of paragraph 295D is met.

### **INDEFINITE LEAVE TO REMAIN AS THE UNMARRIED PARTNER OF A PERSON PRESENT AND SETTLED IN THE ISLE OF MAN**

#### **Requirements for indefinite leave to remain as the unmarried partner of a person present and settled in the Isle of Man**

295G. The requirements to be met by a person seeking indefinite leave to remain as the unmarried partner of a person present and settled in the Isle of Man are that:

- (i) (a) the applicant was admitted to the Isle of Man for a period not exceeding 27 months or given an extension of stay for a period of 2 years in accordance with paragraphs 295AA to 295F of these Rules and has completed a period of 2 years as the unmarried or same-sex partner of a person present and settled here, or
- (c) the applicant was admitted to the Isle of Man in accordance with leave granted under paragraph 295B(c) of these rules, and
  - (ii) the applicant is still the unmarried partner of the person he was admitted or granted an extension of stay to join and the relationship is still subsisting; and
  - (iii) each of the parties intends to live permanently with the other as his partner; and
  - (iv) there will be adequate accommodation for the parties and any dependants without recourse to public funds in accommodation which they own or occupy exclusively; and
  - (v) the parties will be able to maintain themselves and any dependants adequately without recourse to public funds; and
  - (vi) the applicant has demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom and Islands, in accordance with Appendix KoLL; and
  - (vii) the applicant does not fall for refusal under the general grounds for refusal.

### **Indefinite leave to remain as the unmarried partner of a person present and settled in the Isle of Man**

295H. Indefinite leave to remain as the unmarried partner of a person present and settled in the Isle of Man may be granted provided the Minister is satisfied that each of the requirements of paragraph 295G is met.

### **Refusal of indefinite leave to remain as the unmarried partner of a person present and settled in the Isle of Man**

295I. Indefinite leave to remain as the unmarried partner of a person present and settled in the Isle of Man is to be refused if the Minister is not satisfied that each of the requirements of paragraph 295G is met.

### **Unmarried partner of a person with limited leave to enter or remain in the Isle of Man under paragraphs 128-193; 200-239; or 263-270**

#### **Requirements for leave to enter or remain as the unmarried partner of a person with limited leave to enter or remain in the Isle of Man under paragraphs 128-193; 200-239; or 263-270**

295J. [Deleted]

**Leave to enter or remain as the unmarried partner of a person with limited leave to enter or remain in the Isle of Man under paragraphs 128-193; 200-239; or 263-270**

295K [Deleted]

**Refusal of leave to enter or remain as the unmarried partner of a person with limited leave to enter or remain in the Isle of Man under paragraphs 128-193; 200-239; or 263-270**

295L. [Deleted]

**INDEFINITE LEAVE TO REMAIN FOR THE BEREAVED UNMARRIED PARTNER OF A PERSON PRESENT AND SETTLED IN THE ISLE OF MAN**

**Requirements for indefinite leave to remain for the bereaved unmarried partner of a person present and settled in the Isle of Man**

295M. The requirements to be met by a person seeking indefinite leave to remain as the bereaved unmarried partner of a person present and settled in the Isle of Man, are that:

- (iv) the applicant was admitted to the Isle of Man or given an extension of stay for a period of 2 years in accordance with paragraphs 295AA to 295F of these Rules as the unmarried partner of the person present and settled in the Isle of Man; and
- (ii) the person whom the applicant was admitted or granted an extension of stay to join died during that 2 year period; and
- (iii) the applicant was still the unmarried partner of the person he was admitted or granted an extension of stay to join at the time of the death; and
- (iv) each of the parties intended to live permanently with the other as his partner and the relationship was subsisting at the time of death; and
- (v) the applicant does not fall for refusal under the general grounds for refusal.

**Indefinite leave to remain for the bereaved unmarried partner of a person present and settled in the Isle of Man**

295N. Indefinite leave to remain for the bereaved unmarried partner of a person present and settled in the Isle of Man, may be granted provided that the Minister is satisfied that each of the requirements of paragraph 295M is met.

**Refusal of indefinite leave to remain for the bereaved unmarried partner of a person present and settled in the Isle of Man**

295O. Indefinite leave to remain for the bereaved unmarried partner of a person present and settled in the Isle of Man is to be refused if the Isle of Man is not satisfied that each of the requirements of paragraph 295M is met.

**CHILDREN**

296. Nothing in these Rules shall be construed as permitting a child to be granted entry clearance, leave to enter or remain or variation of leave where his parent is party to a polygamous marriage and any application by that parent for admission or leave to remain for settlement or with a view to settlement would be refused pursuant to paragraph 278 or 278A.

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**Leave to Enter or remain in the Isle of Man as the child of a parent, parents or a relative present and settled or being admitted for settlement in the Isle of Man**

**Requirements for indefinite leave to enter the Isle of Man as the child of a parent, parents or a relative present and settled or being admitted for settlement in the Isle of Man**

297. The requirements to be met by a person seeking indefinite leave to enter in the Isle of Man as the child of a parent, parents or a relative present and settled or being admitted for settlement in the Isle of Man are that he:

(i) is seeking leave to enter to accompany or join a parent, parents or a relative in one of the following circumstances:

- (a) both parents are present and settled in the Isle of Man; or
- (b) both parents are being admitted on the same occasion for settlement; or
- (c) one parent is present and settled in the Isle of Man and the other being admitted on the same occasion for settlement; or
- (d) one parent is present and settled in the Isle of Man or being admitted on the same occasion for settlement and the other parent is dead; or
- (e) one parent is present and settled in the Isle of Man or being admitted on the same occasion for settlement and has had sole responsibility for the child's upbringing; or
- (f) one parent or a relative is present and settled in the Isle of Man or being admitted on the same occasion for settlement and there are serious and compelling family or other considerations which make exclusion of the child undesirable and suitable arrangements have been made for the child's care; and

(ii) is under the age of 18; and

(iii) is not leading an independent life, is unmarried, has not formed a civil partnership and has not formed an independent family unit; and

(iv) can, and will, be accommodated adequately by the parent, parents or relative the child is seeking to join without recourse to public funds in accommodation which the parent, parents or relative the child is seeking to join, own or occupy exclusively; and

(v) can, and will, be maintained adequately by the parent, parents or relative the child is seeking to join, without recourse to public funds; and

(vi) holds a valid Isle of Man entry clearance for entry in this capacity; and

(vii) does not fall for refusal under the general grounds for refusal.

**Requirements for indefinite leave to remain in the Isle of Man as the child of a parent, parents or a relative present and settled or being admitted for settlement in the Isle of Man**

298. The requirements to be met by a person seeking indefinite leave to remain in the Isle of Man as the child of a parent, parents or a relative present and settled in the Isle of Man are that he:

(i) is seeking to remain with a parent, parents or a relative in one of the following circumstances:

- (a) both parents are present and settled in the Isle of Man; or
- (b) one parent is present and settled in the Isle of Man and the other parent is dead; or
- (c) one parent is present and settled in the Isle of Man and has sole responsibility for the child's upbringing or the child normally lives with this parent and not their other parent; or
- (d) one parent or a relative is present and settled in the Isle of Man and there are serious and compelling family or other considerations which make exclusion of the child undesirable and suitable arrangements have been made for the child's care; and

(ii) has or has had limited leave to enter or remain in the Isle of Man, and

- (a) is under the age of 18; or
- (b) was given leave to enter or remain with a view to settlement under paragraph 302 or Appendix FM; or
- (c) and (d) Not used
- (e) was last given limited leave to remain under paragraph 298A; and

(iii) is not leading an independent life, is unmarried, has not formed a civil partnership and has not formed an independent family unit; and

(iv) can, and will, be accommodated adequately by the parent, parents or relative the child was admitted to join, without recourse to public funds in accommodation which the parent, parents or relative the child was admitted to join, own or occupy exclusively; and

(v) can, and will, be maintained adequately by the parent, parents or relative the child was admitted to join, without recourse to public funds; and

(vi) does not fall for refusal under the general grounds for refusal; and

(vii) if aged 18 or over, was admitted to the Isle of Man under paragraph 302, or Appendix FM, and has demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom and Islands in accordance with Appendix KoLL.

298A. If an applicant does not meet the requirements of paragraph 298 only because:

(a) the applicant does not meet the requirement in paragraph 298(vi) by reason of a sentence or disposal of a type mentioned in paragraph 9.4.3 of Part 9 of these Rules or

(b) an applicant aged 18 or over does not meet the requirement in paragraph 298(vii); or

(c) the applicant would otherwise be refused indefinite leave to remain under paragraph 9.4.3 of Part 9 of these Rules,

the applicant may be granted limited leave to remain for a period not exceeding 30 months and subject to a condition of no recourse to public funds.

### **Indefinite leave to enter or remain in the Isle of Man as the child of a parent, parents or a relative present and settled or being admitted for settlement in the Isle of Man**

299. Indefinite leave to enter the Isle of Man as the child of a parent, parents or a relative present and settled or being admitted for settlement in the Isle of Man may be granted provided a valid Isle of Man entry clearance for entry in this capacity is produced to the Immigration Officer upon arrival. Indefinite leave to remain in the Isle of Man as the child of a parent, parents or relative present and settled in the Isle of Man may be granted provided the Minister is satisfied that each of the requirements of paragraph 298 is met.

### **Refusal of indefinite leave to enter or remain in the Isle of Man as the child of a parent, parents or a relative present and settled or being admitted for settlement in the Isle of Man**

300. Indefinite leave to enter the Isle of Man as the child of a parent, parents or a relative present and settled or being admitted for settlement in the Isle of Man is to be refused if a valid Isle of Man entry clearance for entry in this capacity is not produced to the Immigration Officer on arrival. Indefinite leave to remain in the Isle of Man as the child of a parent, parents or a relative present and settled in the Isle of Man is to be refused if the Minister is not satisfied that each of the requirements of paragraph 298 is met.

### **Requirements for limited leave to enter or remain in the Isle of Man with a view to settlement as the child of a parent or parents given limited leave to enter or remain in the Isle of Man with a view to settlement**

301. The requirements to be met by a person seeking limited leave to enter or remain in the Isle of Man with a view to settlement as the child of a parent or parents given limited leave to enter or remain in the Isle of Man with a view to settlement are that he:

(i) is seeking leave to enter to accompany or join or remain with a parent or parents in one of the following circumstances:

(a) one parent is present and settled in the Isle of Man or being admitted on the same occasion for settlement and the other parent is being or has been given limited leave to enter or remain in the Isle of Man with a view to settlement; or

(b) one parent is being or has been given limited leave to enter or remain in the Isle of Man with a view to settlement and has had sole responsibility for the child's upbringing; or



(c) one parent is being or has been given limited leave to enter or remain in the Isle of Man with a view to settlement and there are serious and compelling family or other considerations which make exclusion of the child undesirable and suitable arrangements have been made for the child's care; and

(ii) is under the age of 18; and

(iii) is not leading an independent life, is unmarried, has not formed a civil partnership and has not formed an independent family unit; and

(iv) can, and will, be accommodated adequately without recourse to public funds in accommodation which the parent or parents own or occupy exclusively; and

(iva) can, and will, be maintained adequately by the parent or parents without recourse to public funds; and

(v) (where an application is made for limited leave to remain with a view to settlement) has limited leave to enter or remain in the Isle of Man; and

(vi) if seeking leave to enter, holds a valid Isle of Man entry clearance for entry in this capacity or, if seeking leave to remain, was admitted with a valid Isle of Man entry clearance for entry in this capacity.

**Limited leave to enter or remain in the Isle of Man with a view to settlement as the child of a parent or parents given limited leave to enter or remain the Isle of Man with a view to settlement**

302. A person seeking limited leave to enter the Isle of Man with a view to settlement as the child of a parent or parents given limited leave to enter or remain in the Isle of Man with a view to settlement may be admitted for a period not exceeding 27 months provided he is able, on arrival, to produce to the Immigration Officer a valid Isle of Man entry clearance for entry in this capacity. A person seeking limited leave to remain in the Isle of Man with a view to settlement as the child of a parent or parents given limited leave to enter or remain in the Isle of Man with a view to settlement may be given limited leave to remain for a period not exceeding 27 months provided the Minister is satisfied that each of the requirements of paragraph 301 (i)-(vi) is met.

**Refusal of limited leave to enter or remain in the Isle of Man with a view to settlement as the child of a parent or parents given limited leave to enter or remain in the Isle of Man with a view to settlement**

303. Limited leave to enter the Isle of Man with a view to settlement as the child of a parent or parents given limited leave to enter or remain in the Isle of Man with a view to settlement is to be refused if a valid Isle of Man entry clearance for entry in this capacity is not produced to the Immigration Officer on arrival. Limited leave to remain in the Isle of Man with a view to settlement as the child of a parent or parents given limited leave to enter or remain in the Isle of Man with a view to settlement is to be refused if the Minister is not satisfied that each of the requirements of paragraph 301 (i)-(vi) is met.

**LEAVE TO ENTER AND EXTENSION OF STAY IN THE ISLE OF MAN AS THE CHILD OF A PARENT WHO IS BEING, OR HAS BEEN ADMITTED TO THE ISLE OF MAN AS A FIANCÉ(E) OR PROPOSED CIVIL PARTNER**

**Requirements for limited leave to enter the Isle of Man as the child of a fiancé(e) or proposed civil partner**

303A. The requirements to be met by a person seeking limited leave to enter the Isle of Man as the child of a fiancé(e) or proposed civil partner, are that:

(i) he is seeking to accompany or join a parent who is, on the same occasion that the child seeks admission, being admitted as a fiancé(e) or proposed civil partner, or who has been admitted as a fiancé(e) or proposed civil partner; and

(ii) he is under the age of 18; and

(iii) he is not leading an independent life, is unmarried and is not a civil partner, and has not formed an independent family unit; and

(iv) he can, and will, be maintained and accommodated adequately without recourse to public funds with the parent admitted or being admitted as a fiancé(e); and

(v) there are serious and compelling family or other considerations which make the child's exclusion undesirable, that suitable arrangements have been made for his care in the Isle of Man, and there is no other person outside the Isle of Man who could reasonably be expected to care for him; and

(vi) he holds a valid Isle of Man entry clearance for entry in this capacity.

### **Limited leave to enter the Isle of Man as the child of a parent who is being, or has been admitted to the Isle of Man as a fiancé(e) or proposed civil partner**

303B. A person seeking limited leave to enter the Isle of Man as the child of a fiancé(e) or proposed civil partner, may be granted limited leave to enter the Isle of Man for a period not in excess of that granted to the fiancé(e) or proposed civil partner, provided that a valid Isle of Man entry clearance for entry in this capacity is produced to the Immigration Officer on arrival. Where the period of limited leave granted to a fiancé(e) or proposed civil partner will expire in more than 6 months, a person seeking limited leave to enter as the child of fiancé(e) or proposed civil partner should be granted leave for a period not exceeding six months.

### **Refusal of limited leave to enter the Isle of Man as the child of a parent who is being, or has been admitted to the Isle of Man as a fiancé (e) or proposed civil partner**

303C. Limited leave to enter the Isle of Man as the child of a fiancé(e) or proposed civil partner is to be refused if a valid Isle of Man entry clearance for entry in this capacity is not produced to the Immigration Officer on arrival.

### **Requirements for an extension of stay in the Isle of Man as the child of a fiancé(e) or proposed civil partner**

303D. The requirements to be met by a person seeking an extension of stay in the Isle of Man as the child of a fiancé(e) or proposed civil partner are that:

(i) the applicant was admitted with a valid Isle of Man entry clearance as the child of a fiancé(e) or proposed civil partner; and

(ii) the applicant is the child of a parent who has been granted limited leave to enter, or an extension of stay, as a fiancé(e) or proposed civil partner; and

(iii) the requirements of paragraph 303A (ii)-(v) are met.

### **Extension of stay in the Isle of Man as the child of a fiancé(e) or proposed civil partner**

303E. An extension of stay as the child of a fiancé(e) or proposed civil partner may be granted provided that the Minister is satisfied that each of the requirements of paragraph 303D is met.

### **Refusal of an extension of stay in the Isle of Man as the child of a fiancé(e) or proposed civil partner**

303F. An extension of stay as the child of a fiancé(e) or proposed civil partner is to be refused if the Minister is not satisfied that each of the requirements of paragraph 303D is met.

## **CHILDREN BORN IN THE ISLE OF MAN WHO ARE NOT BRITISH CITIZENS**

304. This paragraph and paragraphs 305-309 apply only to dependent children under 18 years of age who are unmarried and are not civil partners and who were born in the Isle of Man, United Kingdom or Channel Islands on or after 1 January 1983 (when the British Nationality Act 1981 came into force) but who, because neither of their parents was a British citizen or settled in the Isle of Man, United Kingdom or Channel Islands at the time of their birth, are not British citizens and are, therefore, subject to immigration control. Such a child requires leave to enter where admission to the Isle of Man is sought, and leave to remain where permission is sought for the child to be allowed to stay in the Isle of Man. If he qualifies for entry clearance, leave to enter or leave to remain under any other part of these Rules, a child who was born in the Isle of Man, United Kingdom or Channel Islands but is not a British citizen may be granted entry clearance, leave to enter or leave to remain in accordance with the provisions of that other part.

### **Requirements for leave to enter or remain in the Isle of Man as the child of a parent or parents given leave to enter or remain in the Isle of Man**

305. The requirements to be met by a child born in the Isle of Man, United Kingdom or Channel Islands who is not a British citizen who seeks leave to enter or remain in the Isle of Man as the child of a parent or parents given leave to enter or remain in the Isle of Man are that he:

(i)(a) is accompanying or seeking to join or remain with a parent or parents who have, or are given, leave to enter or remain in the Isle of Man; or

(b) is accompanying or seeking to join or remain with a parent or parents, one of whom is a British citizen or has right of abode in the Isle of Man, United Kingdom or Channel Islands; or

(c) is a child in respect of whom the parental rights and duties are vested solely in a local authority; and

(ii) is under the age of 18; and

(iii) was born in the Isle of Man, United Kingdom or Channel Islands; and

(iv) is not leading an independent life, is unmarried and is not a civil partner and has not formed an independent family unit; and

(v) (where an application is made for leave to enter) has not been away from the Isle of Man for more than 2 years.

### **Leave to enter or remain in the Isle of Man**

306. A child born in the Isle of Man, United Kingdom and Channel Islands who is not a British citizen and who requires leave to enter or remain in the circumstances set out in paragraph 304 may be given leave to enter for the same period as his parent or parents where paragraph 305 (i)(a) applies, provided the Immigration Officer is satisfied that each of the requirements of paragraph 305 (ii)-(v) is met. Where leave to remain is sought, the child may be granted leave to remain for the same period as his parent or parents where paragraph 305 (i)(a) applies, provided the Minister is satisfied that each of the requirements of paragraph 305 (ii)-(iv) is met. Where the parent or parents have or are given periods of leave of different duration, the child may be given leave to whichever period is longer, except that if the parents are living apart the child should be given leave for the same period as the parent who has day to day responsibility for him.

307. If a child does not qualify for leave to enter or remain because neither of his parents has a current leave, (and neither of them is a British citizen or has the right of abode), he will normally be refused leave to enter or remain, even if each of the requirements of paragraph 305 (ii)-(v) has been satisfied. However, he may be granted leave to enter or remain for a period not exceeding 3 months if both of his parents are in the Isle of Man and it appears unlikely that they will be removed in the immediate future and there is no other person outside the Isle of Man who could reasonably be expected to care for him.

308. A child born in the Isle of Man, United Kingdom and Channel Islands who is not a British citizen and who requires leave to enter or remain in the Isle of Man in the circumstances set out in paragraph 304 may be given indefinite leave to enter where paragraph 305 (i)(b) or (i)(c) applies provided the Immigration Officer is satisfied that each of the requirements of paragraph 305 (ii)-(v) is met. Where an application is for leave to remain, such a child may be granted indefinite leave to remain where paragraph 305 (i)(b) or (i)(c) applies, provided the Minister is satisfied that each of the requirements of paragraph 305 (ii)-(iv) is met.

### **Refusal of leave to enter or remain in the Isle of Man**

309. Leave to enter the Isle of Man where the circumstances set out in paragraph 304 apply is to be refused if the Immigration Officer is not satisfied that each of the requirements of paragraph 305 is met. Leave to remain for such a child is to be refused if the Minister is not satisfied that each of the requirements of paragraph 305 (i)-(iv) is met.

### **ADOPTED CHILDREN**

309A. For the purposes of adoption under paragraphs 310-316C a de facto adoption shall be regarded as having taken place if:

(a) at the time immediately preceding the making of the application for entry clearance under these Rules the adoptive parent or parents have been living abroad (in applications involving two parents both must have lived abroad together) for at least a period of time equal to the first period mentioned in sub-paragraph (b)(i) and must have cared for the child for at least a period of time equal to the second period material in that sub-paragraph; and

(b) during their time abroad, the adoptive parent or parents have:

(i) lived together for a minimum period of 18 months, of which the 12 months immediately preceding the application for entry clearance must have been spent living together with the child; and

(ii) have assumed the role of the child's parents, since the beginning of the 18 month period, so that there has been a genuine transfer of parental responsibility.

309B. Inter-country adoptions which are not a de facto adoption under paragraph 309A are subject to the Adoption and Children Act 2002 and the Adoptions with a Foreign Element Regulations 2005. As such all prospective adopters must be assessed as suitable to adopt by a competent authority in the Isle of Man, and obtain a Certificate of Eligibility from the Department for Education, before travelling abroad to identify a child for adoption. This Certificate of Eligibility must be provided with all entry clearance adoption applications under paragraphs 310-316F.

**Requirements for indefinite leave to enter the Isle of Man as the adopted child of a parent or parents present and settled or being admitted for settlement in the Isle of Man**

310. The requirements to be met in the case of a child seeking indefinite leave to enter the Isle of Man as the adopted child of a parent or parents present and settled or being admitted for settlement in the Isle of Man are that he:

(i) is seeking leave to enter to accompany or join an adoptive parent or parents in one of the following circumstances:

(a) both parents are present and settled in the Isle of Man; or

(b) both parents are being admitted on the same occasion for settlement; or

(c) one parent is present and settled in the Isle of Man and the other is being admitted on the same occasion for settlement; or

(d) one parent is present and settled in the Isle of Man or being admitted on the same occasion for settlement and the other parent is dead; or

(e) one parent is present and settled in the Isle of Man or being admitted on the same occasion for settlement and has had sole responsibility for the child's upbringing; or

(f) one parent is present and settled in the Isle of Man or being admitted on the same occasion for settlement and there are serious and compelling family or other considerations which make exclusion of the child undesirable and suitable arrangements have been made for the child's care; or

(g) in the case of a de facto adoption one parent has a right of abode in the Isle of Man or indefinite leave to enter or remain in the Isle of Man and is seeking admission to the Isle of Man on the same occasion for the purposes of settlement; and

(ii) is under the age of 18; and

(iii) is not leading an independent life, is unmarried and is not a civil partner and has not formed an independent family unit; and

(iv) can, and will, be accommodated and maintained adequately without recourse to public funds in accommodation which the adoptive parent or parents own or occupy exclusively; and

(v) DELETED

(vi) (a) was adopted in accordance with a decision taken by the competent administrative authority or court in his country of origin or the country in which he is resident, being a country whose adoption orders are recognised by the Isle of Man; or

- (b) is the subject of a de facto adoption; and
- (vii) was adopted at a time when:
  - (a) both adoptive parents were resident together abroad; or
  - (b) either or both parents were settled in the Isle of Man; and
- (viii) has the same rights and obligations as any other child of the adoptive parents or parent's family; and
- (ix) was adopted due to the inability of the original parent(s) or current carer(s) to care for him and there has been a genuine transfer of parental responsibility to the adoptive parents; and
- (x) has lost or broken his ties with his family of origin; and
- (xi) was adopted, but the adoption is not one of convenience arranged to facilitate his admission to or remaining in the Isle of Man; and
- (xii) holds a valid Isle of Man entry clearance for entry in this capacity; and
- (xiii) does not fall for refusal under the general grounds for refusal.

**Requirements for indefinite leave to remain the Isle of Man as the adopted child of a parent or parents present and settled in the Isle of Man**

311. The requirements to be met in the case of a child seeking indefinite leave to remain the Isle of Man as the adopted child of a parent or parents present and settled in the Isle of Man are that he:

- (i) is seeking to remain with an adoptive parent or parents in one of the following circumstances:
  - (a) both parents are present and settled in the Isle of Man; or
  - (b) one parent is present and settled in the Isle of Man and the other parent is dead; or
  - (c) one parent is present and settled in the Isle of Man and has had sole responsibility for the child's upbringing; or
  - (d) one parent is present and settled in the Isle of Man and there are serious and compelling family or other considerations which make exclusion of the child undesirable and suitable arrangements have been made for the child's care; or
  - (e) in the case of a de facto adoption one parent has a right of abode in the Isle of Man or indefinite leave to enter or remain in the Isle of Man and is seeking admission to the Isle of Man on the same occasion for the purpose of settlement; and
- (ii) has limited leave to enter or remain in the Isle of Man, and
  - (a) is under the age of 18; and
  - (b) was given leave to enter or remain with a view to settlement under paragraph 315 or paragraph 316B; and
- (iii) is not leading an independent life, is unmarried and is not a civil partner and has not formed an independent family unit; and
- (iv) can, and will, be accommodated and maintained adequately without recourse to public funds in accommodation which the adoptive parent or parents own or occupy exclusively; and
- (v) DELETED
- (vi) (a) was adopted in accordance with a decision taken by the competent administrative authority or court in his country of origin or the country in which he is resident, being a country whose adoption orders are recognised by the Isle of Man; or
  - (b) is the subject of a de facto adoption; and
- (vii) was adopted at a time when:
  - (a) both adoptive parents were resident together abroad; or

- (b) either or both parents were settled in the Isle of Man; and
- (viii) has the same rights and obligations as any other child of the adoptive parents or parents' family; and
- (ix) was adopted due to the inability of the original parent(s) or current carer(s) to care for him and there has been a genuine transfer of parental responsibility to the adoptive parents; and
- (x) has lost or broken his ties with his family of origin; and
- (xi) was adopted, but the adoption is not one of convenience arranged to facilitate his admission to or remaining in the Isle of Man; and
- (xii) does not fall for refusal under the general grounds for refusal.

**Indefinite leave to enter or remain in the Isle of Man as an adopted child of a parent or parents present and settled or being admitted for settlement in the Isle of Man**

312. Indefinite leave to enter the Isle of Man as the adopted child of a parent or parents present and settled or being admitted for settlement in the Isle of Man may be granted provided a valid Isle of Man entry clearance for entry in this capacity is produced to the Immigration Officer upon arrival. Indefinite leave to remain in the Isle of Man as the adopted child of a parent or parents present and settled in the Isle of Man may be granted provided the Minister is satisfied that each of the requirements of paragraph 311 is met.

**Refusal of indefinite leave to enter or remain in the Isle of Man as an adopted child of a parent or parents present and settled or being admitted for settlement in the Isle of Man**

313. Indefinite leave to enter the Isle of Man as the adopted child of a parent or parents present and settled or being admitted for settlement in the Isle of Man is to be refused if a valid Isle of Man entry clearance for entry in this capacity is not produced to the Immigration Officer upon arrival. Indefinite leave to remain in the Isle of Man as the adopted child of a parent or parents present and settled in the Isle of Man is to be refused if the Minister is not satisfied that each of the requirements of paragraph 311 is met.

**Requirements for limited leave to enter or remain in the Isle of Man with a view to settlement as the adopted child of a parent or parents given limited leave to enter or remain the Isle of Man with a view to settlement**

314. The requirements to be met in the case of a child seeking limited leave to enter or remain in the Isle of Man with a view to settlement as the adopted child of a parent or parents given limited leave to enter or remain in the Isle of Man with a view to settlement are that he:

- (i) is seeking leave to enter to accompany or join or remain with a parent or parents in one of the following circumstances:
  - (a) one parent is present and settled in the Isle of Man or being admitted on the same occasion for settlement and the other parent is being given or has been given limited leave to enter or remain in the Isle of Man with a view to settlement; or
  - (b) one parent is being or has been given limited leave to enter or remain in the Isle of Man with a view to settlement and has had sole responsibility for the child's upbringing; or
  - (c) one parent is being or has been given limited leave to enter or remain in the Isle of Man with a view to settlement and there are serious and compelling family or other considerations which make exclusion of the child undesirable and suitable arrangements have been made for the child's care; or
  - (d) in the case of a de facto adoption one parent has a right of abode in the Isle of Man or indefinite leave to enter or remain in the Isle of Man and is seeking admission to the Isle of Man on the same occasion for the purpose of settlement and
- (ii) is under the age of 18; and
- (iii) is not leading an independent life, is unmarried and is not a civil partner and has not formed an independent family unit; and

(iv) can, and will, be accommodated and maintained adequately without recourse to public funds in accommodation which the adoptive parent or parents own or occupy exclusively; and

(v)(a) was adopted in accordance with a decision taken by the competent administrative authority or court in his country of origin or the country in which he is resident, being a country whose adoption orders are recognised by law of the Isle of Man; or

(b) is the subject of a de facto adoption; and

(vi) was adopted at a time when:

(a) both adoptive parents were resident together abroad; or

(b) either or both adoptive parents were settled in the Isle of Man; and

(vii) has the same rights and obligations as any other child of the adoptive parents or parents' family; and

(viii) was adopted due to the inability of the original parent(s) or current carer(s) to care for him and there has been a genuine transfer of parental responsibility to the adoptive parents; and

(ix) has lost or broken his ties with his family of origin; and

(x) was adopted, but the adoption is not one of convenience arranged to facilitate his admission to the Isle of Man; and

(xi) (where an application is made for limited leave to remain with a view to settlement) has limited leave to enter or remain in the Isle of Man; and

(xii) if seeking leave to enter, holds a valid Isle of Man entry clearance for entry in this capacity.

**Limited leave to enter or remain in the Isle of Man with a view to settlement as the adopted child of a parent or parents given limited leave to enter or remain the Isle of Man with a view to settlement**

315. A person seeking limited leave to enter the Isle of Man with a view to settlement as the adopted child of a parent or parents given limited leave to enter or remain in the Isle of Man with a view to settlement may be admitted for a period not exceeding 12 months provided he is able, on arrival, to produce to the Immigration Officer a valid Isle of Man entry clearance for entry in this capacity. A person seeking limited leave to remain in the Isle of Man with a view to settlement as the adopted child of a parent or parents granted limited leave to enter or remain in the Isle of Man with a view to settlement may be given limited leave to remain for a period not exceeding 12 months provided the Minister is satisfied that each of the requirements of paragraph 314 (i)-(xi) is met.

**Refusal of limited leave to enter or remain in the Isle of Man with a view to settlement as the adopted child of a parent or parents given limited leave to enter or remain in the Isle of Man with a view to settlement**

316. Limited leave to enter the Isle of Man with a view to settlement as the adopted child of a parent or parents given limited leave to enter or remain in the Isle of Man with a view to settlement is to be refused if a valid Isle of Man entry clearance for entry in this capacity is not produced to the Immigration Officer on arrival. Limited leave to remain in the Isle of Man with a view to settlement as the adopted child of a parent or parents given limited leave to enter or remain in the Isle of Man with a view to settlement is to be refused if the Minister is not satisfied that each of the requirements of paragraph 314 (i)-(xi) is met.

**Requirements for limited leave to enter the Isle of Man with a view to settlement as a child for adoption**

316A. The requirements to be satisfied in the case of a child seeking limited leave to enter the Isle of Man for the purpose of being adopted (which, for the avoidance of doubt, does not include a de facto adoption) in the Isle of Man are that he:

(i) is seeking limited leave to enter to accompany or join a person or persons who wish to adopt him in the Isle of Man (the "prospective parent(s)"), in one of the following circumstances:

(a) both prospective parents are present and settled in the Isle of Man; or

- (b) both prospective parents are being admitted for settlement on the same occasion that the child is seeking admission; or
  - (c) one prospective parent is present and settled in the Isle of Man and the other is being admitted for settlement on the same occasion that the child is seeking admission; or
  - (d) one prospective parent is present and settled in the Isle of Man and the other is being given limited leave to enter or remain in the Isle of Man with a view to settlement on the same occasion that the child is seeking admission, or has previously been given such leave; or
  - (e) one prospective parent is being admitted for settlement on the same occasion that the other is being granted limited leave to enter with a view to settlement, which is also on the same occasion that the child is seeking admission; or
  - (f) one prospective parent is present and settled in the Isle of Man or is being admitted for settlement on the same occasion that the child is seeking admission, and has had sole responsibility for the child's upbringing; or
  - (g) one prospective parent is present and settled in the Isle of Man or is being admitted for settlement on the same occasion that the child is seeking admission, and there are serious and compelling family or other considerations which would make the child's exclusion undesirable, and suitable arrangements have been made for the child's care; and
- (ii) is under the age of 18; and
  - (iii) is not leading an independent life is unmarried. and is not a civil partner. and has not formed an independent family unit; and
  - (iv) can, and will, be maintained and accommodated adequately without recourse to public funds in accommodation which the prospective parent or parents own or occupy exclusively; and
  - (v) will have the same rights and obligations as any other child of the marriage or civil partnership; and
  - (vi) is being adopted due to the inability of the original parent(s) or current carer(s) (or those looking after him immediately prior to him being physically transferred to his prospective parent or parents) to care for him, and there has been a genuine transfer of parental responsibility to the prospective parent or parents; and
  - (vii) has lost or broken or intends to lose or break his ties with his family of origin; and
  - (viii) will be adopted in the Isle of Man by his prospective parent or parents in accordance with the law relating to adoption in the Isle of Man, but the proposed adoption is not one of convenience arranged to facilitate his admission to the Isle of Man.

#### **Limited leave to enter the Isle of Man with a view to settlement as a child for adoption**

316B. A person seeking limited leave to enter the Isle of Man with a view to settlement as a child for adoption may be admitted for a period not exceeding 2 years provided he is able, on arrival, to produce to the Immigration Officer a valid Isle of Man entry clearance for entry in this capacity.

#### **Refusal of limited leave to enter the Isle of Man with a view to settlement as a child for adoption**

316C. Limited leave to enter the Isle of Man with a view to settlement as a child for adoption is to be refused if a valid Isle of Man entry clearance for entry in this capacity is not produced to the Immigration Officer on arrival.

#### **Requirements for limited leave to enter the Isle of Man with a view to settlement as a child for adoption under the Hague Convention**

316D. The requirements to be satisfied in the case of a child seeking limited leave to enter the Isle of Man for the purpose of being adopted in the Isle of Man under the Hague Convention are that he:



- (i) is seeking limited leave to enter to accompany one or two people each of whom are habitually resident in the Isle of Man and who wish to adopt him under the Hague Convention ("the prospective parents");
- (ii) is the subject of an agreement made under Article 17(c) of the Hague Convention; and
- (iii) has been entrusted to the prospective parents by the competent administrative authority of the county from which he is coming to the Isle of Man for adoption under the Hague Convention; and
- (iv) is under the age of 18; and
- (v) can, and will, be maintained and accommodated adequately without recourse to public funds in accommodation which the prospective parent or parents own or occupy exclusively; and
- (vi) holds a valid Isle of Man entry clearance for entry in this capacity.

### **Limited leave to enter the Isle of Man with a view to settlement as a child for adoption under the Hague Convention**

316E. A person seeking limited leave to enter the Isle of Man with a view to settlement as a child for adoption under the Hague Convention may be admitted for a period not exceeding 2 years provided he is able, on arrival, to produce to the Immigration Officer a valid Isle of Man entry clearance for entry in this capacity.

### **Refusal of limited leave to enter the Isle of Man with a view to settlement as a child for adoption under the Hague Convention**

316F. Limited leave to enter the Isle of Man with a view to settlement as a child for adoption under the Hague Convention is to be refused if a valid Isle of Man entry clearance for entry in this capacity is not produced to the Immigration Officer on arrival.

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### **Parent, grandparent or other dependent relative of a person present and settled in the Isle of Man**

#### **Requirements for indefinite leave to enter or remain in the Isle of Man as the parent, grandparent or other dependent relative of a person present and settled in the Isle of Man**

317. The requirements to be met by a person seeking indefinite leave to enter or remain in the Isle of Man as the parent, grandparent or other dependent relative of a person present and settled in the Isle of Man are that the person:

- (i) is related to a person present and settled in the Isle of Man in one of the following ways:
  - (a) parent or grandparent who is divorced, widowed, single or separated aged 65 years or over; or
  - (b) parents or grandparents travelling together of whom at least one is aged 65 or over; or
  - (c) 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 United Kingdom 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, or
  - (d) a parent or grandparent under the age of 65 if living alone outside the Isle of Man in the most exceptional compassionate circumstances; or
  - (e) parents or grandparents travelling together who are both under the age of 65 if living in the most exceptional compassionate circumstances; or
  - (f) the son, daughter, sister, brother, uncle or aunt over the age of 18 if living alone outside the Isle of Man in the most exceptional compassionate circumstances; and
- (ii) is joining or accompanying a person who is present and settled in the Isle of Man or who is on the same occasion being admitted for settlement; and

- (iii) is financially wholly or mainly dependent on the relative present and settled in the Isle of Man; and
- (iv) can, and will, be accommodated adequately, together with any dependants, without recourse to public funds in accommodation which the sponsor owns or occupies exclusively; and
- (iva) can, and will be maintained adequately, together with any dependants, without recourse to public funds; and
- (v) has no other close relatives in his own country to whom he could turn for financial support; and
- (vi) if seeking leave to enter, holds a valid Isle of Man entry clearance for entry in this capacity; and
- (vii) does not fall for refusal under the general grounds for refusal.

### **Indefinite leave to enter or remain as the parent, grandparent or other dependent relative of a person present and settled in the Isle of Man**

318. Indefinite leave to enter the Isle of Man as the parent, grandparent or other dependent relative of a person present and settled in the Isle of Man may be granted provided a valid Isle of Man entry clearance for entry in this capacity is produced to the Immigration Officer on arrival. Indefinite leave to remain in the Isle of Man as the parent, grandparent or other dependent relative of a person present and settled in the Isle of Man may be granted provided the Minister is satisfied that each of the requirements of paragraph 317 (i)-(v) is met.

### **Refusal of indefinite leave to enter or remain in the Isle of Man as the parent, grandparent or other dependent relative of a person present and settled in the Isle of Man**

319. Indefinite leave to enter the Isle of Man as the parent, grandparent or other dependent relative of a person settled in the Isle of Man is to be refused if a valid Isle of Man entry clearance for entry in this capacity is not produced to the Immigration Officer on arrival. Indefinite leave to remain in the Isle of Man as the parent, grandparent or other dependent relative of a person present and settled in the Isle of Man is to be refused if the Minister is not satisfied that each of the requirements of paragraph 317 (i)-(v) is met.

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## **Family members of Relevant Points Based System Migrants, Relevant Worker Migrants and Business Migrants**

### **Partners of Relevant Points Based System Migrants, Relevant Worker Migrants and Business Migrants**

319AA. In paragraphs A277A to 319K, Appendix C and Appendix E:

- (a) **"Relevant Points Based System Migrant"** means a migrant granted leave as a Tier 1 Migrant, a Tier 4 (General) Student, or a Tier 5 (Temporary Worker) Migrant with leave in one of the following subcategories:
  - (i) Tier 5 (Temporary Worker) Creative and Sporting
  - (ii) Tier 5 (Temporary Worker) Charity Worker
  - (iii) Tier 5 (Temporary Worker) Government Authorised Exchange
  - (iv) Tier 5 (Temporary Worker) International Agreement
  - (v) Tier 5 (Temporary Worker) Religious Worker.
- (b) **"Relevant Worker Migrant"** means a Worker Migrant or Worker (Intra Company Transfer) Migrant who has been granted or deemed to have been granted leave under Appendix W of these Rules.
- (c) **"Business Migrant"** means a migrant granted leave under Appendix X of these Rules.

### **Purpose**

319A. This route is for the spouse, civil partner, unmarried or same-sex partner of a Relevant Points-Based System Migrant, and of a Relevant Worker Migrant,. Paragraphs 277 to 280 apply to spouses or civil partners of a Relevant Points-Based System Migrant, and of a Relevant Worker Migrant; paragraph 277

applies to civil partners of a Relevant Points Based System Migrant, Business Migrant, and of a Relevant Worker Migrant;; and paragraph 295AA applies to unmarried and same-sex partners of a Relevant Points Based System Migrant, Business Migrant, or of a Relevant Worker Migrant.

### **Entry to the Isle of Man**

319B. All migrants arriving in the Isle of Man and wishing to enter as the partner of a Relevant Points Based System Migrant, Business Migrant, or of a Relevant Worker Migrant, must have a valid entry clearance for entry under this route. If they do not have a valid entry clearance, entry will be refused.

### **Requirements for entry clearance or leave to remain**

319C. To qualify for entry clearance or leave to remain as the partner of a Relevant Points Based System Migrant, Business Migrant, or of a Relevant Worker Migrant, an applicant must meet the requirements listed below. If the applicant meets these requirements, entry clearance or leave to remain will be granted. If the applicant does not meet these requirements, the application will be refused.

#### **Requirements:**

(a) The applicant must not fall for refusal under the general grounds for refusal, and if applying for leave to remain, must not be an illegal entrant.

(b) The applicant must be the spouse or civil partner, unmarried or same-sex partner of a person who:

(i) has valid leave to enter or remain as a Relevant Points-Based System Migrant, Business Migrant, or as a Relevant Worker Migrant, or

(ii) is, at the same time, being granted entry clearance or leave to remain as a Relevant Points Based System Migrant, Business Migrant or as a Relevant Worker Migrant, or

(iii) has indefinite leave to remain as a Relevant Points Based System Migrant, Business Migrant, or as a Relevant Worker Migrant, or is, at the same time being granted indefinite leave to remain as a Relevant Points Based System Migrant, Business Migrant, or as a Relevant Worker Migrant, where the applicant is applying for further leave to remain or has been refused indefinite leave to remain solely because the applicant has not met the requirements of paragraph 319E(g), and was last granted leave:

(1) as the partner of that same Relevant Points Based System Migrant, Business Migrant or that same Relevant Worker Migrant: or

(2) as the spouse or civil partner, unmarried or same-sex partner of that person at a time when that person had leave under another category of these Rules; or

(iv) has become a British Citizen where prior to that they held indefinite leave to Remain as a Relevant Points Based System Migrant, Business Migrant, or as a Relevant Worker Migrant, and where the applicant is applying for further leave to remain, or has been refused indefinite leave to remain solely because the applicant has not met the requirements of paragraph 319E(g), and was last granted leave:

(1) as the partner of that same Relevant Points Based System Migrant, Business Migrant or that same, Relevant Worker Migrant, or

(2) as the spouse or civil partner, unmarried or same-sex partner of that person at a time when that person had leave under another category of these Rules.

(c) An applicant who is the unmarried or same-sex partner of a Relevant Points Based System migrant, Business Migrant, or of a Relevant Worker Migrant (as the case requires) must also meet the following requirements—

(i) any previous marriage or similar relationship by the applicant or the Relevant Points-Based System Migrant, or the Relevant Worker Migrant, with another person must have permanently broken down,

(ii) the applicant and the Relevant Points-Based System Migrant, or the Relevant Worker Migrant, must not be so closely related that they would be prohibited from marrying each other in the Isle of Man, and

- (iii) the applicant and the relevant Points-Based System Migrant, or the Relevant Worker Migrant, must have been living together in a relationship similar to marriage or civil partnership for a period of at least 2 years.
- (d) The marriage or civil partnership, or relationship similar to marriage or civil partnership, must be subsisting at the time the application is made.
- (e) The applicant and the Relevant Points-Based System Migrant, or the Relevant Worker Migrant, must intend to live with the other as their spouse or civil partner, unmarried or same-sex partner throughout the applicant's stay in the Isle of Man.
- (f) The applicant must not intend to stay in the Isle of Man beyond any period of leave granted to the Relevant Points-Based System Migrant or the Relevant Worker Migrant.
- (g) Unless the Relevant Points-Based System Migrant is a Tier 1 (Investor) Migrant or a Tier 1 (Exceptional Talent) Migrant, there must be a sufficient level of funds available to the applicant, as set out in Appendix E.
- (h) An applicant who is applying for leave to remain must not have last been granted:
- (i) entry clearance of leave as a:
    - (a) visitor, including where they entered the Isle of Man from the Republic of Ireland to stay under the terms of articles 3A and 4 of the Immigration (Control of Entry through Republic Ireland) Order 2016 on the basis of a visa issued by the Republic of Ireland authorities endorsed with the letters "BIVS" for the purpose of travelling and staying in the Republic for a period of 90 days or fewer;
    - (b) Not Used
    - (c) parent of a Tier 4 (child) student

Unless the Relevant Points Based System Migrant has, or is being granted, leave to remain as a Tier 5 (Temporary Worker) Migrant in the creative and sporting subcategory on the basis of having met the requirement at paragraph 245XQ(b)(ii);
  - (ii) temporary admission; or
  - (iii) temporary release.
- (i) Where the relevant Points Based System Migrant is applying for, or has been granted, entry clearance, leave to enter, or leave to remain in the Isle of Man as a Tier 4 (General) Student either:
- (i) the relevant Points Based System Migrant must be a government sponsored student who is applying for, or who has been granted, entry clearance or leave to remain to undertake a course of study longer than six months;
  - (ii) the relevant Points Based System Migrant must:
    - (1) be applying for, or have been granted entry clearance or leave to remain in order to undertake a course of study at post-graduate level that is 12 months or longer in duration; and
    - (2) be sponsored by a sponsor who is a Recognised Body or a body in receipt of funding as a higher education institution from the Department for Education and Children.
  - (iii) the relevant Points Based System Migrant must be applying for, or have been granted leave to remain as a Tier 4(General) Student on the doctorate extension scheme; or
  - (iv) the following conditions must be met:
    - (1) the relevant Points Based System Migrant must be applying for entry clearance, leave to enter, or leave to remain, to undertake a course of study that is longer than six months and either:
      - (a) have entry clearance, leave to enter, or leave to remain as a Tier 4 (General) Student or as a student to undertake a course of study longer than six months; or

(b) have last had entry clearance, leave to enter, or leave to remain within the three months preceding the application as a Tier 4 (General) Student or as a student to undertake a course of study longer than six months; and

(2) Partner must either:

(a) have entry clearance, leave to enter, or leave to remain as the Partner of a Tier 4 (General) Student or a student with entry clearance, leave to enter, or leave to remain, to undertake a course of study longer than six months; or

(b) have last had entry clearance, leave to enter, or leave to remain within the three months preceding the application as the Partner of a Tier 4 (General) Student or as a student to undertake a course of study longer than six months; and

(3) the relevant Points Based System Migrant and the Partner must be applying at the same time.

(j) The applicant must not be in the Isle of Man or United Kingdom in breach of immigration laws except that any period of overstaying for a period of 28 days will be disregarded.

(k) Where the applicant is 18 years of age or older and seeking entry clearance as the partner of a person below, the applicant must provide either an original or scanned copy of a criminal record certificate from the relevant authority in any country in which they have been resident for 12 months (whether continuously or in total) or more in the past 10 years, while aged 18 or over. This requirement does not need to be met where the Minister is satisfied, by way of an explanation provided in or with the application, that it is not reasonably practicable for the applicant to obtain a certificate from the relevant authority.

(1) For the purposes of sub-paragraph (k), a specified person is a person who is seeking, or has been granted, entry clearance or leave to remain as a:

(a) Tier 1 (Entrepreneur) Migrant,

(b) Tier 1 (Investor) Migrant,

(c) Tier 2 (General) Migrant, or a Relevant Worker Migrant and the job or employment that the Certificate of Sponsorship or Confirmation of Employment records that they are being sponsored or employed to do is in one of the occupation codes listed below:

2211 - Medical practitioners

2212 – Psychologists

2213 - Pharmacists

2214 - Ophthalmic opticians

2215 - Dental practitioners

2217 - Medical radiographers

2218 - Podiatrists

2219 - Health professionals not elsewhere classified

2221 - Physiotherapists

2222 - Occupational therapists

2223 - Speech and language therapists

2229 - Therapy professionals not elsewhere classified

2231 - Nurses

2232 - Midwives

2311 – Higher Education teaching professionals

2312 - Further education teaching professionals

2314 - Secondary education teaching professionals

2315 - Primary and nursery education teaching professionals

2442 - Social workers

2449 - Welfare professionals not elsewhere classified

3213 – Paramedics

3218 – Medical and Dental Technicians

3219 – Health Associate Professionals

3563 – Vocational and industrial trainers and instructors

6141 – Nursing Auxiliaries and Assistants

(m) If the applicant has failed to provide a criminal record certificate or an explanation in accordance with sub-paragraph (k), the decision maker may contact the applicant or his representative in writing, and request the certificate(s) or an explanation. The requested certificate(s) or explanation must be received at the address specified in the request within 28 calendar days of the date of the request.

### **319D. Period and conditions of grant**

(a) (i) Entry clearance or limited leave to remain will be granted for a period which expires on the same day as the leave granted to the Relevant Points Based System Migrant, Business Migrant, or to the Relevant Worker Migrant, or

(ii) If the Relevant Points Based System Migrant, Business Migrant, or the Relevant Worker Migrant, has indefinite leave to remain as a Relevant Points Based System Migrant, Business Migrant, or a Relevant Worker Migrant, or is, at the same time being granted indefinite leave to remain as a Relevant Points Based System Migrant, Business Migrant or as a Relevant Worker Migrant, or where the Relevant Points Based System Migrant, Business Migrant or where the Relevant Worker Migrant has since become a British Citizen, leave to remain will be granted to the applicant for a period of three years.

(b) Entry clearance and leave to remain under this route will be subject to the following conditions:

(i) no recourse to public funds,

(ii) registration with the police, if this is required under paragraph 326, and

(iii) no Employment as a Doctor or Dentist in Training, unless the applicant:

(1) has obtained a primary degree in medicine or dentistry at bachelor's level or above from a UK institution that is a UK recognised or listed body, or which holds a sponsor licence under Tier 4 of the Points Based System, and provides evidence of this degree; or

(2) has, or has last been granted, entry clearance, leave to enter or leave to remain that was not subject to any condition restricting him from taking employment as a Doctor in Training, has been employed during that leave as a Doctor in Training, and provides a letter from the Postgraduate Deanery or NHS Trust employing them which confirms that they have been working in a post or programme that has been approved by the General Medical Council as a training programme or post; or

(3) has, or has last been granted, entry clearance, leave to enter or leave to remain that was not subject to any condition restricting him from taking employment as a Dentist in Training, has been employed during that leave as a Dentist in Training, and provides a letter from the Postgraduate Deanery or NHS Trust employing them which confirms that they have been working in a post or programme that has been approved by the Joint Committee for Postgraduate Training in Dentistry as a training programme or post.

(iv) if the Relevant Points Based System Migrant is a Tier 4 (General) Student and the partner meets the requirements of paragraphs 319C(i)(i) and:

(1) the Relevant Points Based System Migrant is a Tier 4 (General) Student applying for leave for less than 12 months, no employment, or

(2) the Relevant Points Based System Migrant is a Tier 4 (General) Student who is following a course of below degree level study, no employment.

(v) no employment as a professional sportsperson (including as a sports coach).

### **Requirements for indefinite leave to remain**

319E. To qualify for indefinite leave to remain as the partner of a Relevant Points Based System Migrant, Business Migrant or of a Relevant Worker Migrant, an applicant must meet the requirements listed below. If the applicant meets these requirements, indefinite leave to remain will be granted. If the applicant does not meet these requirements, the application will be refused.

#### **Requirements:**

(a) The applicant must not fall for refusal under the general grounds for refusal, and must not be an illegal entrant.

(b) The applicant must be the spouse or civil partner, unmarried or same-sex partner of a person who:

(i) has indefinite leave to remain as a Relevant Points Based System Migrant, Business Migrant, or as a Relevant Worker Migrant; or

(ii) is, at the same time being granted indefinite leave to remain as a Relevant Points Based System Migrant, Business Migrant, or as a Relevant Worker Migrant, or

(iii) has become a British Citizen where prior to that they held indefinite leave to remain as a Relevant Points Based System Migrant, Business Migrant, or as a Relevant Worker Migrant.

(c) The applicant must have, or have last been granted, leave as the partner of the Relevant Points Based System Migrant, Business Migrant, or of the Relevant Worker Migrant, who:

(i) has indefinite leave to remain as a Relevant Points Based System Migrant, Business Migrant, or as a Relevant Worker Migrant; or

(ii) is, at the same time being granted indefinite leave to remain as a Relevant Points Based System Migrant, Business Migrant, or as a Relevant Worker Migrant, or

(iii) has become a British Citizen where prior to that they held indefinite leave to remain as a Relevant Points Based System Migrant, Business Migrant, or as a Relevant Worker Migrant.

(d) The applicant and the Relevant Points Based System Migrant, Business Migrant, or the Relevant Worker Migrant, must have been living together in the Isle of Man in a marriage or civil partnership, or in a relationship similar to marriage or civil partnership, for at least the period specified in (i) or (ii):

(i) If the applicant was granted leave as:

(a) the Partner of that Relevant Points Based System Migrant, or

(b) the spouse or civil partner, unmarried or same-sex partner of that person at a time when that person had leave under another category of these Rules

under the Rules in place before 19 November 2012, and since then has had continuous leave as the Partner of that Relevant Points based System Migrant, the specified period is 2 years

(ii) If (i) does not apply, the specified period is a continuous period of 5 years, during which the applicant must:

(a) have been in a relationship with the same Relevant Points Based System Migrant, Business Migrant, or with the same Relevant Worker Migrant, for this entire period,

(b) have spent the most recent part of the 5 year period with leave as the Partner of that Relevant Points Based System Migrant, Business Migrant, or of that Relevant Worker Migrant, and during that part of the period have met all of the requirements of paragraph 319C(a) to (e), and

(c) have spent the remainder of the 5 year period, where applicable, with leave as the spouse or civil partner, unmarried or same-sex partner of that person at a time when that person had leave under another category of these Rules.

(d) not have been absent from the UK and Islands for more than 180 days during any 12 month period in the continuous period, except that—

(1) any absence from the UK and Islands for the purpose of assisting with a national or international humanitarian or environmental crisis overseas shall not count towards the 180 days, if the applicant provides evidence that this was the purpose of the absence, and

(2) any absence from the UK and Islands during periods of leave granted under the Rules in place before 29 October 2019 shall not count towards the 180 days.

(iii) Any time spent lawfully in the United Kingdom, the Bailiwick of Guernsey or the Bailiwick of Jersey shall be deemed to be time spent in the Isle of Man.

(e) The marriage or civil partnership, or relationship similar to marriage or civil partnership, must be subsisting at the time the application is made.

(f) The applicant and the Relevant Points Based System Migrant, Business Migrant, or the Relevant Worker Migrant, must intend to live permanently with the other as their spouse or civil partner, unmarried or same-sex partner.

(g) The applicant has demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom and Islands, in accordance with Appendix KoLL.

(h) The applicant does not have one or more unspent convictions, and

(i) The applicant must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days will be disregarded.

### **Children of Relevant Points Based System Migrants or of Relevant Worker Migrants**

#### **Purpose**

319F. This route is for the children of Relevant Points Based System Migrants, Business Migrants, or of Relevant Worker Migrants, where the children are under the age of 18 when they apply for leave to enter under this route. Paragraph 296 applies to children of Tier 1 Migrants.

#### **Entry to the Isle of Man**

319G. All migrants arriving in the Isle of Man and wishing to enter as the child of a Relevant Points Based System Migrant, Business Migrant, or of a Relevant Worker Migrant, must have a valid entry clearance for entry under this route. If they do not have a valid entry clearance, entry will be refused.

#### **Requirements for entry clearance or leave to remain**

319H. To qualify for entry clearance or leave to remain under this route, an applicant must meet the requirements listed below. If the applicant meets these requirements, entry clearance or leave to remain will be granted. If the applicant does not meet these requirements, the application will be refused, and, if he is over the age of 16 on the date the application is made, he must provide the specified documents and information in paragraph 319H-SD to show that this requirement is met.

#### **Requirements:**

(a) The applicant must not fall for refusal under the general grounds for refusal, and if applying for leave to remain, must not be an illegal entrant.

(b) The applicant must be the child of a parent who has, or is at the same time being granted, valid entry clearance, leave to enter or remain, or indefinite leave to remain, as:

(i) a Relevant Points Based System Migrant, Business Migrant, or a Relevant Worker Migrant, or

(ii) the partner of a Relevant Points Based System Migrant, Business Migrant, or of a Relevant Worker Migrant, or who has obtained British citizenship having previously held indefinite leave to remain as above.



(c) The applicant must be under the age of 18 on the date the application is made, or if over 18 and applying for leave to remain, must have, or have last been granted, leave as the child of a Relevant Points Based System Migrant, Business Migrant, or of a Relevant Worker Migrant.

(d) The applicant must not be married or in a civil partnership, must not have formed an independent family unit, and must not be leading an independent life.

(e) The applicant must not intend to stay in the Isle of Man beyond any period of leave granted to the Relevant Points Based System Migrant parent, Business Migrant parent, or the Relevant Worker Migrant parent.

(f) Both of the applicant's parents must either be lawfully present in the Isle of Man, or being granted entry clearance or leave to remain at the same time as the applicant, or one parent must be lawfully present in the Isle of Man and the other is being granted entry clearance or leave to remain at the same time as the applicant, unless:

(i) the Relevant Points Based System Migrant, Business Migrant, or the Relevant Worker Migrant, is the applicant's sole surviving parent,

(ii) the Relevant Points Based System Migrant parent, Business Migrant parent, or the Relevant Worker Migrant parent has and has had sole responsibility for the applicant's upbringing, or

(iii) there are serious and compelling family or other considerations which would make it desirable not to refuse the application and suitable arrangements have been made in the Isle of Man for the applicant's care.

(g) Unless the Relevant Points Based System Migrant is a Tier 1 (Investor) Migrant or a Tier 1 (Exceptional Talent) Migrant, there must be a sufficient level of funds available to the applicant, as set out in Appendix E.

(h) An applicant who is applying for leave to remain must not have last been granted:

(i) entry clearance or leave as a:

(a) visitor, including where they entered the Isle of Man from the Republic of Ireland to stay under the terms of articles 3A and 4 of the Immigration (Control of Entry through Republic Ireland) Order 2016 on the basis of a visa issued by the Republic of Ireland authorities endorsed with the letters "BIVS" for the purpose of travelling and staying in the Republic for a period of 90 days or fewer; or

(b) Not Used

unless the Relevant Points Based System Migrant has, or is being granted, leave to remain as a Tier 5 (Temporary Worker) Migrant in the creative and sporting subcategory on the basis of having met the requirement at paragraph 245ZQ(b)(ii);

(ii) temporary admission; or

(iii) temporary release.

(i) Where the relevant Points Based System Migrant is applying for, or has been granted, entry clearance, leave to enter, or leave to remain in the Isle of Man as a Tier 4 (General) Student either:

(i) the relevant Points Based System Migrant must be a government sponsored student who is applying for, or who has been granted, entry clearance or leave to remain to undertake a course of study longer than six months;

(ii) the relevant Points Based System Migrant must:

(1) be applying for, or have been granted entry clearance or leave to remain in order to undertake a course of study at post-graduate level that is 12 months or longer in duration; and

(2) be sponsored by a sponsor who is a Isle of Man recognised body or a body in receipt of funding as a higher education institution from the Department of Education and Children.

(iii) the relevant Points Based System Migrant must be applying for, or have been granted leave to remain as a Tier 4 (General) Student on the doctorate extension scheme; or

(iv) the following conditions must be met:

(1) the relevant Points Based System Migrant must be applying for entry clearance, leave to enter, or leave to remain, to undertake a course of study that is longer than six months and either:

(a) have entry clearance, leave to enter, or leave to remain as a Tier 4 (General) Student or as a student to undertake a course of study longer than six months; or

(b) have last had entry clearance, leave to enter, or leave to remain within the three months preceding the application as a Tier 4 (General) Student or as a student to undertake a course of study longer than six months; and

(2) the Child must either:

(a) have entry clearance, leave to enter, or leave to remain as the Child of a Tier 4 (General) Student or a student with entry clearance, leave to enter, or leave to remain, to undertake a course of study longer than six months; or

(b) have last had entry clearance, leave to enter, or leave to remain within the three months preceding the application as the Child of a Tier 4 (General) Student or as a student to undertake a course of study longer than six months; and

(3) the relevant Points Based System Migrant and the Child must be applying at the same time.

(j) A child whose parent is a Relevant Points Based System Migrant, who is a Tier 4 (General) Student or student, and who does not otherwise meet the requirements of paragraph 319H(i):

(1) must have been born during the relevant Points Based System Migrant's most recent grant of entry clearance, leave to enter or leave to remain as a Tier 4 (General) Student or student with leave for a course of more than six months duration; or

(2) where the Relevant Points Based System Migrant's most recent grant of entry clearance, leave to enter or leave to remain was to re-sit examinations or repeat a module of a course, must either have been born during a period of leave granted for the purposes of re-sitting examinations or repeating a module of a course or during the Relevant Points Based System Migrant's grant of leave for a course of more than six months, where that course is the same as the one for which the most recent grant of leave was to re-sit examinations or repeat a module; or

(3) must have been born no more than three months after the expiry of that most recent grant of leave; and

(4) must be applying for entry clearance.

(k) If the applicant is a child born in the Isle of Man to a Relevant Points Based System Migrant, Business Migrant, or to a Relevant Worker Migrant, and their partner, the applicant must provide a full Isle of Man birth certificate showing the names of both parents.

(l) All arrangements for the child's care and accommodation in the Isle of Man must comply with relevant Isle of Man legislation and regulations.

(m) The applicant must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days will be disregarded.

### **319H-SD Specified documents and information**

Applicants who are over the age of 16 on the date the application is made must provide the following specified documents and information:

(a) The applicant must provide two items from the list below confirming his residential address:

(i) bank statements,

(ii) credit card bills,

- (iii) driving licence,
  - (iv) NHS Registration document,
  - (v) letter from his current school, college or university, on official headed paper and bearing the official stamp of that organisation, and issued by an authorised official of that organisation.
- (b) The documents submitted must be from two separate sources and dated no more than one calendar month before the date of the application.
- (c) If the applicant pays rent or board, he must provide details of how much this amounts to each calendar month.
- (d) If the applicant is residing separately from the Relevant Points Based System Migrant, Business Migrant, or from the Relevant Worker Migrant, he must provide:
- (i) reasons for residing away from the family home. Where this is due to academic endeavours he must provide confirmation from his university or college confirming his enrolment and attendance on the specific course, on official headed paper and bearing the official stamp of that organisation, and issued by an authorised official of that organisation,
  - (ii) the following evidence that he has been supported financially by his parents whilst residing away from the family home:
    - (1) bank statements for the applicant covering the three months before the date of the application clearly showing the origin of the deposits; and
    - (2) bank statements for the applicant's parent covering the three months before the date of the application also showing corroborating payments out of their account.

### **319I. Period and conditions of grant**

- (a) Entry clearance and leave to remain will be granted for:
- (i) a period which expires on the same day as the leave granted to the parent whose leave expires first, or
  - (ii) where both parents have, or are at the same time being granted, indefinite leave to remain, or have since become British citizens, leave to remain will be granted to the applicant for a period of 3 years.
- (b) Entry clearance and leave to remain under this route will be subject to the following conditions—
- (i) no recourse to public funds, and
  - (ii) registration with the police, if this is required under paragraph 326 of these Rules,
  - (iii) if the Relevant Points Based System Migrant is a Tier 4 (General) Student and the child meets the requirements of paragraphs 319H(i)(i) or 319H(j) and:
    - (1) the Relevant Points Based System Migrant is a Tier 4 (General) Student applying for leave for less than 12 months, no employment, or
    - (2) the Relevant Points Based System Migrant is a Tier 4 (General) Student who is following a course of below degree level study, no employment, and
  - (iv) no employment as a professional sportsperson (including as a sports coach).

### **Requirements for indefinite leave to remain**

319J. To qualify for indefinite leave to remain under this route, an applicant must meet the requirements listed below. If the applicant meets these requirements, indefinite leave to remain will be granted. If the applicant does not meet these requirements, the application will be refused, unless the applicant qualifies for leave to remain by virtue of paragraphs 33E and 33F.

### **Requirements:**

- (a) The applicant must not fall for refusal under the general grounds for refusal, and must not be an illegal entrant.
- (b) The applicant must be the child of a parent who has, or is at the same time being granted, indefinite leave to remain as:
- (i) a Relevant Points Based System Migrant, Business Migrant, or a Relevant Worker Migrant, or
  - (ii) the partner of a Relevant Points Based System Migrant, Business Migrant or the partner of a Relevant Worker Migrant.
- (c) The applicant must have, or have last been granted, leave as the child of or have been born in the Isle of Man to the Relevant Points-Based System Migrant, or to the Relevant Worker Migrant, or the partner of a Points Based System Migrant, or Relevant Worker Migrant, who is being granted indefinite leave to remain.
- (d) The applicant must not be married or in a civil partnership, must not have formed an independent family unit, and must not be leading an independent life, and, if he is over the age of 16 on the date the application is made, he must provide the specified documents and information in paragraph 319H-SD to show that this requirement is met.
- (e) Both of an applicant's parents must either be lawfully present in the Isle of Man, or being granted entry clearance, limited leave to remain, or indefinite leave to remain at the same time as the applicant, unless—
- (i) The Relevant Points Based System Migrant, Business Migrant or Relevant Worker Migrant is the applicant's sole surviving parent,
  - (ii) The relevant Relevant Points Based System Migrant parent, Business Migrant parent, or to the Relevant Worker Migrant parent has and has had sole responsibility for the applicant's upbringing, or
  - (iii) there are serious and compelling family or other considerations which would make it desirable not to refuse the application and suitable arrangements have been made for the applicant's care.
- (f) The applicant has demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom and Islands, in accordance with Appendix KoLL, unless he is under the age of 18 at the date on which the application is made.
- (g) If the applicant is a child born in the Isle of Man to a Relevant Points Based System migrant, Business Migrant, or to a Relevant Worker Migrant, and their partner, the applicant must provide a full Isle of Man birth certificate showing the names of both parents.
- (h) All arrangements for the child's care and accommodation in the Isle of Man must comply with relevant Isle of Man legislation and regulations.
- (i) The applicant must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days will be disregarded.

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## **PART 9: Grounds for Refusal**

*Suitability requirements apply to all routes and must be met in addition to validity and eligibility requirements.*

*Where this Part applies a person will not meet the suitability requirements if they fall for refusal under this Part.*

*A person may also have their entry clearance or permission cancelled on suitability grounds.*

*More than one grounds for refusal or cancellation may apply, for example, the presence of a foreign criminal in the Isle of Man may not be conducive to the public good.*

*The Immigration Act 1971, section 76 of the Nationality, Immigration and Asylum Act 2002 (revocation of indefinite leave), the Immigration (Leave to Enter and Remain) Order 2019 and Schedule 2 to the Immigration Act 1971 set out the powers to cancel entry clearance or permission. These rules set out how those powers are to be exercised.*

*Decisions on suitability are either mandatory (must) or discretionary (may) and must be compatible with the Isle of Man's obligations under the Human Rights Act 2001 (of Tynwald), which are mainly provided for under other provisions in these Rules.*

*Some routes have their own, or additional, suitability requirements.*

*This Part is in 5 sections—*

- 1. application of this Part;*
- 2. grounds for refusal or cancellation of, entry clearance, or cancellation of entry clearance or permission, on arrival in the Isle of Man;*
- 3. additional grounds for refusal of entry, or cancellation of entry clearance or permission, on arrival in the Isle of Man;*
- 4. additional grounds for refusal, or cancellation, of permission to stay;*
- 5. additional grounds for cancellation of entry clearance, permission to enter and permission to stay which apply to specified routes.*

### **Section 1: Application of this Part**

9.1.1. Part 9 does not apply to the following—

- (a) Appendix FM, except 9.2.2., 9.3.2., 9.4.5., 9.8.2., 9.12.1, 9.12.2., 9.12.3., 9.13.2., 9.17.2., 9.18.1., 9.21.1. and 9.22.1. apply, and paragraph 9.6.3. applies to permission to stay; and paragraph 9.7.2.(a) and (c) applies where the application is for entry clearance;
- (b) an application on grounds of private life under paragraphs 267ADE to 276DH, except paragraph 9.10.1.;
- (c) Appendix EU;
- (d) Appendix EU (Family Permit); and
- (e) paragraph 159I(IOM), except paragraphs 9.2.1(c), 9.2.2., 9.3.1., 9.3.2., 9.4.1.(b), 9.4.1.(c), 9.4.2., 9.4.5., 9.6.1., 9.6.2., 9.6.3., 9.8.1., 9.8.2., 9.13.2., 9.18.1., 9.21.1., 9.22.1.;
- (f) applications for entry clearance or permission to stay granted by virtue of the ECAA Association Agreement with Turkey (ECAA), except that in relation to any permission granted under the agreement paragraphs 9.2.2. 9.3.2., 9.4.2., 9.4.5., 9.5.2., 9.6.3., and 9.19.2. apply where the criminal offence or adverse conduct occurred after 23:00 on 31 December 2020; and
- (g) applications for permission to stay under Appendix ECAA Extension of Stay, except paragraphs 9.2.1., 9.3.1., 9.4.1., 9.4.3., 9.5.1., 9.6.1., 9.6.2., 9.9.1., and 9.19.1., and in

relation to such permission paragraphs 9.2.2., 9.3.2., 9.4.2., 9.4.5., 9.5.2., 9.6.3. and 9.19.2. apply where the criminal or adverse conduct occurred after 23:00 on 31 December 2020.

## **Section 2: Grounds for refusal or cancellation, of entry clearance, permission to enter and permission to stay**

- 9.2.1. An application for entry clearance, permission to enter or permission to stay must be refused where—
- (a) the Minister has personally directed that the applicant be excluded from the Isle of Man;
  - (b) the application is the subject of an exclusion order; or
  - (c) the applicant is the subject of a deportation order, or a decision to make a deportation order.
- 9.2.2. Entry clearance or permission held by a person must be cancelled where the Minister has personally directed that the person be excluded from the Isle of Man.

### **Non-conductive grounds**

- 9.3.1. An application for entry clearance, permission to enter or permission to stay must be refused where the applicant's presence in the Isle of Man is not conducive to the public good because of their conduct, character, associations or other reasons (including convictions which do not fall within the criminality grounds).
- 9.3.2. Entry clearance or permission held by a person must be cancelled where the person's presence in the Isle of Man is not conducive to the public good.

### **Criminality grounds**

- 9.4.1. An application for entry clearance, permission to enter or permission to stay must be refused where the applicant—
- (a) has been convicted of a criminal offence in the Isle of Man, UK or the Channel Islands or overseas for which they have received a custodial sentence of 12 months or more;
  - (b) is a persistent offender who shows a particular disregard for the law; or
  - (c) has committed a criminal offence, or offences, which caused serious harm.
- 9.4.2. Entry clearance or permission held by a person must be cancelled where the person—
- (a) has been convicted of a criminal offence in the Isle of Man, UK, Channel Islands or overseas for which they have received a custodial sentence of 12 months or more;
  - (b) is a persistent offender who shows a particular disregard for the law; or
  - (c) has committed a criminal offence, or offences, which caused serious harm.
- 9.4.3. An application for entry clearance, permission to enter or permission to stay may be refused (where paragraph 9.4.2. and 9.4.4. do not apply) where the applicant—
- (a) has been convicted of a criminal offence in the Isle of Man, UK, Channel Islands or overseas for which they have received a custodial sentence of less than 12 months; or
  - (b) has been convicted of a criminal offence in the Isle of Man, UK, Channel Islands or overseas for which they have received a non-custodial sentence, or received an out-of-court disposal that is recorded on their criminal record.

- 9.4.4. An application for entry clearance or permission to enter under Appendix V: Visitor, or where a person is seeking entry on arrival in the Isle of Man for a stay of less than 6 months, must be refused where the applicant—
- (a) has been convicted of a criminal offence in the Isle of Man, UK, Channel Islands or overseas for which they have received a custodial sentence of less than 12 months unless, more than 12 months have passed since the end of the custodial sentence; or
  - (b) has been convicted of a criminal offence in the Isle of Man, UK, Channel Islands or overseas for which they have received a non-custodial sentence, or received an out-of-court disposal that is recorded on their criminal record, unless more than 12 months have passed since the date of conviction.
- 9.4.5. Entry clearance or permission held by a person may be cancelled (where paragraph 9.4.2. does not apply) where the person—
- (a) has been convicted of a criminal offence in the Isle of Man, UK, Channel Islands or overseas for which they have received a custodial sentence of less than 12 months; or
  - (b) has been convicted of a criminal offence in the Isle of Man, UK, Channel Islands or overseas for which they have received a non-custodial sentence, or received an out-of-court disposal that is recorded on their criminal record.

### **Involvement in a sham marriage or civil partnership**

- 9.5.1. An application for entry clearance, permission to enter or permission to stay may be refused where the decision maker is satisfied that it is more likely than not that the applicant is, or has been, involved in a sham marriage or sham civil partnership.
- 9.5.2. Entry clearance or permission held by a person may be cancelled where the decision maker is satisfied that it is more likely than not the person is, or has been, involved in a sham marriage or sham civil partnership

### **False representations, etc. grounds**

- 9.6.1. An application for entry clearance, permission to enter or permission to stay may be refused where, in relation to the application, or in order to obtain documents from the Minister or a third party provided in support of the application—
- (a) false representations are made, or false documents or false information submitted (whether or not relevant to the application, and whether or not to the applicant's knowledge); or
  - (b) relevant facts are not disclosed.
- 9.6.2. An application for entry clearance, permission to enter or permission to stay must be refused where the decision maker can prove that it is more likely than not the applicant used deception in the application.
- 9.6.3. Entry clearance or permission held by a person may be cancelled where, in relation to an application, or in order to obtain documents from the Minister or a third party provided in support of the application—
- (a) false representations were made, or false documents or false information submitted (whether or not relevant to the application, and whether or not to the applicant's knowledge); or
  - (b) relevant facts were not disclosed.

### **Previous breach of Isle of Man immigration laws**

- 9.7.1. An application for entry clearance or permission to enter must be refused if—

- (a) the applicant has previously breached Isle of Man immigration laws; and
- (b) the application is for entry clearance or permission to enter and it was made within the relevant time period in 9.7.7.
- 9.7.2. An application for entry clearance or permission to enter may be refused where—
- (a) the applicant has previously breached Isle of Man immigration laws;
- (b) the application was made outside the relevant time period in 9.7.7.; and
- (c) the applicant has previously contrived in a significant way to frustrate the intention of the rules, or there are other aggravating circumstances (in addition to the immigration breach), such as a failure to cooperate with the re-documentation process, such as using a false identity, or a failure to comply with enforcement processes, such as failing to report, or absconding.
- 9.7.3. An application for permission to stay may be refused where a person has previously failed to comply with the conditions of their permission, unless permission has been granted in the knowledge of the previous breach.
- 9.7.3A. An application for permission to stay may be refused where a person used deception in relation to a previous application (whether or not successful).
- 9.7.4. In paragraphs 9.7.1. and 9.7.2., a person will only be treated as having previously breached the Isle of Man’s immigration laws if, when they were aged 18 or over, they—
- (a) overstayed their permission and neither paragraph 9.7.5. nor paragraph 9.7.6. apply;
- (b) breached a condition attached to their permission and entry clearance or further permission was subsequently granted in the knowledge of the breach;
- (c) were (or still are) an illegal entrant; or
- (d) used deception in relation to an application (whether or not successfully).
- 9.7.5. A period of overstaying will be disregarded for the purpose of 9.7.4.(a) where the person left the Isle of Man voluntarily, not at the expense (directly or indirectly) of the Minister, and—
- (a) the person overstayed for 90 days or less, where the overstaying began before 08 June 2017;
- (b) the person overstayed for 30 days or less, where the overstaying began on or after 08 June 2017; or
- (c) paragraph 39E applied to the period of overstaying.
- 9.7.6. A period of overstaying will be disregarded for the purpose of 9.7.4.(a) where the overstaying arose from a decision to refuse an application, or cancellation of permission, which was subsequently withdrawn, or quashed, or reconsidered by direction of an adjudicator, unless the legal challenge which led to the reconsideration was brought more than 3 months after the date of the decision to refuse or cancel.
- 9.7.7. The relevant time period under paragraphs 9.7.1. and 9.7.2. is as set out in the following table (and where the person previously breached more than one Isle of Man immigration laws, only the breach which leads to the longest period of absence from the Isle of Man will be taken into account)—

<b>Time from date the person left the Isle of Man (or date of refusal of the entry clearance under</b>	<b>This applies where the applicant</b>	<b>And the applicant left the Isle of Man</b>	<b>And the applicant left the Isle of Man</b>



<b>row (f))</b>			
(a) 12 months	Left voluntarily	At their own expense	N/A
(b) 2 years	Left voluntarily	At public expense	Within 6 months of being given notice of liability for removal or when they no longer had a pending appeal, whichever is later
(c) 5 years	Left voluntarily	At public expense	More than 6 months after being given notice of liability for removal or when they no longer had a pending appeal, whichever is later
(e) 10 years	Was deported or removed from the Isle of Man	At public expense	N/A
(f) 10 years	Used deception in an application for entry clearance (including a visit visa)	N/A	N/A

9.7.8. Permission (including permission extended under section 3C or 3D of the Immigration Act 1971) may be cancelled where the person has failed to comply with the conditions of their permission or used deception in relation to an application for permission.

### **Failure to provide required information, etc. grounds**

9.8.1. An application for entry clearance, permission to enter or permission to stay may be refused where a person fails without reasonable excuse to comply with a reasonable requirement to—

- (a) attend an interview;
- (b) provide information;
- (c) provide biometric information (whether or not requested as part of an application);
- (d) undergo a medical examination; or
- (e) provide a medical report.

9.8.2. Any entry clearance or permission held by a person may be cancelled where the person fails without reasonable excuse to comply with a reasonable requirement to—

- (a) attend an interview;
- (b) provide information;
- (c) provide biometric information;

- (d) undergo a medical examination; or
- (e) provide a medical report.

### **Admissibility to the Common Travel Area or other countries**

- 9.9.1. An application for entry clearance or permission to enter must be refused where a person is seeking entry to the Isle of Man with the intention of entering another part of the Common Travel Area and fails to satisfy the decision maker that they are acceptable to the immigration authorities there.
- 9.9.2. An application for entry clearance, permission to enter or permission to stay may be refused where a person seeking entry fails to satisfy the decision maker that they will be admitted to another country after a stay in the Isle of Man.

### **Debt to the NHS grounds**

- 9.10.1. An application for entry clearance, permission to enter or permission to stay may be refused where an Isle of Man NHS body has notified the Minister that the applicant has failed to pay charges under Isle of Man NHS legislation on charges to overseas visitors and the outstanding charges have a total value of at least £500.

### **Purpose not covered by the Immigration Rules**

- 9.11.1. An application for entry clearance, permission to enter or permission to stay may be refused where a person is seeking to come to or stay in the Isle of Man for a purpose not covered by these Rules.

## **Section 3: Additional grounds for refusal of entry on arrival in the Isle of Man**

### **No entry clearance grounds**

- 9.12.1. Permission to enter must be refused if the person seeking entry is required under these Rules to hold on arrival entry clearance for the purpose for which entry is sought, or the person is a visa national, and the person does not hold the required entry clearance.

### **Failure to produce recognised passport or travel document grounds**

- 9.13.1. Permission to enter must be refused if the person seeking entry fails to produce a passport or other travel document that satisfies the decision maker as to their identity and nationality, unless the person holds a travel document issued by the national authority of a state of which the person is not a national and the person's statelessness or other status prevents the person from obtaining a document satisfactorily establishing their identity and nationality.
- 9.13.2. Permission to enter may be refused if the person seeking entry produces a passport or other travel document which—
- (a) was issued by a territorial entity or authority which is not recognised by Her Majesty's Government as a state, or is not dealt with as a government by them;
  - (b) was issued by a territorial entity or authority which does not accept valid British passports for the purpose of its own immigration controls; or
  - (c) does not comply with international passport practice.
- 9.13.3. Entry clearance or permission held by a person may be cancelled where on arrival a person fails to produce a passport or other travel document that meets the requirements in paragraph 9.13.1. or 9.13.2.

**Medical grounds**

- 9.14.1. Permission to enter must be refused where a medical inspector advises that for medical reasons it is undesirable to grant entry to the person, unless the decision maker is satisfied that there are strong compassionate reasons justifying admission.
- 9.14.2. Entry clearance or permission held by a person may be cancelled where a medical inspector advises that for medical reasons it is undesirable to grant entry to the person.

**Consent for a child to travel grounds**

- 9.15.1. A child may be refused permission to enter if they are not travelling with their parent or legal guardian and, if required to do so, the child's parent or legal guardian fails to provide the decision maker with written consent to the child seeking entry to the Isle of Man.

**Returning residents grounds**

- 9.16.1. A person seeking entry as a returning resident under paragraph 18 of these Rules may be refused permission to enter if they fail to satisfy the decision maker that they meet the requirements of that paragraph, or that they are seeking entry for the same purpose as that for which their previous permission was granted.

**Customs breaches grounds**

- 9.17.1. Permission to enter may be refused where the decision maker is satisfied that a person has committed a customs breach, whether or not a criminal prosecution is pursued.
- 9.17.2. Where the decision maker is satisfied that a person has committed a customs breach, whether or not a criminal prosecution is pursued, any entry clearance or permission held by the person may be cancelled.

**Change of circumstances or purpose grounds**

- 9.18.1. Entry clearance or permission held by a person may be cancelled where there has been such a change in circumstances since the entry clearance or permission was granted that it should be cancelled.
- 9.18.2. Entry clearance or permission to enter held by a person on arrival in the Isle of Man may be cancelled where the person's purpose in seeking entry is different from the purpose specified in their entry clearance.

**Section 4: additional grounds for refusal of permission to stay****Rough sleeping in the Isle of Man**

- 9.19.1. Permission to stay may be refused where the decision maker is satisfied that a person has been rough sleeping in the Isle of Man.
- 9.19.2. Where the decision maker is satisfied that a person has been rough sleeping in the Isle of Man any permission held by the person may be cancelled.

**Crew members**

- 9.20.1. Where a person has permission to enter as a crew member an application for permission to stay may be refused, unless permission to stay is granted to fulfil the purpose for which the person has permission to enter.

## **Section 5: Additional grounds for cancellation of entry clearance, permission to enter and permission to stay**

### **Ceasing to meet requirement of rules**

9.21.1. A person's entry clearance or permission may be cancelled if they cease to meet the requirements of the rules under which the entry clearance or permission was granted.

### **Dependant grounds**

9.22.1. A person's entry clearance or permission may be cancelled where they are the dependant of another person whose permission is, or has been, cancelled.

### **Withdrawal of sponsorship or endorsement grounds**

9.23.1. A person's entry clearance or permission may be cancelled where their sponsorship or endorsement has been withdrawn and they have entry clearance or permission on one of the following routes—

- (a) Tier 1 (Entrepreneur);
- (b) Tier 1 (Exceptional Talent) Migrant;
- (c) Tier 1 (Graduate Entrepreneur);
- (d) Tier 4 (General) Student;
- (e) Tier 4 (Child) student;
- (f) Tier 5 (Temporary Worker) Migrant;
- (g) Business Migrant (Innovator);
- (h) Business Migrant (Start-up);
- (i) Worker Migrant;
- (h) Worker (Intra-Company Transfer) Migrant.

### **Curtailment of leave in relation to a Tier 4 Migrant or a Tier 5 Migrant**

9.24.1. In addition to the grounds specified above, the leave to enter or remain of a Tier 4 Migrant or a Tier 5 Migrant—

- (a) must be curtailed if—
  - (i) in the case of a Tier 5 Migrant—
    - (aa) the migrant fails to commence the employment, volunteering, training or job shadowing (as the case may be) that the migrant has been sponsored to do; or
    - (bb) the migrant ceases, or will cease, before the end date recorded on the Certificate of Sponsorship, the employment, volunteering, training or job shadowing (as the case may be) that the migrant has been sponsored to do.
  - (ii) in the case of a Tier 4 Migrant—
    - (aa) the migrant fails to commence studying with the sponsor;
    - (bb) the sponsor has excluded or withdrawn the migrant, or the migrant has withdrawn, from the course of studies;

- (cc) the migrant's course of study has ceased, or will cease, before the end date recorded on the Confirmation of Acceptance for Studies;
  - (dd) the sponsor withdraws their sponsorship of a migrant on the doctorate extension scheme; or
  - (ee) the sponsor withdraws their sponsorship of a migrant who, having completed a pre-session course as provided in paragraph 120(b)(i) of Appendix A, does not have a knowledge of English equivalent to level B2 of the Council of Europe's Common European Framework for Language Learning in all 4 components (reading, writing, speaking and listening) or above.
- (b) may be curtailed if—
- (i) the migrant's sponsor ceases to have a sponsor licence (for whatever reason);
  - (ii) the migrant's sponsor transfers the business for which the migrant works, or at which the migrant studying to another person; and
    - (aa) that person does not have a sponsor licence;
    - (bb) fails to apply for a sponsor licence within 28 days of the date of the transfer of the business;
    - (cc) applies for a sponsor licence but is refused; or
    - (dd) makes a successful application for a sponsor licence, but the sponsor licence granted is not in a category that would allow the sponsor to issue a Certificate of Sponsorship or a Confirmation of Acceptance for Studies to the migrant;
  - (iii) in the case of a Tier 5 Migrant, if the employment that the Certificate of Sponsorship records that the migrant is being sponsored to do undergoes a prohibited change as specified in paragraph 9.24.1; or
  - (iv) paragraph (a) above applies, but;
    - (aa) the migrant is under the age of 18;
    - (bb) the migrants has a dependent child under the age of 18;
    - (cc) leave is to be varied such that when the variation takes effect the migrant will have leave to enter or remain and the migrant has less than 60 days extant leave remaining;
    - (dd) the migrant has been granted leave to enter or remain with another sponsor or under another immigration category; or
    - (ee) the migrant has a pending application for leave to remain, or variation of leave, with the Isle of Man Immigration Service, or has a pending appeal under section 82 of the Nationality, Immigration and Asylum Act 2002 (of Parliament)<sup>24</sup> as that Act has effect in the Island.

### **Prohibited changes to employment for Tier 5 Migrants**

9.25.1. The following are prohibited changes, unless a further application for leave to remain is granted which expressly permits the changes—

---

<sup>24</sup> 2002 C.41

- (a) the migrant is absent from work without pay for 4 weeks or more in total, according to their normal working pattern (whether over a single period or more than one period), during any calendar year, unless the absence from work is due solely to—
  - (i) maternity leave;
  - (ii) paternity leave;
  - (iii) shared parental leave;
  - (iv) adoption leave; or
  - (v) long term sick leave of one calendar month or more during any one period,
- (b) The employment changes such that the migrant is working for a different employer or sponsor, unless;
  - (i) the migrant is a Tier 5 (Temporary Worker) Migrant in the Government Authorised Exchange sub-category and the change of employer is authorised by the sponsor and under the terms of the work, volunteering or job shadowing that the Certificate of Sponsorship records that the migrant is being sponsored to do;
  - (ii) the migrants' sponsor transfers the trade, business or undertaking for which the migrant works to another person (the transferee) and the Migrant continues to work in the same job; and
    - (aa) the Transferee has an existing sponsor licence or makes a successful application to the Immigration Service for a sponsor licence within 28 days of the date of transfer of the business; and
    - (bb) the sponsor licence is in a category that allows the Transferee to either issue a Certificate of Sponsorship to the migrant or transfers the migrant's Certificate of Sponsorship to the Transferee.

If the Transferee fails to apply for a sponsor licence within 28 days of the business being transferred, applies for a sponsor licence and is refused or applies for a sponsor licence which is granted but in a category which does not allow the emigrant to be issued with a Certificate of Sponsorship then it will be deemed that migrant has made a prohibited change to employment with effect from 28 days of the date of transfer.
  - (iii) the migrant is a Tier 5 (Temporary Worker) Migrant in the creative and sporting sub-category and the following conditions are met—
    - (aa) the migrant's sponsor is a sports club;
    - (bb) the migrant is sponsored as a player only and is being temporarily loaned as a player to another sports club;
    - (cc) player loans are specifically permitted in rules set down by the relevant sports governing body listed in Appendix M;
    - (dd) the migrant's sponsor has made arrangements with the load club to enable the sponsor to continue to meet its sponsor duties; and
    - (ee) the migrant will return to working for the sponsor at the end of the loan.
- (c) The employment changes to a job in a difference Standard Occupational Classification (SOC) code to that recorded by the Certificate of Sponsorship.
- (d) If the migrant was required to be sponsored for a job at a minimum National Qualification Framework level in the application which led to their last grant of entry clearance or leave to remain, the employment changes to a job which the Codes of Practice in Appendix J record as being at a lower level.
- (e) Except where (f) applies, the gross annual salary (including such allowances as are specified as acceptable for this purpose in Appendix A) reduces below—

- (i) any minimum salary threshold specified in Appendix A of these Rules, where the applicant was subject to or lied on that threshold in the application which led to his current grant of entry clearance or leave to remain;
  - (ii) the appropriate salary rate for the job as specified in the Codes of Practice in Appendix J; or
  - (iii) in cases where there is no applicable threshold in Appendix A and no applicable salary rate in Appendix J, the salary recorded by the Certificate of Sponsorship.
- (f) Other reductions in salary are permitted if the reduction coincides with a period of—
- (i) maternity leave;
  - (ii) paternity leave;
  - (iii) shared parental leave;
  - (iv) adoption leave; or
  - (v) long term sick leave of one calendar month or more during any one period,
  - (vi) undertaking professional examinations before commencing work for the sponsor, where such examinations are a regulatory requirement of the job the migrant is being sponsored to do, and providing the migrant continues to be sponsored during that period.

#### **Curtailment of leave in relation to a Tier 1 (Exceptional Talent) Migrant**

9.26.1. In addition to the grounds specified above, the leave to enter or remain of a Tier 1 (Exceptional Talent) Migrant may be curtailed if the Designated Competent Body that endorsed the application which led to the migrant's current grant of leave withdraws its endorsement of the migrant.

#### **Curtailment of leave in relation to a Tier 1 (Graduate Entrepreneur) Migrant**

9.27.1. In addition to the grounds specified above, the leave to enter or remain of a Tier 1 (Graduate Entrepreneur) Migrant may be curtailed if the endorsing body that endorsed the application which led to the migrant's current grant of leave—

- (a) loses its status as an endorsing institution for Tier 1 (Graduate Entrepreneur) Migrants;
- (b) ceases to be a sponsor with Tier 4 sponsor status;
- (c) ceases to be an A-rated sponsor under Tier 5 of the Points-Based System because its Tier 5 sponsor licence is downgraded or revoked by an immigration officer; or
- (d) withdraws its endorsement of the migrant.

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**PART 10: REGISTRATION WITH THE POLICE**

325. For the purposes of paragraph 326, a "relevant foreign national" is a person aged 16 or over who is:

- (i) a national or citizen of a country or territory listed in Appendix 2 to these Rules, or
- (ii) a stateless person; or
- (iii) a person holding a non-national travel document.

326. (1) Subject to sub-paragraph (2) below, a condition requiring registration with the police should normally be imposed on any relevant foreign national who is:

- (i) given limited leave to enter the Isle of Man for longer than six months; or
- (ii) given limited leave to remain which has the effect of allowing him to remain in the Isle of Man for longer than six months, reckoned from the date of his arrival (whether or not such a condition was imposed when he arrived).

(2) Such a condition should not normally be imposed where the leave is given

- (i) Not Used
- (ii) as a Tier 5 (Temporary Worker) Migrant, provided the Certificate of Sponsorship Checking System reference for which points were awarded records that the applicant is being sponsored as an overseas government employee;
- (iii) as a Tier 2 (Minister of Religion) Migrant;
- (iv) on the basis of marriage to or civil partnership with a person settled in the Isle of Man or as the unmarried or same sex partner of a person settled in the Isle of Man;
- (v) as a person exercising access rights to a child resident in the Isle of Man;
- (vi) as the parent of a Tier 4 (child) student; or
- (vii) Not Used

(3) Such a condition should also be imposed on any foreign national given limited leave to enter the Isle of Man where, exceptionally, the Immigration Officer considers it necessary to ensure that he complies with the terms of the leave.

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**[PART 11 Not Used]**



**PART 12: RIGHTS OF APPEAL****Notice of Immigration Decision**

353. Where an immigration decision has been made in respect of a person, the person concerned should be served a notice informing him of the decision and of the reasons for the decision. This notice will also inform him whether he has a right of appeal under Section 82 of the 2002 Act and, if so, how the right of appeal might be exercised. If he has difficulty in understanding the notice its meaning should be explained to him.

354 to 360 DELETED

361 Not Used

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## **PART 13: DEPORTATION**

### **A deportation order**

362. Where Article 8 is raised in the context of deportation under Part 13 of these Rules, the claim under Article 8 will only succeed where the requirements of these rules as at 10 November 2014 are met, regardless of when the notice of intention to deport or the deportation order, as appropriate, was served.

362. A deportation order requires the subject to leave the Isle of Man and authorises his detention until he is removed. It also prohibits him from re-entering the Isle of Man for as long as the order is in force and invalidates any leave to enter or remain in the Isle of Man given him before the order was made or while it is in force.

363. The circumstances in which a person is liable to deportation are set out in the Immigration Act 1971 and include:

- (i) [Deleted]
- (ii) where the Minister 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.

363A. Prior to 1 May 2008, a person would have been liable to deportation in certain circumstances in which he is now liable to administrative removal. These circumstances are listed in paragraph 395B below. However, such a person remains liable to deportation, rather than administrative removal where:

- (i) a decision to make a deportation order against him was taken before May 2008; or
- (ii) [Not Used]

364. [Deleted]

364A. [Deleted]

### **Deportation of family members**

365. The Minister will not normally deport the spouse or civil partner of a deportee under section 5 of the Immigration Act 1971 where:

- (i) he has qualified for settlement in his own right; or
- (ii) he has been living apart from the deportee.

366. The Minister will not normally decide to deport the child of a deportee under section 5 of the Immigration Act 1971 where:

- (i) he and his mother or father are living apart from the deportee; or
- (ii) he has spent some years in the Isle of Man and is nearing the age of 18; or
- (iii) he has left home and established himself on an independent basis; or
- (iv) he married or formed a civil partnership before deportation came into prospect.

367. [Deleted]

368. [Deleted]

[369-372 Not Used]

### **A deportation order made on the recommendation of a Court**

373. There is a right of appeal to a higher court against the recommendation of the court. An order may not be made while it is still open to the person to appeal against the relevant conviction, sentence or recommendation, or while an appeal is pending.

[374-379 Not Used]

### **Procedure**

380. [Deleted]

381. When a decision to make a deportation order has been taken (otherwise than on a recommendation of a court) a notice will be given to the person concerned informing him of the decision.

382. Following the issue of such a notice the Minister may make a detention order, or any order restricting a person as to residence, employment or occupation and requiring him to report to the police, pending the making of a deportation order.

[383-384 Not Used]

### **Arrangements for removal**

385. A person against whom a deportation order has been made will normally be removed from the Isle of Man. The power is to be exercised so as to secure the person's return to the country of which he is a national, or which has most recently provided him with a travel document, unless he can show that another country will receive him. In considering any departure from the normal arrangements, regard will be had to the public interest generally, and to any additional expense that may fall on public funds.

[386 Not Used]

### **Supervised departure**

387. A person liable to deportation may, in certain circumstances, leave the Isle of Man by means of a supervised departure instead of having a deportation order made against him.

### **Returned deportees**

388. Where a person returns to the Isle of Man when a deportation order is in force against him, he may be deported under the original order. The Minister will consider every such case in the light of all the relevant circumstances before deciding whether to enforce the order.

### **Returned family members**

389. Persons deported in the circumstances set out in paragraph 365-368 above (deportation of family members) may be able to seek readmission to the Isle of Man under these Rules where:

- (i) a child reaches 18 (when he ceases to be subject to the deportation order); or
- (ii) in the case of a spouse or civil partner, the marriage or civil partnership comes to an end.

### **Revocation of deportation order**

390. An application for revocation of a deportation order will be considered in the light of all the circumstances including the following:

- (i) the grounds on which the order was made;
- (ii) any representations made in support of revocation;
- (iii) the interests of the community, including the maintenance of an effective immigration control;
- (iv) the interests of the applicant, including any compassionate circumstances.

390A. Where paragraph 398 applies the Minister will consider whether paragraph 399 or 399A applies and, if it does not, it will only be in exceptional circumstances that the public interest in maintaining the deportation order will be outweighed by other factors.

391. In the case of a person who has been deported following conviction for a criminal offence, the continuation of a deportation order against that person will be the proper course:

- (a) in the case of a conviction for an offence for which the person was sentenced to a period of imprisonment of less than 4 years, unless 10 years have elapsed since the making of the

deportation order when, if an application for revocation is received, consideration will be given on a case by case basis to whether the deportation order should be maintained, or

- (b) in the case of a conviction for an offence for which the person was sentenced to a period of imprisonment of at least 4 years, at any time,

Unless, in either case, the continuation would be contrary to the Human Rights Convention or the Convention and Protocol Relating to the Status of Refugees, or there are other exceptional circumstances that mean the continuation is outweighed by compelling factors.

391A. In other cases, revocation of the order will not normally be authorised unless the situation has been materially altered, either by a change of circumstances since the order was made, or by fresh information coming to light which was not before the appellate authorities or the Minister. The passage of time since the person was deported may also in itself amount to such a change of circumstances as to warrant revocation of the order.

392. Revocation of a deportation order does not entitle the person concerned to re-enter the Isle of Man; it renders him eligible to apply for admission under these Rules. Application for revocation of the order may be made to the Entry Clearance Officer or direct to the Minister.

### **Rights of Appeal in relation to a decision not to revoke a deportation order**

393. Deleted

394. Deleted

395. [Deleted]

Paragraphs 395A to 395F are revoked.

### **Deportation and Article 8**

398. Where a person claims that their deportation would be contrary to the Isle of Man's obligations under Article 8 of the Human Rights Convention, and

- (a) the deportation of the person from the Isle of Man is conducive to the public good because they have been convicted of an offence for which they have been sentenced to a period of imprisonment of at least 4 years;

- (b) the deportation of the person from the Isle of Man is conducive to the public good because they have been convicted of an offence for which they have been sentenced to a period of imprisonment of less than 4 years but at least 12 months; or

- (c) the deportation of the person from the Isle of Man is conducive to the public good because, in the view of the Minister, their offending has caused serious harm or they are a persistent offender who shows a particular disregard for the law,

the Minister in assessing that claim will consider whether paragraph 399 or 399A applies and, if it does not, it will only be in exceptional circumstances that the public good will be outweighed by other factors.

399. This paragraph applies where paragraph 398 (b) or (c) applies if:

- (a) the person has a genuine and subsisting parental relationship with a child under the age of 18 years who is in the Isle of Man, and

- (i) the child is a British Citizen; or

- (ii) the child has lived in the Isle of Man continuously for at least the 7 years immediately preceding the date of the immigration decision; and in either case

- (a) it would not be reasonable to expect the child to leave the Isle of Man; and

- (b) there is no other family member who is able to care for the child in the Isle of Man; or

- (b) the person has a genuine and subsisting relationship with a partner who is in the Isle of Man and is a British Citizen, settled in the Isle of Man, or in the Isle of Man with refugee leave or humanitarian protection, and

(i) the person has lived in the Isle of Man with valid leave continuously for at least the 15 years immediately preceding the date of the immigration decision (discounting any period of imprisonment); and

(ii) there are insurmountable obstacles to family life with that partner continuing outside the Isle of Man.

399A. This paragraph applies where paragraph 398(b) or (c) applies if –

(a) the person has lived continuously in the Isle of Man for at least 20 years immediately preceding the date of the immigration decision (discounting any period of imprisonment) and he has no ties (including social, cultural or family) with the country to which he would have to go if required to leave the Isle of Man; or

(b) the person is aged under 25 years, he has spent at least half of his life living continuously in the Isle of Man immediately preceding the date of the immigration decision (discounting any period of imprisonment) and he has no ties (including social, cultural or family) with the country to which he would have to go if required to leave the Isle of Man.

399B. Where paragraph 399 or 399A applies limited leave may be granted for periods not exceeding 30 months. Such leave shall be given subject to such conditions as the Minister deems appropriate. Where a person who has previously been granted a period of leave under paragraph 399B would not fall for refusal under paragraph 322(1C), indefinite leave to remain may be granted.

399C. Not used

400. Where a person claims that their removal under paragraphs 8 to 10 of Schedule 2 to the Immigration Act 1971, section 10 of the Immigration and Asylum Act 1999 or section 47 of the Immigration, Asylum and Nationality Act 2006 would be contrary to the Isle of Man's obligations under Article 8 of the Human Rights Convention, the Minister may require an application under paragraph 276ADE(1) (private life) or under paragraphs RLTRP.1.1.(a), (b) and (d), R-LTRPT.1.1.(a), (b) and (d) and EX.1. of Appendix FM (family life as a partner or parent) of these rules. Where an application is not required, in assessing that claim the Minister or an immigration officer will, subject to paragraph 353, consider that claim against the requirements to be met (except the requirement to make a valid application) under paragraph 276ADE(1) (private life) or paragraphs RLTRP.1.1.(a), (b) and (d), R-LTRPT.1.1.(a), (b) and (d) and EX.1. of Appendix FM (family life as a partner or parent) of these rules as appropriate and if appropriate the removal decision will be cancelled

## **Part 14 – Not Used**

**Part 15 Condition to hold an Academic Technology Approval Scheme (ATAS) clearance certificate.**

417. Where these Rules refer to leave to enter or remain in the United Kingdom being granted to an individual, subject to the conditions set out in this Part 15, such condition is as set out in (i) and (ii) below:

(i) no study which is:

(a) undergraduate or postgraduate study leading to a Doctorate or Masters degree by research in one of the disciplines listed in paragraph 1 of Appendix 6 of these Rules, or

(b) undergraduate or postgraduate study leading to a taught Masters degree or other postgraduate qualification in one of the disciplines listed in paragraph 2 of Appendix 6 of these Rules, or

(c) a period of study or research in excess of 6 months in one of the disciplines listed in paragraphs 1 or 2 of Appendix 6 of these Rules at an institution of higher education where this forms part of an overseas postgraduate qualification,

unless the migrant has obtained a valid Academic Technology Approval Scheme clearance certificate from the Counter-Proliferation Department of the Foreign and Commonwealth Office which was issued to the migrant prior to the commencement of such study and that specifically relates to the course or area of research the migrant wishes to undertake and to the institution at which the applicant wishes to undertake it, and the migrant has provided a print-out of the certificate to the institution, and

(i) if the migrant is undertaking a course or a period of research of a type specified in (i) above and his course (or research) completion date is postponed or delayed for a period of more than three calendar months or there are any changes to the course contents (or the research proposal), the migrant must apply for a new Academic Technology Approval Scheme clearance certificate within 28 calendar days, and must provide a print-out of the new certificate to the institution promptly after this is made available by the Counter-Proliferation Department of the Foreign and Commonwealth Office.

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**Appendix 2 - Countries or territories whose nationals or citizens are relevant foreign nationals for the purposes of Part 10 of these Rules**

Registration with the police

Afghanistan  
Algeria  
Argentina  
Armenia  
Azerbaijan  
Bahrain  
Belarus  
Bolivia  
Brazil  
China  
Colombia  
Cuba  
Egypt  
Georgia  
Iran  
Iraq  
Israel  
Jordan  
Kazakhstan  
Kuwait  
Kyrgyzstan  
Lebanon  
Libya  
Moldova  
Morocco  
North Korea  
Oman  
Palestine  
Peru  
Qatar  
Russia  
Saudi Arabia  
Sudan  
Syria  
Tajikistan  
Tunisia  
Turkey  
Turkmenistan  
United Arab Emirates  
Ukraine  
Uzbekistan  
Yemen

**Appendix 6 - Disciplines for which an Academic Technology Approval Scheme certificate from the Counter-Proliferation Department of the Foreign and Commonwealth Office is required.**

**1. Doctorate or Masters by research:**

**Subjects allied to Medicine:**

JACs codes beginning

- B1 - Anatomy, Physiology and Pathology
- B2 - Pharmacology, Toxicology and Pharmacy
- B9 - Others in subjects allied to Medicine

**Biological Sciences:**

JACs codes beginning

- C1 - Biology
- C2 - Botany
- C4 - Genetics
- C5 - Microbiology
- C7 - Molecular Biology, Biophysics and Biochemistry
- C9 - Others in Biological Sciences

**Veterinary Sciences, Agriculture and related subjects:**

JACs codes beginning

- D3 - Animal Science
- D9 - Others in Veterinary Sciences, Agriculture and related subjects

**Physical Sciences:**

JACs codes beginning

- F1 - Chemistry
- F2 - Materials Science
- F3 - Physics
- F5 - Astronomy
- F8 - Physical and Terrestrial Geographical and Environmental Sciences
- F9 - Others in Physical Sciences

**Mathematical and Computer Sciences:**

JACs codes beginning

- G1 - Mathematics
- G2 - Operational Research
- G4 - Computer Science
- G7 - Artificial Intelligence
- G9 - Others in Mathematical and Computing Sciences

**Engineering:**

JACs codes beginning

- H1 - General Engineering
- H2 - Civil Engineering
- H3 - Mechanical Engineering
- H4 - Aerospace Engineering
- H5 - Naval Architecture
- H6 - Electronic and Electrical Engineering
- H7 - Production and Manufacturing Engineering



H8 - Chemical, Process and Energy Engineering  
H9 - Others in Engineering

**Technologies:**

JACs codes beginning

J2 - Metallurgy  
J4 - Polymers and Textiles  
J5 - Materials Technology not otherwise specified  
J7 - Industrial Biotechnology  
J9 - Others in Technology

**2. Taught Masters:**

F2 - Materials Science  
F3 - Physics (including Nuclear Physics)  
H3 - Mechanical Engineering  
H4 - Aerospace Engineering  
J5 - Materials Technology/Materials Science not otherwise specified

**For courses commencing on or after 1<sup>st</sup> June 2012****1. Doctorate or Masters by Research**

JACs codes beginning:

G0 – Mathematical and Computer sciences  
I1 – Computer Science  
I4 – Artificial Intelligence  
I9 – Others in Computer Sciences

**2. Taught Masters:**

H8 – Chemical, Process and Energy Engineering.

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## Appendix 7 – Statement of Written Terms and Conditions of employment required in paragraph 159A (v), 159D (iv) and 159EA (iii)

### Overseas Domestic Worker

#### Employment contract

Two copies of this form must be completed and signed by the employer and the overseas domestic worker and signed originals must be submitted with the entry clearance application or with the leave to remain application as required by paragraphs 159A(v), 159D(iv), 159EA(iii), 245ZO(f)(ii), and 245ZQI(ii) of the Immigration Rules.

#### 1. Name & address of Employee

[insert details]

#### 2. Name & address of Employer

[insert details]

#### 3. Commencement of Employment & Termination

##### 1. [If for an indefinite term]

[The Employee's employment with the Employer commence[s OR d] on [insert date], and will continue unless or until terminated in accordance with the provisions of this agreement.]

##### [If for a fixed term]

[The Employee's employment with the Employer shall [commence OR be deemed to have commenced] on [insert date] and shall continue, subject to the remaining terms of this agreement, until it terminates on [insert date] without the need for notice unless previously terminated by either party giving the other not less than [insert number\*] weeks/months' notice in writing.]

**\* Note: the notice to be given by the Employer must not be less than the statutory minimum period of notice to be given by employers, which is as follows:**

**- during the first two years' continuous employment, one week's notice; and**

**- after that, one additional week for each year of service, up to a maximum of twelve weeks' notice**

2. No employment with a previous employer counts as part of a period of continuous employment. OR The Employee's employment with [insert name of previous employer] forms part of a continuous period of employment which began on [insert date].

#### 4. Job Title

The Employee is employed as [insert job title] and his/her duties are set out below:

[insert Employee's duties]

#### 5. Employee's Place of Work

The Employee's place of work is [insert location].

**[If this is where the Employer resides, then the following information should be provided]:**

- Total number of rooms;
- Total number of bedrooms;
- The names and ages of all household members and domestic staff (adults and minors) residing in the house.

**[If the Employee's place of work is different to the Employer's residence, the Employer is to provide an explanation, including details of where the Employee will be working and who lives at that address]**

#### 6. Employee's Hours of Work

1. The Employee's normal hours of work are [insert number] hours per week, to be worked during the hours of [insert time] to [insert time] on [insert days] with a daily [paid **OR** unpaid] lunch break of [insert amount].

2. [The Employee is not required to work overtime]

OR

[The Employee is required to be available to work overtime, whenever needed by the Employer at weekends, on public holidays or at other times outside his/her normal hours of work.]

OR

[The Employee may, if he/she wishes, make himself/herself available to work overtime outside his/her normal hours of work.]

OR

[The Employee may be required to work overtime if and when the Employer deems it to be necessary.]

**If the Employee works overtime, then complete the following paragraph**

3. The Employee's entitlement to pay for working overtime is as follows:

[insert details of overtime pay]

## 7. Pay

The Employee's [salary is **OR** wages are] £[enter figure] per [hour **OR** week **OR** month **OR** year] payable to the Employee at [weekly **OR** monthly] intervals in arrears on[or about] the [insert day i.e. Friday **OR** last working day **OR** insert date i.e. 25<sup>th</sup>] of each [week **OR** month]

The Employer agrees that the salary **OR** wages meet the requirements of the National Minimum Wage Act 2001<sup>25</sup> (an Act of Tynwald) and any Regulations made under it, and that they will continue to meet such requirements throughout the period of employment.

The Employer understands that they cannot claim exemption from meeting the requirements above by claiming that the Employee lives as a member of the family.

## 8. Holiday

1. The Employee will be entitled to [enter number –under the Annual Leave Regulations 2007<sup>26</sup> this must be 4 weeks in each leave year] weeks' paid holiday in each holiday year, which runs from [enter date, e.g. 1 January] to [enter date, e.g. 31 December], in addition to bank and public holidays. If the Employee's employment starts or finishes part way through the holiday year, his/her holiday entitlement during that year shall be calculated on a pro-rata basis.

2. The Employee must take all of his/her entitlement in the holiday year in which it accrues and carrying forward holiday is not permitted unless [either agreed in advance by the Employer or where] the law allows holiday to be carried forward.

3. On the termination of the Employee's employment, he/she will be paid in lieu of accrued but untaken holiday entitlement. The Employee will be required to pay the Employer for holiday taken in excess of his/her accrued entitlement on termination.

## 9. Sickness

1. If the Employee is absent from work for any reason, he/she, or someone on his/her behalf, must inform the Employer by no later than [insert time] on the first day of absence. On the Employee's return to work, he/she will be required to complete a self-certification form, which he/she should complete, sign and return within [insert number e.g. two days] of his/her return to work. If the Employee's absence from work is due to sickness or injury and continues for a period exceeding seven consecutive days, he/she should provide the Employer with a Statement of Fitness for Work ('fit note') from his/her doctor as soon as possible after the seventh day of absence and weekly after that.

2. **[[IF SICK PAY: ]** In the event of absence from work due to illness or injury, the Employee will be eligible to receive an amount equivalent to his/her salary **OR** wages for the first [insert number] weeks of absence. Such payments will include any entitlement to any statutory sick pay due in accordance with applicable legislation in force at the time of the absence.

**OR**

<sup>25</sup> AT 2001/25

<sup>26</sup> SD 102/07

**[IF STATUTORY SICK PAY ONLY: ]**There is no pay for any absence due to illness or injury, other than statutory sick pay if the Employee is eligible. For the purpose of statutory sick pay, the Employee's 'qualifying days' are [insert the Employee's normal working days]

## 10. Recruitment, transportation, and other fees

The Employer shall not recoup from the Employee, through payroll deductions or any other means, the fees they have paid to a third party recruiter or recruitment agency, or their authorised representative(s) for services related to hiring and retaining the Employee.

The Employer agrees to pay the Employee's transportation costs for the journey from his/her place of current residence to the place of work in the Isle of Man, namely from \_\_\_\_\_(country of current residence) to \_\_\_\_\_(place of work in Isle of Man) as well as the return journey from \_\_\_\_\_(place of work in Isle of Man) to \_\_\_\_\_(country of current residence). The Employer agrees to pay in advance on behalf of the Employee any visa application fees and any other fees that may be payable by the Employee in order to obtain a visa to travel to the Isle of Man with their Employer or to join the Employer in the Isle of Man.

It is the Employer's obligation and responsibility to pay for the transportation costs, any visa application fees and any other fees that may be payable by the Employee in order to obtain a visa to travel to the Isle of Man with their Employer or to join the Employer in the Isle of Man, and such costs and fees cannot be passed on to the Employee through payroll deductions or any other means (for example, the Employee must not pay the transportation or the visa fees on behalf of the Employer to be reimbursed at a later date). Under no circumstances are transportation costs or the fees described above recoverable by the Employer from the Employee.

## 11. Accommodation

1. The Employer shall provide the Employee with suitable furnished accommodation for their exclusive use. Suitable accommodation is housing or a hotel room that meets Isle of Man building requirements and health and safety standards. This includes a private unit or a room with a lock and which therein provides living and sleeping facilities intended for human habitation with no visible or structural repairs required.

2. The Employer agrees to provide the Employee with [meals] [delete if not applicable], [and] an adequate, properly heated, and ventilated room with natural light. The door of the room shall be equipped with a lock and a safety bolt from within the room and the Employee will be provided with the corresponding key.

3. The Employer shall provide the Employee with independent access to the residence (for example, house keys, security code) where the Employee resides.

4. The Employer agrees to provide the Employee with (check if applicable): Private bathroom

Telephone (charge of £\_\_\_\_ per month or no charge\_ except for long-distance calls)

Radio (in his/her room)

Television (in his/her room)

Internet access ( charge of £ per month or no charge)

Other, specify:

[Description of Employee's room and furnishings]

## 12. Healthcare

### Either:

1. The Employer agrees to provide comprehensive sickness insurance cover for the Employee in the Isle of Man at no cost to the Employee.
2. The Employer agrees not to deduct money from the Employee's salary **OR** wages for this purpose.
3. The Employer undertakes to ensure that the Employee has free access to medical treatment as the Employee requires.

**or, if the Employee has remained (or will remain as a result of his/her application for entry clearance, leave to enter or leave to remain being granted) in the Isle of Man as either a domestic worker in a private household for a period exceeding 6 months:**

1. The Employer agrees not to deduct money from the Employee's salary **OR** wages for the purpose of meeting the cost of comprehensive sickness insurance cover.
2. The Employer undertakes to ensure that the Employee has free access to medical treatment as the Employee requires.

## 13. Passport

The Employer agrees that the Employee will retain custody of his/her passport at all times other than when it is required by a third party for official purposes such as applying for a visa.

## 14. Termination and Notice Period

**[To only be used when the employment is for an indefinite term]**

The prior written notice required by the Employee to terminate his/her employment shall be as follows:

[insert details]

The prior written notice required by the Employer to terminate the Employee's employment shall be as follows:

[insert details]

**Note: this must not be less than the statutory minimum period of notice to be given by employers, which is as follows:**

- during the first two years' continuous employment, one week's notice; and
- after that, one additional week for each year of service, up to a maximum of twelve weeks' notice.

## 15. Grievances and Disciplinary Rules and Procedure

1. If the Employee has a grievance regarding his/her employment, he/she should in the first instance speak to his/her Employer. If the grievance is not then resolved to the Employee's satisfaction, the Employee should refer to the grievance procedure, which may be obtained from the Employer.

2. The disciplinary rules and procedure applicable to the Employee are [attached OR to be found in [specify place]]. If the Employee is dissatisfied with any disciplinary decision taken in relation to him/her, he/she should refer to the disciplinary procedure, which may be obtained from the Employer.

***Note: the Employer's grievance procedure and disciplinary rules and procedure must comply with the ACAS statutory Code of Practice on discipline and grievance.***

## 16. Pensions

1. [The Employee is entitled to become a member of the [insert name] Pension Scheme, or such other registered pension scheme as has been set up by the Employer, subject to satisfying certain eligibility criteria and subject to the rules of such scheme as amended from time to time. Full details of the scheme are available from the Employer.

OR

[There is no pension scheme in force in relation to the Employee's employment.]

2. A contracting-out certificate is [not] in force in respect of the Employee's employment.

## 17. Governing Law & Jurisdiction

1. This agreement and any dispute or claim arising out of or in connection with it or its subject matter or formation (including non-contractual disputes or claims) shall be governed by and construed in accordance with the law of the Isle of Man.

2. Each party irrevocably agrees that the courts of the Isle of Man shall have exclusive jurisdiction to settle any dispute or claim arising out of or in connection with this agreement or its subject matter or formation (including non-contractual disputes or claims).

## Signature of Employer

I accept the terms and conditions of this employment contract.

Given name as stated on passport (print):

Surname as stated on passport (print):

EMPLOYER'S Signature:

Date (DD/MM/YYYY):

**Signature of Employee**

I accept the terms and conditions of this employment contract.

**Given name as stated on passport (print):**

**Surname as stated on passport (print):**

**EMPLOYEE'S Signature:**

**Date (DD/MM/YYYY)**

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## Appendix A

### Attributes for Tier 1 (Exceptional Talent) Migrants

1. An applicant applying for entry clearance, leave to remain or indefinite leave to remain as a Tier 1 (Exceptional Talent) Migrant must score 75 points for attributes.
2. Available points are shown in Table 1.
3. Notes to accompany the table are shown below the table.

**Table 1**

#### Applications for entry clearance and leave to remain where the applicant does not have, or has not last had, leave as a Tier 1 Exceptional Talent Migrant

Criterion	Points
Endorsed by Designated Competent Body according to that Body's criteria as set out in Appendix L	75

All other applications for entry clearance and leave to remain and applications for indefinite leave to remain

Criterion	Points
(i) During his most recent period of leave as a Tier 1 (Exceptional Talent) Migrant, the applicant has earned money in the UK or Isle of Man as a result of employment or self-employment in his expert field as previously endorsed by a Designated Competent Body; and  (ii) That Designated Competent Body has not withdrawn its endorsement of the applicant.	75

Notes

#### Tier 1 (Exceptional Talent) Limit

4. (a) The Secretary of State shall be entitled to limit the total number of Tier 1 (Exceptional Talent) endorsements Designated Competent Bodies may make in support of successful applications, for entry clearance and leave to remain in a particular period, to be referred to as the Tier 1 (Exceptional Talent) Limit.
- (b) The Tier 1 (Exceptional Talent) Limit is 1,000 endorsements in total per year (beginning on 6 April and ending on 5 April) which will be allocated to the Designated Competent Bodies as follows:
  - (i) 250 endorsements to The Arts Council for the purpose of endorsing applicants with exceptional talent in the fields of arts and culture;
  - (ii) 250 endorsements to The Royal Society for the purpose of endorsing applicants with exceptional talent in the fields of natural sciences and medical science research;
  - (iii) 150 endorsements to The Royal Academy of Engineering for the purpose of endorsing applicants with exceptional talent in the field of engineering;
  - (iv) 150 endorsements to The British Academy for the purpose of endorsing applicants with exceptional talent in the fields of humanities and social sciences; and
  - (v) 200 endorsements to Tech City UK for the purpose of endorsing applicants with exceptional talent in the field of digital technology.

(c) The Tier 1 (Exceptional Talent) Limit will be operated according to the practice set out in paragraph 5 below.

(d) If a Designated Competent Body chooses to transfer part of its unused allocation of endorsements to another Designated Competent Body by mutual agreement of both bodies and the Secretary of State, the allocations of both bodies will be adjusted accordingly and the adjusted allocations will be published on the visas and immigration pages of the gov.uk website.

5. (a) Before an applicant applies for entry clearance or leave to remain (unless he has, or last had, leave as a Tier 1 (Exceptional Talent) Migrant), he must make an application for a Designated Competent Body endorsement, and this application must:

- (i) be made to the the Home Office using the specified form,
- (ii) state which Designated Competent Body he wishes to endorse his application, and
- (iii) provide the specified evidence set out in Appendix L.

(b) A number of endorsements will be made available for each Designated Competent Body, as follows:

- (i) From 6 April to 30 September each year, half that body's allocated endorsements under paragraph 4 above.
- (ii) From 1 October to 5 April each year, that body's remaining unused allocated endorsements under paragraph 4 above.

(c) Unused endorsements will not be carried over from one year to the next.

(d) If a Designated Competent Body endorses an application for an endorsement, the applicant subsequently uses that endorsement to make an application for entry clearance or leave to remain which is refused, and that refusal is not subsequently overturned, the used endorsement will be returned to the number of endorsements available for the relevant Designated Competent Body, providing the end of the period (6 April to 5 April) to which it relates has not yet passed.

(e) An application for a Designated Competent Body endorsement will be refused if the Designated Competent Body has reached or exceeded the number of endorsements available to it.

(f) The number of endorsements available for each Designated Competent Body to endorse Tier 1 (Exceptional Talent) applicants in a particular period, will be reduced by one for:

- (i) each applicant that body endorses in that period for the purpose of applying to be deemed a highly skilled person under the Accession of Croatia (Immigration and Worker Authorisation) Regulations 2013; and
- (ii) each applicant that body endorses in that period for the purpose of applying for entry clearance, leave to enter or leave to remain in the Isle of Man.

### **Endorsement by the relevant Designated Competent Body**

6. Points will only be awarded in an application for entry clearance or leave to remain (except where the applicant has, or last had, leave as a Tier 1 (Exceptional Talent) Migrant) for an endorsement from the relevant Designated Competent Body if:

- (a) the applicant provides a valid approval letter from the Home Office for a Designated Competent Body endorsement, which was granted to him no more than three months before the date of the application for entry clearance or leave to remain, and
- (b) the endorsement has not been withdrawn by the relevant Designated Competent Body at the time the application is considered by the Home Office.

### **Money earned in the UK or Isle of Man**

6A. Points will only be awarded for money earned in the UK or Isle of Man if the applicant provides the following specified documents:

- (a) If the applicant is a salaried employee, the specified documents are at least one of the following:
- (i) payslips confirming his earnings, which must be either:
    - (1) original formal payslips issued by the employer and showing the employer's name, or
    - (2) accompanied by a letter from the applicant's employer, on company headed paper and signed by a senior official, confirming the payslips are authentic; or
  - (ii) personal bank statements on official bank stationery, showing the payments made to the applicant; or
  - (iii) electronic bank statements, which either:
    - (1) are accompanied by a supporting letter from the bank on company headed paper confirming that the documents are authentic,
    - (2) bear the official stamp of the issuing bank on every page of the document; or
  - (iv) an official tax document produced by HM Revenue & Customs, Isle of Man Income Tax Division or the applicant's employer, which shows earnings on which tax has been paid or will be paid in a tax year, and is either:
    - (1) a document produced by HM Revenue & Customs or Isle of Man Income Tax Division that shows details of declarable taxable income on which tax has been paid or will be paid in a tax year, such as a tax refund letter or tax demand,
    - (2) a P60 or T21 document produced by an employer as an official return to HM Revenue & Customs or Isle of Man Income Tax Division, showing details of earnings on which tax has been paid in a tax year, or
    - (3) a document produced by a person, business, or company as an official return to HM Revenue & Customs or Isle of Man Income Tax Division, showing details of earnings on which tax has been paid or will be paid in a tax year, and which has been approved, registered, or stamped by HM Revenue & Customs or Isle of Man Income Tax Division; or
  - (v) Dividend vouchers, confirming the gross and net dividend paid by a company to the applicant, normally from its profits. The applicant must provide a separate dividend voucher or payment advice slip for each dividend payment.
- (b) If the applicant has worked in a self-employed capacity, the specified documents are at least one of the following:
- (i) A letter from the applicant's accountant (who must be either a fully qualified chartered accountant or a certified accountant who is a member of a registered body in the UK or Isle of Man who holds a valid licence to practise or practising certificate), on headed paper, which shows a breakdown of the gross and net earnings. The letter should give a breakdown of salary, dividends, profits, tax credits and dates of net payments earned. If the applicant's earnings are a share of the net profit of the company, the letter should also explain this; or
  - (ii) Company or business accounts that meet statutory requirements and clearly show:
    - (1) the net profit of the company or business made over the earnings period to be assessed,
    - (2) both a profit and loss account (or income and expenditure account if the organisation is not trading for profit), and
    - (3) a balance sheet signed by a director; or
  - (iii) If the applicant has worked as a sponsored researcher, a letter on official headed paper to the applicant from the institution providing the funding, which confirms:
    - (1) the applicant's name,
    - (2) the name of the sponsoring institution providing the funding,
    - (3) the name of the host institution where the applicant's sponsored research is based,

- (4) the title of the post, and  
 (5) details of the funding provided.

(c) All applicants must also provide at least one of the following specified documents:

- (i) A contract of service or work between the applicant and a UK or Isle of Man employer or UK or Isle of Man institution which indicates the field of work he has undertaken; or  
 (ii) A letter from a UK or Isle of Man employer or UK or Isle of Man institution on its official headed paper, confirming that the applicant has earned money in his expert field.

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### Attributes for Tier 1 (General) Migrants

7. An applicant applying for indefinite leave to remain as a Tier 1 (General) Migrant must score 75 points for attributes, if the applicant has, or has had, leave as a Highly Skilled Migrant, as a Writer, Composer or Artist or as a Tier 1 (General) Migrant under the Rules in place before 28 February 2011, and has not been granted leave in any categories other than these under the Rules in place since 28 February 2011.

8. An applicant applying for indefinite leave to remain as a Tier 1 (General) Migrant who does not fall within the scope of paragraph 7 above or paragraph 9 below must score 80 points for attributes.

9. NOT USED

10. Available points are shown in Table 2 and Table 3 below. Only one set of points will be awarded per column in each table. For example, points will only be awarded for one qualification.

11. Notes to accompany Table 2 and Table 3 appear below Table 3.

**Table 2 – Applications for indefinite leave to remain where the applicant has, or has had, leave as a Highly Skilled Migrant, as a Writer, Composer or Artist, Self-Employed Lawyer, or as a Tier 1 (General) Migrant under the Rules in place before 26<sup>th</sup> July 2010, and has not been granted leave in any categories other than these since 26<sup>th</sup> July 2010**

Qualification	Points	Previous Earnings	Points	Isle of Man Experience	Points	Age (at date of application for first grant)	Points
Bachelor's degree (see paragraph 13 below)	30	£16,000-£17,999.99 (see paragraph 18 below)	5	If £16,000 or more of the previous earnings for which points are being claimed were earned in the Isle of Man.	5	Under 28 years of age	20
Master's degree	35	£18,000-£19,999.99 (see paragraph 18 below)	10		28 or 29 years of age	10	
PhD	50	£20,000-£22,999.99	15		30 or 31 years of age	5	
		£23,000-£25,999.99	20				
		£26,000-					

		£28,999.99	25				
		£29,000- £31,999.99	30				
		£32,000- £34,999.99	35				
		£35,000- £39,999.99	40				
		£40,000 or more	45				

**Table 3 – All other applications for indefinite leave to remain**

Qualification	Points	Previous earnings	Points	Isle of Man Experience	Points	Age (at date of application for first grant)	Points	
Bachelor's degree	30	£25,000- £29,999.99	5	If £25,000 or more of the previous earnings for which points are claimed were earned in the Isle of Man	5	Under 30 years of age	20	
Master's degree	35	£30,000- £34,999.99	15			30 to 34 years of age		
PhD		£35,000- £39,999.99	20			35 to 39 years of age	10	
	45	£40,000- £49,999.99	25					
		£50,000- £54,999.99	30				5	
		£55,000- £64,999.99	35					
		£65,000- £74,999.99	40					
		£75,000- £149,999.99	45					
		£150,000 or more	80					

**Notes**

12. Qualifications and/or earnings will not be taken into account if the applicant was in breach of the Isle of Man's immigration laws at the time those qualifications were studied for or those earnings were made.

**Qualifications: notes**

13. An applicant will be awarded no points for a Bachelor's degree if:

(a) his last grant of entry clearance was as a Tier 1 (General) Migrant under the Rules in place between 1<sup>st</sup> December 2009 and 26<sup>th</sup> July 2010, or

(b) (i) he has had leave to remain as a Tier 1 (General) Migrant under the Rules in place between 1<sup>st</sup> December 2009 and 26<sup>th</sup> July 2010, and

(ii) his previous entry clearance, leave to enter or leave to remain before that leave was not as a Highly Skilled Migrant, as a Writer, Composer or Artist or as a Tier 1 (General) Migrant.

14. The specified documents in paragraph 14-SD must be provided as evidence of the qualification, unless the applicant has, or was last granted, leave as a Highly Skilled Migrant or a Tier 1 (General) Migrant and previously scored points for the same qualification in respect of which points are being claimed in this application.

14-SD. (a) The specified documents in paragraph 14 are:

(i) The original certificate of award of the qualification, which clearly shows the:

- (1) applicant's name,
- (2) title of the award,
- (3) date of the award, and
- (4) name of the awarding institution,

or

(ii) if:

- (1) the applicant is awaiting graduation having successfully completed his degree, or
- (2) the applicant no longer has the certificate and the institution who issued the certificate is unable to produce a replacement, an original academic reference from the institution that is awarding the degree together with an original academic transcript, unless (d) applies.

(b) The academic reference referred to in (a)(ii) must be on the official headed paper of the institution and clearly show the:

- (1) applicant's name,
- (2) title of award,
- (3) date of award, confirming that it has been or will be awarded, and
- (4) either the date that the certificate will be issued (if the applicant has not yet graduated) or confirmation that the institution is unable to re-issue the original certificate or award.

(c) The academic transcript referred to in (a)(ii) must be on the institution's official paper and must show the:

- (1) applicant's name,
- (2) name of the academic institution,
- (3) course title, and
- (4) confirmation of the award.

(d) If the applicant cannot provide his original certificate for one of the reasons given in (a)(ii) and is claiming points for a qualification with a significant research bias, such as a doctorates, an academic transcript is not required, providing the applicant provides an academic reference which includes all the information detailed in (b) above.

(e) Where an academic qualification is awarded by an educational establishment outside the UK and Isle of Man the applicant must, in addition to the document or documents in (a), provide an original letter or certificate from Ecctis confirming the equivalency of the level of his qualification to the relevant qualification in the UK.

(f) Where a professional or vocational qualification is awarded by a body outside the UK and Isle of Man, the applicant must, in addition to the document or documents in (a), provide an original letter from the

appropriate UK professional body confirming the equivalence to UK academic levels of his qualification, which clearly shows:

- (1) the name of the qualification, including the country and awarding body, and
- (2) confirmation of which UK academic level this qualification is equivalent to.

15. Points will only be awarded for an academic qualification awarded by an educational establishment outside the UK and Isle of Man if an applicant's qualification is deemed by the National Academic Recognition Information Centre for the United Kingdom (Ecctis) to meet or exceed the recognised standard of a Bachelor's or Master's degree or a PhD, as appropriate, in the UK.

16. Points will also be awarded for vocational and professional qualifications awarded by a body outside the UK and Isle of Man that are deemed by Ecctis or the appropriate UK professional body to be equivalent to a Bachelor's or Master's degree or a PhD in the UK.

17. If the applicant has, or was last granted, leave as a Tier 1 (General) Migrant or a Highly Skilled Migrant and the qualification for which points are now claimed was, in the applicant's last successful application for leave or for a Highly Skilled Migrant Programme Approval Letter, assessed to be of a higher level than now indicated by Ecctis, the higher score of points will be awarded in this application too.

### **Previous earnings: notes**

18. An applicant will be awarded no points for earnings of less than £20,000 if:

(a) his last grant of entry clearance was as a Tier 1 (General) Migrant under the Rules in place between 1<sup>st</sup> December 2009 and 26<sup>th</sup> July 2010, or

(b)(i) he has had leave to remain as a Tier 1(General) Migrant under the Rules in place between 1<sup>st</sup> December 2009 and 26<sup>th</sup> July 2010, and

(ii) his previous entry clearance, leave to enter or leave to remain before that leave was not as a Highly Skilled Migrant, as a Writer, Composer or Artist or as a Tier 1 (General) Migrant.

19. (a) In all cases, the applicant must provide at least two different types of the specified documents in paragraph 19-SD(a) from two or more separate sources as evidence for each source of previous earnings.

(b) If the applicant is claiming points for self-employed earnings made in the Isle of Man, he must also provide the specified documents in paragraph 19-SD(b) to show that:

(i) he is registered as self-employed,

(ii) he was registered as self-employed during the period(s) of self employment used to claim points, and

(iii) he was paying Class 2 National Insurance contributions during the period(s) of self-employment used to claim points.

(c) Each piece of supporting evidence must support all the other evidence and, where appropriate, be accompanied by any information or explanation of the documents submitted, including further documents such as a letter of explanation from the applicant's accountant, so that together the documents clearly prove the earnings claimed.

(d) Full contact details must be provided for each supporting document for verification purposes.

(e) Where an applicant is providing bank statements as evidence, the bank statements provided must:

(i) be on official bank stationery, and must show each of the payments that the applicant is claiming, or

(ii) electronic bank statements, which either:

(1) are accompanied by a supporting letter from the bank on company headed paper confirming that the documents are authentic, or

(2) bear the official stamp of the issuing bank on every page of the statement.

- (f) Where an applicant is providing official tax documents as evidence, the documents must be:
- (i) a document produced by a tax authority that shows details of declarable taxable income on which tax has been paid or will be paid in a tax year (for example a tax refund letter or tax demand),
  - (ii) a document produced by an employer as an official return to a tax authority, showing details of earnings on which tax has been paid in a tax year (for example a P60 in the United Kingdom), or
  - (iii) a document produced by a person, business, or company as an official return to a tax authority, showing details of earnings on which tax has been paid or will be paid in a tax year, and which has been approved, registered, or stamped by the tax authority.
- (g) (i) Where an applicant is providing evidence from an accountant or accountancy firm, the accountant must be either a fully qualified chartered accountant or a certified accountant who is a member of a registered body, and must have a valid licence to practise or practising certificate.
- (ii) If the earnings were for work done while the applicant was in the Isle of Man such evidence must come from an accountant or accountancy firm in the Isle of Man who is a member of one of the following recognised supervisory bodies:
- (1) The Institute of Chartered Accountants in England and Wales (ICAEW),
  - (2) The Institute of Chartered Accountants in Scotland (ICAS),
  - (3) The Institute of Chartered Accountants in Ireland (ICAI),
  - (4) The Association of Chartered Certified Accountants (ACCA),
  - (5) The Chartered Institute of Public Finance and Accountancy (CIPFA),
  - (6) The Institute of Financial Accountants (IFA),
  - (7) The Chartered Institute of Management Accountants (CIMA)
  - (8) The association of International Accountants (AIA), or
  - (9) The Association of Accounting Technicians (AAT).
- (iii) If the earnings were made while the applicant was not in the Isle of Man, the evidence must come from an accountant or accountancy firm which meets the requirements in (ii) or appears on the list of full members given on the website of the International Federation of Accountants.
- (h) Not used
- (i) The Minister must be satisfied that the earnings are from genuine employment. If the Minister is not satisfied, points for those earnings will not be awarded.
- (j) In making the assessment in paragraph 19(i), the Minister will assess on the balance of probabilities and may take into account the following factors:
- (i) the evidence the applicant has submitted;
  - (ii) whether the money appears to have been earned through genuine employment, rather than being borrowed, gifted, or otherwise shown in the applicant's financial transactions or records without being earned;
  - (iii) whether the business from which the earnings are claimed can be shown to exist and be lawfully and genuinely trading;
  - (iv) verification of previous earnings claims with declarations made in respect of the applicant to other Government Departments, including declarations made in respect of earnings claimed by the applicant in previous applications;
  - (v) the applicant's previous educational and business experience (or lack thereof) in relation to the claimed business activity;
  - (vi) the applicant's immigration history and previous activity in the Isle of Man;



(vii) where the nature of the applicant's employment or business requires him to have mandatory accreditation, registration or insurance, whether that accreditation, registration or insurance has been obtained;

(viii) any payments made by the applicant to other parties; and

(ix) any other relevant information.

(k) To support the assessment in paragraph 19(i), the Minister may:

(i) request additional information and evidence, and refuse the application if the information or evidence is not provided. Any requested documents must be received by the Minister at the address specified in the request within 28 working days of the date the request is sent, and

(ii) request the applicant attends an interview, and refuse the application if the applicant fails to comply with any such request without providing a reasonable explanation.

(l) The Minister may decide not to carry out the assessment in paragraph 19(i) if the application already falls for refusal on other grounds, but reserves the right to carry out this assessment in any reconsideration of the decision.

19-SD. (a) The specified documents in paragraph 19(a) are:

(i) Payslips covering the whole period claimed, which must be either:

(1) original formal payslips issued by the employer and showing the employer's name, or

(2) accompanied by a letter from the applicant's employer, on the employer's headed paper and signed by a senior official, confirming the payslips are authentic;

(ii) Personal bank statements showing the payments made to the applicant;

(iii) A letter from the applicant's employer(s) during the period claimed (or in the case of winnings, the relevant awarding body), on company headed paper, which:

(1) is dated after the period for which earnings are being claimed, and

(2) clearly confirms the applicant's gross and net earnings during the period claimed, and the date and amount of each payment;

(iv) Official tax document produced by the relevant tax authority or employer, showing earnings on which tax has been paid or will be paid in a tax year;

(v) Dividend vouchers which show the amount of money paid by the company to the applicant, normally from its profits, and which confirm both the gross and net dividend paid. The applicant must provide a separate dividend voucher or payment advice slip for each dividend payment, to cover the whole period claimed;

(vi) If the applicant is claiming points for self-employed earnings, a letter from his accountant on headed paper, confirming that the applicant received the exact amount he is claiming, or the net profit to which he is entitled. This is a letter from the applicant's accountant on headed paper confirming the gross and net pay for the period claimed. The letter should give a breakdown of salary, dividends, profits, tax credits and dates of net payments earned. If the applicant's earnings are a share of the net profit of the company, the letter should also explain this;

(vii) Invoice explanations or payment summaries from the applicant's accountant, which include a breakdown of the gross salary, tax deductions and dividend payments made to the applicant, and which enable the Isle of Man Immigration Office to check that the total gross salary and dividend payments correspond with the net payments into the applicant's personal bank account.

(viii) Company or business accounts that meet statutory requirements and clearly show:

(1) the net profit of the company or business made over the earnings period to be assessed,

(2) both a profit and loss account (or income and expenditure account if the organisation is not trading for profit), and

(3) a balance sheet signed by a director;

(ix) Business bank statements showing the payments made to the applicant;

(x) If the applicant provides a combination of bank statements and a letter or invoice summary from his accountant, he must also provide any invoices generated during the period for which earnings are being claimed.

(b) The specified documents in paragraph 19(b) are:

(i) If the applicant's National Insurance is paid by bill, the original bill from the billing period immediately before the application.

(ii) If the applicant's National Insurance is paid by direct debit, the most recent bank statement issued before the application, showing the direct debit payment of National Insurance to the Isle of Man Treasury.

(iii) If the applicant has low earnings, an original small earnings exception certificate issued by the Isle of Man Treasury for the most recent return date.

(iv) If the applicant has not yet received the documents in (i) to (iii), the original, dated welcome letter from Isle of Man Treasury containing the applicant's unique taxpayer reference number.

### **Period for assessment**

20. Applicants should indicate in the application form for which 12-month period their earnings should be assessed.

21. (a) For all applicants the period for assessment of earnings must:

(i) consist of no more than 12 months which must run consecutively, and

(ii) fall within the 15 months immediately preceding the application.

(b) If the applicant:

(i) has been on maternity or adoption leave at some point within the 12 months preceding the application, and

(ii) has provided the specified, or where due to exceptional circumstances the specified documents in paragraph 21 SD are not available, has provided alternative documents which show that the circumstances provided for in (i) apply,

The applicant may choose for a period of no more than 12 months spent on maternity or adoption leave to be disregarded when calculating both the 12-month and the 15-month period.

21-SD. (a) Where paragraph 21(b)(ii) states that specified documents must be provided, the applicant must provide:

(i) The document in (b) below, if it has been issued, and

(ii) If the document in (b) has been issued and is provided, the documents in either (c)(i) or (c)(ii) below, or

(iii) If the document in (b) has not been issued, the documents in both (c)(i) and(ii) below, or

(iv) If the applicant is unable to satisfy (ii) or (iii) above:

(1) the documents in either (b) or (c)(i) or (c)(ii),

(2) a satisfactory explanation as to why the other types of document cannot be provided, and

(3) one of the types of documents in (d) below.

The specified documents are:

- (b) The original full birth certificate or original full certificate of adoption (as appropriate), containing the names of parents or adoptive parents of the child for whom the period of maternity or adoption-related absence was taken;
- (c) (i) An original letter from the applicant's employer, on the company headed paper, which confirms the start and end dates of the period of maternity or adoption related absence;
- (ii) Original payslips or other payment or remittance documents, on the official letter-headed paper of the issuing authority, and covering the entire period for which the maternity or adoption-related absence is being claimed and showing the statutory maternity or adoption payments to the applicant;
- (d) One of the following documents, from an official source and which is independently verifiable:
- (i) official adoption papers issued by the relevant authority;
- (ii) any relevant medical documents
- (iii) a relevant extract from a register of birth accompanied by an original letter from the issuing authority.

22. If the applicant has not indicated a period for assessment of earnings, or has indicated a period which does not meet the conditions in paragraph 21 above, their earnings will be assessed against the 12-month period immediately preceding their application, assuming the specified documents in paragraph 19-SD above have been provided. Where the specified documents in paragraph 19-SD above have not been provided, points will not be awarded for previous earnings.

## Earnings

23. Earnings include, but are not limited to:

- (a) salaries (includes full-time, part-time and bonuses),
- (b) earnings derived through self-employment,
- (c) earnings derived through business activities,
- (d) statutory and contractual maternity pay, statutory and contractual adoption pay,
- (e) allowances (such as accommodation, schooling or car allowances) which form part of an applicant's remuneration package and are specified in the applicant's payslips,
- (f) dividends paid by a company in which the applicant is active in the day-to-day management, or where the applicant receives the dividend as part or all of their remuneration package,
- (g) property rental income, where this constitutes part of the applicant's business, and
- (h) payments in lieu of notice.

24. Where the earnings take the form of a salary or wages, they will be assessed before tax (i.e. gross salary).

25. Where the earnings are the profits of a business derived through self-employment or other business activities:

- (a) the earnings that will be assessed are the profits of the business before tax. Where the applicant only has a share of the business, the earnings that will be assessed are the profits of the business before tax to which the applicant is entitled, and
- (b) the applicant must be registered as self-employed in the UK, and must provide the specified evidence.

26. Earnings do not include unearned sources of income, such as:

- (a) allowances (such as accommodation, schooling or car allowances) which are paid as reimbursement for monies the applicant has previously paid,
- (b) any other allowances, unless part of the applicant's remuneration package and specified in the applicant's payslips,

- (c) dividends, unless paid by a company in which the applicant is active in the day-to-day management, or unless the applicant receives the dividend as part or all of their remuneration package,
- (d) property rental income, unless this constitutes part of the applicant's business,
- (e) interest on savings and investments,
- (f) funds received through inheritance,
- (g) employer pension contributions or monies paid to the applicant as a pension,
- (h) expenses where the payment constitutes a reimbursement for monies the applicant has previously outlaid,
- (i) redundancy payment,
- (j) sponsorship for periods of study,
- (k) state benefits, or
- (l) prize money or competition winnings, other than where they are directly related to the applicant's main profession or occupation.

### **Converting foreign currencies**

27. Earnings in a foreign currency will be converted to pound sterling (£) using the closing spot exchange rate for the last day of the period for which the applicant has claimed earnings in that currency.
28. If the applicant's earnings fall either side of a period of maternity or adoption leave, earnings in a foreign currency will be converted to pounds sterling (£) using the closing spot exchange rate which exists:
- (a) for the earnings earned before maternity or adoption leave, on the last day of the period before maternity leave, and
  - (b) for the earnings earned after maternity or adoption leave, on the last day of the period after maternity leave.
29. The spot exchange rate which will be used is that which appears on [www.oanda.com](http://www.oanda.com)\*
30. Where the previous earnings claimed are in different currencies, any foreign currencies will be converted before being added together, and then added to any UK earnings, to give a total amount.

### **Isle of Man experience: notes**

31. Previous earnings will not be taken into account for the purpose of awarding points for Isle of Man experience if the applicant was not physically present in the Isle of Man at the time those earnings were made.
32. Previous earnings will not be taken into account for the purpose of awarding points for Isle of Man experience if the applicant was physically present in the UK or the Channel Islands at the time those earnings were made.

### **Age: notes**

33. If the applicant was first granted leave in the categories of Highly Skilled Migrant, Writer, Composer or Artist or Tier 1 (General) Migrant and has not been granted leave in any category other than those listed here since the first grant of leave, points will be awarded based on the applicant's age at the date of the application for that first grant of leave. If the applicant has been granted leave since his first grant of leave in a category not listed in this paragraph, points will be awarded based on his age at the date of application for a grant of leave in a category listed in this paragraph where leave has not been granted in any category not listed in this paragraph between that grant of leave and the current application.
34. The specified documents in paragraph 34-SD must be provided as evidence of age.
- 34-SD. The specified documents in paragraph 34 are:

- (i) The applicant's Biometric Residence Permit, which contains the date of approval of the last grant of leave and the age of the applicant; or
- (ii) The applicant's current valid original passport or travel document containing the last entry clearance granted to the applicant.

### **Attributes for Tier1 (Entrepreneur) Migrants**

- 35. An applicant applying for leave to remain or indefinite leave to remain as a Tier 1 (Entrepreneur) Migrant must score 75 points for attributes.
- 36. Available points are shown in Table 4 for initial applications for applicants who have leave to enter or leave to remain as a Tier 1 (Graduate Entrepreneur) Migrant or Start-up Migrant.
- 37. Available points are shown in Table 5 for extension applications for applicants who have leave to enter or leave to remain as a Tier 1 (Entrepreneur) Migrant.
- 38. Available points for applications for indefinite leave to remain are shown in Table 6.

### **39. Notes**

- (a) In all cases, an applicant cannot score points from any of the following:
  - (i) the same money being used to score points for maintenance funds for themselves or their dependents under Appendices C or E,
  - (ii) money made available from a third party, where the third party is another Tier 1 (Entrepreneur) Migrant, or that migrant's business or close family member,
  - (iii) money invested in their business more than 12 months (or 24 months if the applicant was previously granted leave as a Tier 1 (Graduate Entrepreneur) Migrant) before the date of application which led to their first grant of leave as a Tier 1 (Entrepreneur) Migrant,
  - (iv) money invested in the form of a director's loan unless it is unsecured and subordinated to other creditors' loans to the business, or
  - (v) investment in any residential accommodation, property development or property management, meaning:
    - (1) any development of property owned by the applicant or their business to increase the value of the property with a view to earning a return either through rent or a future sale or both, or
    - (2) management of property (whether or not it is owned by the applicant or their business) for the purposes of renting it out or resale.

For the avoidance of doubt, (v) requires that the business income is generated from the supply of goods/or services, and not derived from the increased value of property or any income generated from property, such as rent.

- (b) Points will only be awarded for an applicant's business if it is an Isle of Man business.
- (c) A business will be considered to be an Isle of Man business if the applicant provides the specified evidence in this Appendix to show that:
  - (i) it is trading within the Isle of Man economy,

- (ii) it has its registered office in the Isle of Man, or, in the case of multinational companies with no Isle of Man registered office, its head office in the Isle of Man, except where the applicant is registered with the Isle of Man Treasury as self-employed and does not have a business office,
  - (iii) it has an Isle of Man bank account, and
  - (iv) it is subject to Isle of Man taxation.
- (d) Points will not be awarded for being the director of an Isle of Man business or member of an Isle of Man limited liability partnership if the applicant is on the Isle of Man Financial Services Authority List of Disqualified Directors.
- (e) Where evidence from an accountant is required, it will only be accepted if the accountant:
- (i) is not the applicant,
  - (ii) has prepared and signed off the accounts in accordance with all relevant statutory requirements,
  - (iii) has a valid licence to practice or practicing certificate, and
  - (iv) is a member of one or more of the following:
    - (1) the Institute of Chartered Accountants in England and Wales,
    - (2) the Institute of Chartered Accountants in Scotland,
    - (3) the Institute of Chartered Accountants in Ireland,
    - (4) the Association of Chartered Certified Accountants,
    - (5) the Association of Authorised Public Accountants,
    - (6) the Chartered Institute of Public Finance and Accountancy,
    - (7) the Institute of Financial Accountants,
    - (8) the Chartered Institute of Management Accountants,
    - (9) the Association of International Accountants, or
    - (10) the Association of Accounting Technicians.
- (f) Where personal or business bank statements are required:
- (i) The bank or buildings society holding the money must be based in the Isle of Man and regulated by the Isle of Man Financial Services Authority.
  - (ii) Each statement must be on the institution's official stationary showing the institution's name and logo, and confirm the applicant's name (and, where relevant, the applicant's entrepreneurial team partner's name), the account number and the date of the statement.
  - (iii) Each statement must have been issued by an authorised official of that institution.

- (iv) If the statements are printouts of electronic statements, they must either be accompanied by a supporting letter from the financial institution, on its headed paper, confirming the authenticity of the statements, or bear the official stamp of the institution on each page of the statement.
- (g) Further notes to accompany Table 4 appear below Table 4.
- (h) Further notes to accompany Tables 5 and 6 appear below Table 6.

**Table 4: Initial applications as referred to in paragraph 36**

<b>Row</b>	<b>Investment and business activity</b>	<b>Points</b>
1	At least £50,000 is available to the applicant or their business, or has been invested in their business due to their activity.	25
2	The money is held in one or more financial institutions, which are regulated by the appropriate regulatory body for the country in which they operate.	25
3	The money is disposable in the Isle of Man. If the applicant is applying for leave to remain, the money must be held in the Isle of Man.	25

**40. Available money: notes**

- (a) Available money must be cash, not individual savings accounts or other assets such as stocks and shares.
- (b) Where multiple documents are provided, they must show the total amount required is available on the same date.
- (c) The money must either be held in an Isle of Man regulated financial institution or be transferable to the Isle of Man and convertible to sterling.
- (d) If the money is available to the applicant's business, rather than to the applicant themselves, the business must be a company or limited liability partnership and the applicant must be registered as a director, in the case of a company, or member, in the case of a limited liability partnership.
- (e) The money must remain available to the applicant or their business until it is spent for the purposes of the applicant's business(es). The Minister reserves the right to request further evidence or otherwise verify that the money will remain available, and to refuse the application if this evidence is not provided or cannot be satisfactorily verified.
- (f) Money is disposable in the Isle of Man if all of the money is held in an Isle of Man based financial institution and free from sanctions or if the money is freely transferable to the Isle of Man and convertible to sterling. Funds in a foreign currency will be converted to pounds sterling (£) using the spot exchange rate which appeared on [www.oanda.com](http://www.oanda.com) on the date of application.

- (g) No points will be awarded unless the money is held in a financial institution permitted under Appendix Finance.

#### 41. Available money: Specified Documents

- (a) If all or part of the money has not yet been invested in the applicant's business, the applicant must provide all of the specified documents set out in the relevant row of Table 4A below. If the applicant is claiming points for available money from more than one source, the applicant must provide the specified documents for each row which applies.

**Table 4A: Specified documents showing available money**

Row	Available money	Specified documents (see descriptions below this table)
1	Money available as set out in Table 4 from: <ul style="list-style-type: none"> <li>(a) seed funding competitions which are listed as endorsed by the Department for Enterprise, or</li> <li>(b) One or more Isle of Man Government Departments and made available by the Department(s) for the specific purpose of establishing or expanding an Isle of Man business.</li> </ul>	(i)
2	Money available from a third party, other than those in row 1 above, where the money is still held by the third party.	All of (ii)–(iv)
3	Money held by the applicant for less than 90 consecutive days, ending no earlier than 31 days before the date of application, where the source of that money is other than those in row 1 above.	(ii) and (iii), and, either (v) or (vi) as appropriate
4	Money held by the applicant for at least 90 consecutive days, ending no earlier than 31 days before the date of application.	Either (v) or (vi) as appropriate

#### Specified Documents:

- (i) A letter confirming the amount of money available to the applicant, the entrepreneurial team or the applicant's business from the seed funding competition or an Isle of Man Government Department. The letter must be from an authorised official of that organisation or, in the case of an Isle of Man Government Department, a letter from an authorised official of an intermediary public body providing it confirms that it has been authorised to award funds from that Department for the specific purpose of establishing or expanding Isle of Man businesses.
- (ii) A written declaration from each third party that they have made the money available to invest in the applicant's business in the Isle of Man, containing:



- (1) the names of the third party and the applicant (and their entrepreneurial team partner's name where relevant), or the name of the applicant's business,
  - (2) the date of the declaration,
  - (3) the applicant's signature and the signature of the third party (and the signature of the applicant's entrepreneurial team partner where relevant),
  - (4) the amount of money available in pounds sterling,
  - (5) the relationship(s) of the third party to the applicant,
  - (6) if the third party is another business in which the applicant is self-employed or a director, evidence of the applicant's status within that business and that the applicant is the sole controller of that business's finances, or, where the applicant is not the sole controller, the letter must be signed by another authorised official of that business who is not the applicant, and
  - (7) confirmation that the money will remain available until such time as it is transferred to the applicant, the entrepreneurial team or the applicant's business.
- (iii) A letter (or letters) from one or more legal representatives, who are not the applicant or the third party, which confirm(s) that all letters and declarations in (ii) and (iv) (where required) contain the genuine signatures of the required signatories. The letter(s) must clearly show the registration or authority of the legal representative to practise legally in the country where the third party or the money is.
- (iv) A letter from each financial institution holding the funds, issued by an authorised official of that institution, confirming in each case the amount of money that the third party intends to make available, and that the institution is not aware of the third party having promised to make that money available to any other person.
- (v) For money held outside the Isle of Man, a letter from each financial institution holding the funds, issued by an authorised official of that institution, confirming the minimum balance available from the applicant's own funds held in that institution on the date of the letter and, in the case as described in row 4 of Table 4A, during a consecutive 90-day period of time ending on the date of the letter.
- (vi) For money held in the Isle of Man, recent personal bank or building society statements, with the most recent statement being dated no earlier than 31 days before the date of application, which taken altogether show that the relevant required sum of available money is held in the account(s) on the date of the most recent statement(s). In the case described in row 4 of Table 4A, the statements must show the sum has been held for a consecutive 90 day period of time immediately before the date of the statement.
- (b) Each letter referred to in (a)(i) and (iii) to (v) above must:
- (1) be on the organisation's official headed paper,
  - (2) be dated no earlier than three months (in the case of (i) and (iii) or 31 days (in the case of (iv) and (v)), immediately before the date of application,
  - (3) state the applicant's name, and their entrepreneurial team partner's name where relevant, or the name of the applicant's business,

- (4) include the contact details of the person or (where relevant) an official of the organisation issuing the letter,
  - (5) include (where relevant) the name of the third party providing the money, including their full address, postal code, telephone contact number and any email address,
  - (6) in the case of (iii), include the number of the third party or their authorised representative's identity document (such as a passport or national identity card), the place of issue and dates of issue and expiry,
  - (7) in the case of (iv) to (v) , show the account number,
  - (8) in the case of (iv) to (v), confirm that the financial institution is regulated by the appropriate body and, if not regulated by the Financial Supervision Commission, that the money can be transferred into the Isle of Man.
42. If the money is available to the applicant's business, rather than to the applicant themselves, the applicant must also provide a Companies Registry document showing the address of the business's registered office in the Isle of Man, or head office in the Isle of Man if it has no registered office in the Isle of Man, and that the applicant is a director, in the case of a company, or member, in the case of a limited liability partnership.
43. If all or part of the money has been invested in the applicant's business, the applicant must provide:
- (a) all of the specified documents required in paragraph 44 to show the amount of money invested, and
  - (b) all of the specified documents required in paragraph 47 to show that the applicant has established a new Isle of Man business or joined or taken over an existing Isle of Man business, in which the money was invested.

**Table 5: Extension applications as referred to in paragraph 37**

<b>Row</b>	<b>Investment, business activity and job creation</b>	<b>Points</b>
1	<p>The applicant has invested or has caused investment to be made by one or more third parties, totaling £200,000 or more (or £50,000 if they were awarded points for £50,000 funding or investment in their last grant of leave) in cash directly into one or more Isle of Man businesses.</p> <p>The applicant does not need to provide evidence of this investment if they were awarded points under Table 5 in their last grant of entry clearance or leave to remain as a Tier 1 (Entrepreneur) Migrant.</p>	20
2	<p>The applicant has:</p> <p>(a) registered with Isle of Man Treasury Income Tax Division as self-employed, or</p> <p>(b) registered with Isle of Man Companies Registry as a director of</p>	20

	<p>a Isle of Man company, or member of a Isle of Man limited liability partnership.</p> <p>The applicant must have registered as above within 6 months of entering the Isle of Man (if they were most recently granted entry clearance and there is evidence to establish their date of entry) or, in any other case, within 6 months of the date on which the most recent leave was granted.</p>	
3	<p>Within the three months before the date of application, the applicant was:</p> <p>(a) registered with Isle of Man Treasury Income Tax Division as self-employed, or</p> <p>(b) registered with Isle of Man Companies Registry as a director of an Isle of Man company or member of an Isle of Man limited liability partnership.</p>	15
4	<p>The applicant has:</p> <p>(a) established a new business or businesses that has or have created the equivalent of 2 new full time jobs for settled workers, or</p> <p>(b) taken over or invested in an existing business or businesses and their services or investment have resulted in a net increase in the employment provided by the business or businesses for settled workers in the Isle of Man by creating the equivalent of 2 new full time jobs.</p> <p>The jobs must have existed for 12 months during the applicant's most recent grant of leave as a Tier 1 (Entrepreneur) Migrant or, where that leave was granted less than 12 months ago, for the 12 months immediately before the date of application.</p>	20

**Table 6: Applications for indefinite leave to remain as referred to in paragraph 38**

<b>Row</b>	<b>Investment, business activity and job creation</b>	<b>Points</b>
1	<p>The applicant has invested or has caused investment to be made by one or more third parties, totaling £200,000 or more (or £50,000 if they were awarded points for £50,000 funding or investment in their last grant of leave) in cash directly into one or more Isle of Man businesses.</p> <p>The applicant does not need to provide evidence of this investment if they were last granted entry clearance or leave to remain as a Tier 1 (Entrepreneur) Migrant, having been awarded points under Table 5.</p>	20
2	<p>The applicant was:</p> <p>(a) registered with Isle of Man Treasury Income Tax Division as self-employed, or</p>	20

	<p>(b) registered with Companies Registry as a director of a Isle of Man company, or member of a Isle of Man limited liability partnership.</p> <p>The above requirement must have been met:</p> <p>(i) within 6 months of entering the Isle of Man (if they were most recently granted entry clearance and there is evidence to establish their date of entry) or, in any other case, within 6 months from the date the most recent leave was granted, and</p> <p>(ii) within the three months before the date of application.</p> <p>The applicant does not need to provide evidence of (i) if they were last granted entry clearance or leave to remain as a Tier 1 (Entrepreneur) Migrant, having been awarded points under Table 5.</p>	
3	<p>The applicant has:</p> <p>(a) established a new business or businesses that has or have created the equivalent of 2 new full time jobs for settled workers, or</p> <p>(b) taken over or invested in an existing business or businesses and their services or investment have resulted in a net increase in the employment provided by the business or businesses for settled workers by creating the equivalent of 2 new full time jobs for settled workers.</p> <p>The jobs must have existed for 12 months during the applicant's most recent grant of leave or, where that leave was granted less than 12 months ago, for the 12 months immediately before the date of application.</p>	20
4	<p>(a) The applicant has spent a continuous period of 5 years lawfully in the Isle of Man with leave as a Tier 1 (Entrepreneur) Migrant, or</p> <p>(b) The applicant has spent a continuous period of 3 years lawfully in the Isle of Man as a Tier 1 (Entrepreneur) Migrant, and has:</p> <p>(i) created the equivalent of 10 (including the two jobs already relied upon to score points under row 3) new full time jobs which meet the requirements in row 3 above, or</p> <p>(ii) established a new Isle of Man business or businesses that has or have had a gross income from business activity of £5 million or more during the 3 year continuous period, or</p> <p>(iii) taken over or invested in an existing Isle of Man business or businesses and the applicant's services or investment have resulted in a net increase in gross income from business activity of £5 million during the 3 year continuous period, when compared to the 3 year period immediately before the date the applicant became involved with the business.</p>	15

**Investment: Specified Documents**

44. The applicant must provide their business accounts and accompanying evidence of their investment, which must meet the following requirements:
- (a) if the applicant's business is legally required to produce audited accounts, the audited accounts must be provided;
  - (b) if the applicant's business is not legally required to produce audited accounts, unaudited accounts and an accounts compilation report must be provided from an accountant;
  - (c) the audited or unaudited accounts must show the investment in money made directly in the business by:
    - (i) the applicant, in their own name,
    - (ii) one or more seed funding competitions or Isle of Man or Devolved Government Departments, as set out in Table 4, and the accounts must be accompanied by a letter from the source, confirming that the investment was made on the applicant's behalf, or
    - (iii) a third party other than those in (ii), and the accounts must either:
      - (1) confirm that the investment was made as a result of the applicant's activity, or
      - (2) be accompanied by a letter from the Department for Enterprise, confirming that the investment was made as a result of the applicant's activity;
  - (d) if the applicant has made the investment in the form of a director's loan:
    - (i) it must be shown in the relevant set of accounts provided,
    - (ii) unless the investment was made on or before 17 June 2016 and the date of application is before 19 November 2021, the investment must be shown through readily identifiable transactions in the applicant's business bank statements, which must clearly show the transfer of this money from the applicant to their business, and
    - (iii) the applicant must provide a legal agreement, between the applicant (in the name that appears on their application) and the business, showing:
      - (1) the terms of the loan,
      - (2) any interest that is payable,
      - (3) the period of the loan, and
      - (4) that the loan is unsecured and subordinated to other creditors' loans to the business;
  - (e) if the applicant has made the investment in the form of share capital, the accounts must show the shareholders, the amount and value of the shares (on the date of purchase) in the applicant's name as it appears on their application. If the value of the applicant's share capital is not shown in the accounts, then a printout of the company's register of members from Companies Registry must be provided;
  - (f) the accounts must clearly show the name of the accountant, the date the accounts were produced, and how much the applicant has invested in the business;

(g) if the applicant is claiming points for investing £50,000 from a seed funding competition or an Isle of Man Government Department, the applicant must provide the specified evidence in Table 4A above as evidence of the source of the funds, (except that the letter referred to in paragraph 41(a)(i) does not need to be dated within the three months immediately before the date of the application).

45. A business will only be considered to be a “new” business for the purposes of paragraph 43 and Tables 5 and 6 if it was established by the applicant no earlier than 12 months (or 24 months if the applicant was previously granted leave as a Tier 1 (Graduate Entrepreneur) Migrant) before the date of the application which led to the applicant’s first grant of leave as a Tier 1 (Entrepreneur) Migrant.

### **Business activity: Specified Documents**

46. The applicant must provide the following specified documents, showing that they obtained the necessary business registration within the 6 month period referred to in Table 5 or 6:

- (a) if the applicant was self-employed, evidence of their registration with Isle of Man Treasury Income Tax Division;
- (b) if the applicant was a director of a Isle of Man company or member of an Isle of Man limited liability partnership, a printout from Companies Registry of the company’s filing history page and of the applicant’s personal appointments history, showing the date of their appointment as a director or member.

47. The applicant must provide the following specified documents to show that they have established a new Isle of Man business or joined or taken over an existing business, and that they are engaged in business in the Isle of Man when they make their application:

- (a) if the applicant is self-employed, they must provide:
  - (i) evidence of their registration with Isle of Man Income Tax Division to show that their business is based in the Isle of Man, and such evidence is dated no earlier than three months before the date of application,
  - (ii) Isle of Man Income Tax Division evidence that the applicant is making tax returns within the self-assessment tax system, and
  - (iii) a personal bank statement showing transactions for their business, or a business bank statement, or a letter from an Isle of Man- regulated financial institution, on the institution’s headed paper, confirming that the applicant has a business and acts through that bank for the purposes of that business;
- (b) if the applicant is a director of an Isle of Man company or member of an Isle of Man partnership, they must provide:
  - (i) printouts of Companies Registry documents, dated no earlier than three months before the date of the application, showing all of the following:
    - (1) the address of the registered office in the Isle of Man, or head office in the Isle of Man if it has no registered office,
    - (2) the applicant’s name, as a director or member,
    - (3) the date of the applicant’s appointment as a director or member, and
    - (4) that the business is actively trading (not dormant, struck-off, dissolved or in liquidation),

- (ii) evidence from Isle of Man Income Tax Division confirming that the company is registered for corporation tax (if the applicant is a director of a company) or that the applicant is making tax returns within the self-assessment tax system (if the applicant is self-employed), and
  - (iii) a business bank statement from an Isle of Man account which shows business transactions, or a letter from the Isle of Man bank in question, on its headed paper, confirming that the company or partnership has a bank account, that the applicant is a signatory of that account, and that the company or partnership uses that account for the purposes of their business.
- (c) regardless of whether the applicant is self-employed, a director or member, they must also provide:
- (i) an overview of the business's activity, including an explanation of the goods or services it provides to its customers or clients; and
  - (ii) the applicant's job title and job description, setting out their role within the company, how they are implementing their business plan and what their main tasks and responsibilities are in running the business on a day-to-day basis.

### **Job creation: notes**

48. (a) A full time job is one involving 30 hours or more of paid work per week.
- (b) "The equivalent of" a full time job means two or more part time jobs that add up to 30 hours per week, if each of the jobs exist for 12 months or more. However, one full time job of more than 30 hours of work per week will not count as more than one full time job.
- (c) A job may count even if it does not last 12 consecutive months (for example it lasts for 6 months in one year and 6 months the following year) provided that it is the same job.
- (d) The jobs need not exist on the date of application, provided that they existed for 12 months or more as specified in Table 5 (row 4) and Table 6 (row 3).
- (e) Different jobs that have existed for less than 12 months cannot be combined together to make up a 12 month job.
- (f) If jobs are being combined the employees being relied upon must be clearly identified by the applicant in their application.
- (g) The jobs must comply with all relevant Isle of Man legislation.

### **Job creation: specified documents**

49. If the applicant is required to score points for job creation in Table 5 or Table 6, they must provide all of the following specified documents:
- (a) evidence to show the applicant is reporting Income Tax Instalment Payments appropriately to the Isle of Man's Income Tax Division, such as printouts of Employee Payment Records, original Income Tax Division T21 or T20, which either together or individually show the total payments made to the settled workers for the full period of employment used to claim points. These must show every payment made to each settled worker as well as any deductions;
  - (b) duplicate payslips or wage slips for each settled worker used to claim points, covering the full period(s) of the employment for which points are being claimed;



- (c) confirmation of the employment start date, job title, job description, hours paid per pay period and the hourly rate for each settled worker relied upon, including any changes to the same and the dates of those changes;
- (d) copies of any of the following documents which demonstrate that each employee has settled status:
  - (i) the biometric data page of a British or EEA passport, showing the photograph and personal details of the employee,
  - (ii) a birth certificate, showing the employee was born in the Isle of Man or UK and Colonies before 1 January 1983,
  - (iii) if the employee was born in the Isle of Man, UK Bailiwick of Guernsey or Bailiwick of Jersey on or after 1 January 1983, a birth certificate, together with documentation, such as a passport or naturalisation certificate, which confirms one of their parents had settled status in the UK when the employee was born, and additionally, if the parent is the employee's father, a marriage certificate to the mother,
  - (iv) if the employee is an EEA national, an Isle of Man, Bailiwick of Guernsey or Bailiwick of Jersey or UK registration certificate/permanent residence document,
  - (v) if the employee is the spouse of an EEA national, the biometric data page of their passport, showing their photograph and personal details, or a residence card, and any of the documents in (i) or (iv) above which relate to the EEA national, together with their marriage certificate to the EEA national, or
  - (vi) if the worker is an overseas national with settled status in the Isle of Man, the biometric data page of their passport containing their photograph and personal details, and the pages where an Isle of Man or UK Government stamp or an endorsement appear, or a biometrics residence permit, or official documentation from the Isle of Man Immigration Service or Home Office which confirms their settled status in the Isle of Man or UK;
- (e) if the applicant was self-employed at the time a settled worker was employed by their business, the specified documents in paragraph 47(a) above showing the dates that the applicant became registered with Isle of Man Income Tax Division as self-employed, with the bank statements referred to in 47(a)(iii) showing all the payments made to the settled worker in the full period of employment used to claim points, and the address of the business;
- (f) if the applicant was a director of an Isle of Man company or member of an Isle of Man partnership at the time the settled worker was employed by their business, a printout from Companies Registry filing history page and of the applicant's personal appointments history, showing this;
- (g) if the applicant took over or joined a business, they must provide a signed and dated letter from an accountant, showing:
  - (i) the name and contact details of the business,
  - (ii) the applicant's status in the business,
  - (iii) the number of jobs created in the business and the hours paid in each of the jobs,
  - (iv) the start dates and end dates (where applicable) of the jobs relied upon,
  - (v) the registration or permission of the accountant to operate in the Isle of Man,



- (vi) confirmation that the business did not employ any workers before the applicant took over or joined it, if relevant and
- (vii) confirmation that the accountant will verify the contents of the letter to the Isle of Man Immigration Service on request;

This applies regardless of how long the business existed for before the applicant took over or joined it;

- (h) if the business referred to in (g) employed workers before the applicant took over or joined it, they must also provide the following documents for the year immediately before the applicant joined the business and the years that the jobs were created, showing the net increase in employment and signed and dated by the applicant:
  - (i) duplicate Isle of Man Treasury Income Tax Division Employer's Annual Return (T36) or Online Services print out, or
  - (ii) duplicate Isle of Man Treasury Income Tax Division Remittance Card (T35) or Online Services print out.

#### **Settlement on the basis of £5 million business activity: specified documents**

50. (a) Where Table 6 applies and the applicant is relying on the business activity of a new Isle of Man business or businesses, they must provide audited (if the business is legally required to produce audited accounts) or unaudited accounts which show the gross income resulting from the business' activities and that this reached £5 million or more.
- (b) Where Table 6 applies and the applicant is relying on business activity from an existing Isle of Man business which they have taken over or invested in, they must provide both of the following:
- (i) audited accounts (if the business is legally required to produce audited accounts) or unaudited accounts clearly showing:
    - (1) the name of the accountant,
    - (2) the date the accounts were produced,
    - (3) the gross income from business activity for the 3 year period immediately before the date on which the applicant became involved with the business, and
    - (4) a net increase of £5 million or more in gross income from business activity during the three year for which the applicant is claiming points under Table 6, row 4;
  - (ii) a signed and dated accountant's letter, confirming:
    - (1) the name and contact details of the business,
    - (2) an explanation of the applicant's status in the business,
    - (3) the net increase in business activity,
    - (4) the registration or permission of the accountant to operate in the Isle of Man, and,
    - (5) that the accountant will verify the content of the letter to the Isle of Man Immigration Service on request.

**Entrepreneurial teams: notes**

51. Two applicants, but no more than two applicants, may claim points for the same investment, available funds, jobs created and business activity in Tables 4, 5 or 6 provided all of the following requirements are met:
- (a) The applicants have equal level of control over the funds and (where relevant) equal status as owners, directors and/or members of the business or businesses in question.
  - (b) The applicants are both shown by name, passport number and (where relevant) Points-Based System reference number in each other's applications and in the specified evidence required in the relevant table.
  - (c) Neither applicant has previously been granted leave as a Tier 1 (Entrepreneur) Migrant on the basis of investment and/or business activity linked in this way with any applicant other than each other, if the same funds were relied on in a previous application.
52. (a) No points will be awarded for money that is made available to any individual other than the applicant, except:
- (i) under the terms of paragraph 51 above; or
  - (ii) where the money is held in a joint account with the applicant's spouse, civil partner or partner (defined as a person who has been living together with the applicant in a relationship akin to a marriage or civil partnership for two years or more prior to the date of application), and that spouse or partner is not (and is not applying to be) another Tier 1 (Entrepreneur) Migrant.
- (b) No points will be awarded for investment, job creation and business activity shared with another Tier 1 (Entrepreneur) applicant, except under the terms of paragraph 51 above.
- (c) If the applicant is not the sole member or director in their business, they must provide confirmation of:
- (i) the names of the other members or directors,
  - (ii) whether any of the other members or directors are also Tier 1 (Entrepreneur) Migrants, and
  - (iii) if so:
    - (1) the dates they became members or directors,
    - (2) whether they are applying under the provisions in paragraph 51 above, and
    - (3) if they have made (or are making at the same time) an application in which they claimed points for creating jobs, the names of the jobholders in question.

**Attributes for Tier 1 (Investor) migrants**

54. An applicant applying for entry clearance, leave to remain or indefinite leave to remain as a Tier 1 (Investor) Migrant must score 75 points for attributes.

55. Except where paragraph 56 applies, available points for applications for entry clearance or leave to remain are shown in Table 7.

56. (a) Available points for entry clearance or leave to remain are shown in Table 8A for an applicant who:

(i) has had entry clearance, leave to enter or leave to remain as a Tier 1 (Investor) Migrant, which was granted under the Rules in place from 10 November 2014, in the 12 months immediately before the date of application, or

(ii) is applying for leave to remain and has, or was last granted, entry clearance, leave to enter or leave to remain as a Tier 1 (Investor) Migrant, which was granted under the Rules in place from 10 November 2014.

(b) Available points for entry clearance or leave to remain are shown in Table 8B for an applicant who:

(i) has had entry clearance, leave to enter or leave to remain as a Tier 1 (Investor) Migrant, under the Rules in place before 10 November 2014 in the 12 months immediately before the date of application; or

(ii) is applying for leave to remain and has, or was last granted, entry clearance, leave to enter or leave to remain as a Tier 1 (Investor) Migrant, under the Rules in place before 10 November 2014.

57. (a) Available points for applications for indefinite leave to remain are shown in Table 9A for an applicant who was last granted as a Tier 1 (Investor) Migrant under the Rules in place from 10 November 2014, and was awarded points as set out in Table 7 or Table 8A of Appendix A to these Rules in that last grant.

(b) Available points for applications for indefinite leave to remain are shown in Table 9B for an applicant who was last granted as a Tier 1 (Investor) Migrant under the Rules in place before 10 November 2014, or was awarded points as set out in Table 8B of Appendix A in his last grant.

58. Notes to accompany Tables 7 to Table 9B appear below Table 9B.

**Table 7: applications for entry clearance or leave to remain referred to in paragraph 55**

<b>Money to invest in the Isle of Man</b>	<b>Points</b>
<p>The applicant:</p> <p>(a) has money of his own under his control held in a regulated financial institution and disposable in the Isle of Man amounting to not less than £2 million; and</p> <p>(b) has opened an account with an Isle of Man regulated bank for the purposes of investing not less than £2 million in the Isle of Man.</p>	75

**Table 8A: Applications for entry clearance or leave to remain from applicants who initially applied to enter the category from 10 November 2014 as referred to in paragraph 56(a)**

<b>Money and investment</b>	<b>Points</b>
<p>The applicant has invested not less than £2 million in the Isle of Man by way of share capital or loan capital in active and trading Isle of Man registered companies, subject to the restrictions set out in paragraph 65 below.</p> <p>The investment referred to above was made:</p> <p>(1) within 3 months of the applicant's entry to the Isle of Man, if he was granted entry clearance as a Tier 1 (Investor) Migrant and there is evidence to establish his date of entry to the Isle of Man, unless there are exceptionally compelling reasons for the delay in investing, or</p> <p>(2) where there is no evidence to establish his date of entry in the Isle of Man or</p>	75

<p>where the applicant was granted entry clearance in a category other than Tier 1 (Investor) Migrant, within 3 months of the date of the grant of entry clearance or leave to remain as a Tier 1 (Investor) Migrant, unless there are exceptionally compelling reasons for the delay in investing, or</p> <p>(3) where the investment was made prior to the application which led to the first grant of leave as a Tier 1 (Investor) Migrant, no earlier than 12 months before the date of such application,</p> <p>and in each case the level of investment has been at least maintained for the whole of the remaining period of that leave.</p> <p>“Compelling reasons for the delay in investing” must be unforeseeable and outside of the applicant’s control. Delays caused by the applicant failing to take timely action will not be accepted. Where possible, the applicant must have taken reasonable steps to mitigate such delay.</p>	
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**Table 8B: Applications for entry clearance or leave to remain from applicants who initially applied to enter the category before 10 November 2014 as referred to in paragraph 56(b)**

<b>Money and investment</b>	<b>Points</b>
<p>The applicant:</p> <p>(a) has money of his own under his control in the Isle of Man amounting to not less than £1 million, or</p> <p>(b) (i) owns personal assets which, taking into account any liabilities to which they are subject, have a value of not less than £2 million; and</p> <p>(ii) has money under his control and disposable in the Isle of Man amounting to not less than £1 million which has been loaned to him by an Isle of Man regulated financial institution.</p>	30
<p>The applicant has invested not less than £750,000 of his capital in the Isle of Man by way of share capital or loan capital in active and trading Isle of Man registered companies, subject to the restrictions set out in paragraph 65 below and has invested the remaining balance of £1,000,000 in the Isle of Man by the purchase of assets or by maintaining the money on deposit in an Isle of Man regulated financial institution.</p>	30
<p>(i) The investment referred to above was made:</p> <p>(1) within 3 months of the applicant’s entry to the UK, if he was granted entry clearance as a Tier 1 (Investor) Migrant and there is evidence to establish his date of entry to the UK, unless there are exceptionally compelling reasons for the delay in investing; or</p> <p>(2) where there is no evidence to establish his date of entry in the UK or where the applicant was granted entry clearance in a category other than Tier 1 (Investor) Migrant, within 3 months of the date of the grant of entry clearance or leave to</p>	15

<p>remain as a Tier 1 (Investor) Migrant, unless there are exceptionally compelling reasons for the delay in investing; or</p> <p>(3) where the investment was made prior to the application which led to the first grant of leave as a Tier 1 (Investor) Migrant, no earlier than 12 months before the date of such application,</p> <p>and in each case the level of investment has been at least maintained for the whole of the remaining period of that leave.</p> <p>“Compelling reasons for the delay in investing” must be unforeseeable and outside of the applicant’s control. Delays caused by the applicant failing to take timely action will not be accepted. Where possible, the applicant must have taken reasonable steps to mitigate such delay.</p>	
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**Table 9A: Applications for indefinite leave to remain from applicants who initially applied to enter the category from 10 November 2014 as referred to in paragraph 57(a)**

Row	Money and investment	Points
1.	<p>The applicant has invested money of his own under his control amounting to at least:</p> <p>(a) £10 million; or</p> <p>(b) £5 million; or</p> <p>(c) £2 million in the Isle of Man by way of share capital or loan capital in active and trading Isle of Man registered companies, subject to the restrictions set out in paragraph 65 below.</p>	40
2.	<p>The applicant has spent the specified continuous period lawfully in the Isle of Man, with absences from the Isle of Man of no more than 180 days in any 12 calendar months during that period.</p> <p>The specified continuous period must have been spent with leave as a Tier 1 (Investor) Migrant.</p> <p>The specified continuous period is:</p> <p>(a) 2 years if the applicant scores points from row 1(a) above;</p> <p>(b) 3 years if the applicant scores points from row 1(b) above; or</p> <p>(c) 5 years if the applicant scores points from row 1(c) above.</p> <p>Time spent with valid leave in the Bailiwick of Guernsey, the Bailiwick of Jersey or the UK in a category equivalent to the categories set out above may be included in the continuous period of lawful residence, provided the most recent period of leave was as a Tier 1 (Investor) Migrant in the Isle of Man. In any such case, the applicant must have absences from the Bailiwick of Guernsey, the Bailiwick of Jersey or the UK (as the case may be) of no more than 180 days in any 12 calendar months during the specified continuous period.</p>	20
3.	<p>The investment referred to above was made no earlier than 12 months before the date of the application which led to the first grant of leave as a Tier 1 (Investor) Migrant.</p> <p>The level of investment has been at least maintained throughout the relevant</p>	15

	<p>specified continuous period referred to in row 2, other than in the first 3 months of that period, and the applicant has provided the specified documents to show that this requirement has been met.</p> <p>When calculating the specified continuous period, the first day of that period will be taken to be the later of:</p> <p>(a) the date the applicant first entered the Isle of Man as a Tier 1 (Investor) Migrant, (or the date entry clearance was granted as a Tier 1 (Investor) Migrant) or the date the applicant first entered the Bailiwick of Guernsey, the Bailiwick of Jersey or the UK with leave in a category equivalent to Tier 1 (Investor) if this is earlier; or</p> <p>(b) the date 3 months before the full specified amount was invested in the Isle of Man, or before the full required amount in an equivalent category was invested in the Bailiwick of Guernsey, the Bailiwick of Jersey or the UK.</p>	
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**Table 9B: Applications for indefinite leave to remain from applicants who initially applied to enter the category before 10 November 2014 as referred to in paragraph 57(b)**

Row	Money and investment	Points
1.	<p>The applicant:</p> <p>(a) (i) has money of his own under his control in the Isle of Man amounting to not less than £10 million; or</p> <p>(ii) (1) owns personal assets which, taking into account any liabilities to which they are subject, have a value of not less than £20 million; and</p> <p>(2) has money under his control and disposable in the Isle of Man amounting to not less than £10 million which has been loaned to him by an Isle of Man regulated financial institution, or</p> <p>(b) (i) has money of his own under his control in the Isle of Man amounting to not less than £5 million; or</p> <p>(ii) (1) owns personal assets which, taking into account any liabilities to which they are subject, have a value of not less than £10 million; and</p> <p>(2) has money under his control and disposable in the Isle of Man amounting to not less than £5 million which has been loaned to him by an Isle of Man regulated financial institution; or</p> <p>(c) (i) has money of his own under his control in the Isle of Man amounting to not less than £1 million; or</p> <p>(ii) (1) owns personal assets which, taking into account any liabilities to which they are subject, have a value of not less than £2 million; and</p> <p>(2) has money under his control and disposable in the Isle of Man amounting to not less than £1 million which has been loaned to him by an Isle of Man regulated financial institution.</p>	20
2.	<p>The applicant has invested not less than 75% of the specified invested amount of his capital in the Isle of Man by way of share capital or loan capital in active and trading Isle of Man registered companies, subject to the restrictions set out in paragraph 65 below, and has invested the remaining balance of the specified invested amount in the Isle of Man by the purchase of assets or by maintaining the money on deposit in an Isle of Man regulated financial</p>	20

	<p>institution.</p> <p>The specified invested amount is:</p> <p>(a) £10,000,000 if the applicant scores points from row 1(a) above,</p> <p>(b) £5,000,000 if the applicant scores points from row 1(b) above, or</p> <p>(c) £1,000,000 if the applicant scores points from row 1(c) above.</p>	
3.	<p>The applicant has spent the specified continuous period lawfully in the Isle of Man, with absences from the Isle of Man of no more than 180 days in any 12 calendar months during that period. The specified continuous period must have been spent with leave as a Tier 1 (Investor) Migrant.</p> <p>The specified continuous period is:</p> <p>(a) 2 years if the applicant scores points from row 1(a) above,</p> <p>(b) 3 years if the applicant scores points from row 1(b) above, or</p> <p>(c) 5 years if the applicant scores points from row 1(c) above.</p> <p>Time spent with valid leave in the Bailiwick of Guernsey, the Bailiwick of Jersey or the UK in a category equivalent to the categories set out above may be included in the continuous period of lawful residence, provided the most recent period of leave was as a Tier 1 (Investor) Migrant in the Isle of Man. In any such case, the applicant must have absences from the Bailiwick of Guernsey, the Bailiwick of Jersey or the UK (as the case may be) of no more than 180 days in any 12 calendar months during the specified continuous period.</p>	20
4.	<p>The investment referred to above was made no earlier than 12 months before the date of the application which led to the first grant of leave as a Tier 1 (Investor) Migrant.</p> <p>The level of investment has been at least maintained throughout the time spent with leave as a Tier 1 (Investor) Migrant in the Isle of Man in the relevant specified continuous period referred to in row 3, other than in the first 3 months of that period.</p> <p>In relation to time spent with leave as a Tier 1 (Investor) Migrant in the Isle of Man, the applicant has provided the specified documents to show that this requirement has been met. When calculating the specified continuous period, the first day of that period will be taken to be the later of:</p> <p>(a) the date the applicant first entered the Isle of Man as a Tier 1 (Investor) Migrant (or the date entry clearance was granted as a Tier 1 (Investor) Migrant), or the date the applicant first entered the Bailiwick of Guernsey, the Bailiwick of Jersey or the UK with leave in a category equivalent to Tier 1 (Investor) if this is earlier, or</p> <p>(b) the date 3 months before the full specified amount was invested in the Isle of Man, or before the full required amount in an equivalent category was invested in the Bailiwick of Guernsey, the Bailiwick of Jersey or the UK.</p>	15

#### **Isle of Man bank account: notes**

59. In the case of an application where Table 7 applies, in addition to the evidence relating to money to invest, the applicant must provide an original letter issued by an authorised official of a Isle of Man regulated bank, on the official letter-headed paper of the institution, which:

- (a) is dated within the three months immediately before the date of the application;
- (b) states the applicant's name and account number; and

(c) confirms that:

- (i) the applicant has opened an account with that bank for the purposes of investing not less than £2 million in the Isle of Man ; and
- (ii) the bank is regulated by the Financial Supervision Commission for the purposes of accepting deposits.

### **Money and assets: notes**

60. Money is disposable in the Isle of Man if all of the money is held in an Isle of Man based financial institution or of the money is freely transferable to the Isle of Man and convertible to sterling (£) using the spot exchange rate which appeared on [www.oanda.com](http://www.oanda.com) on the date when the application was made.

61. 'Money of his own', 'personal assets' and 'his capital' include money or assets belonging to the applicant's spouse, civil partner or unmarried or same-sex partner, provided that:

- (a) the applicant's spouse, civil partner or unmarried or same sex-partner meets the requirements of paragraphs 319C(c) and (d). of these Rules and the specified documents in paragraph 61-SD are provided, and
- (b) specified documents in paragraph 610SD are provided to show that the money or assets are under the applicant's control and that he is free to invest them.

61A. In In Tables 7 to 9B, "money of his own under his control" and "money under his control" exclude money that a loan has been secured against, where another party would have a claim on the money if loan repayments were not met, except where:

- (i) the applicant made an application before 28<sup>th</sup> October 2013 which is undecided or which led to a grant of entry clearance or leave to remain as a Tier 1 (Investor) migrant,
- (ii) the applicant has not been granted entry clearance, leave to enter or leave to remain in any other category since the grant referred to in (i), and
- (iii) the money is under the applicant's control, except for the fact that the loan referred to in paragraph (b) in Table 8B or row 1 in Table 9B has been secured against it.

61-SD. The specified documents in paragraph 61, as evidence of the relationship and to show that the money or assets are under the applicant's control and that he is free to invest them, are as follows:

(a) The applicant must provide:

- (i) The original certificate of marriage or civil partnership, to confirm the relationship, which includes the name of the applicant and the husband, wife or civil partner, or
- (ii) At least three of the following types of specified documents to demonstrate a relationship similar in nature to marriage or civil partnership, including unmarried and same-sex relationships, covering a full two-year period immediately before the date of the application:
  - (1) a bank statement or letter from a bank confirming a joint bank account held in both names,
  - (2) an official document such as a mortgage agreement showing a joint mortgage,
  - (3) official documents such as deeds of ownership or a mortgage agreement showing a joint investment, such as in property or business,
  - (4) a joint rent (tenancy) agreement,
  - (5) any other official correspondence linking both partners to the same address, such as example bills for council tax or utilities,
  - (6) a life insurance policy naming the other partner as beneficiary,
  - (7) birth certificates of any children of the relationship, showing both partners as parents, or
  - (8) any other evidence that adequately demonstrates the couple's long-term commitment to one another.



(b) The applicant must provide an original declaration from the applicant's husband, wife, civil partner, or unmarried or same-sex partner that he will permit all joint or personal money used to claim points for the application to be under the control of the applicant in the Isle of Man, known as a gift of beneficial ownership of the money while retaining the legal title, which clearly shows:

- (1) the names of husband, wife, civil partner, or unmarried or same-sex partner and the applicant,
- (2) the date of the declaration,
- (3) the signatures of the husband, wife, civil partner, or unmarried or same sex partner and applicant,
- (4) the amount of money available, and
- (5) a statement that the husband, wife, civil partner, or unmarried or same sex partner agrees that the applicant has sole control over the money.

(c) The applicant must provide a letter, from a legal adviser who is permitted to practise in the country where the declaration was made, confirming that the declaration is valid and which clearly shows:

- (1) the name of the legal adviser confirming that the declaration is valid,
- (2) the registration or authority of the legal adviser to practise legally in the country in which the document was drawn up,
- (3) the date of the confirmation of the declaration,
- (4) the names of the applicant and husband, wife, civil partner, or unmarried or same-sex partner, and
- (5) that the declaration is signed and valid according to the laws of the country in which it was made.

62. 'Regulated financial institution' is defined in paragraph 43, Appendix A.

62A. Deleted

63. In the case of an application where Table 7 applies, where the money or assets referred to in Table 7 have already been invested in the Isle of Man before the date of application, points will only be awarded if they were invested in the Isle of Man no more than 12 months before the date of application.

Source of money: notes

64. In the case of an application where Table 7 applies, points will only be awarded if the applicant:

- (a) has had the money referred to in Table 7 for a consecutive 90-day period of time, ending no earlier than one calendar month before the date of application, and provides the specified documents in paragraph 64-SD; or
- (b) provides provides the additional specified documents in paragraph 64A-SD as evidence of the source of the money.

64-SD. The specified document requirements in paragraph 64(a), as evidence of having held the money for the specified 90-day period, are as follows:

(a) The applicant must provide:

(i) A portfolio report produced by a Isle of Man regulated financial institution, or a breakdown of investments in an original letter produced by a Isle of Man regulated financial institution, on the official letter-headed paper of the institution, issued by an authorised official of that institution. The portfolio report or letter must cover a consecutive 90-day period of time, ending no earlier than one calendar month before the date of application. The portfolio report or letter must confirm all the following:

- (1) the amount of the money held in the investments,
- (2) the beneficial owner of the funds,

- (3) the date of the investment period covered,
  - (4) that the institution is a Isle of Man regulated financial institution, with the details of the registration shown on the documentation, and
  - (5) that the money can be transferred into the Isle of Man should the application be successful, if it is held abroad, or that the money has already been invested in the Isle of Man in the form of share capital or loan capital in active and trading Isle of Man registered companies, and the dates of these investments;
- (ii) If the applicant manages his own investments, or has a portfolio manager who does not operate in the Isle of Man and is not therefore regulated by the Financial Supervision Commission(FSC), he must provide one or more of the documents from the list below, as relevant to their type of investments, covering a consecutive 90-day period of time, ending no earlier than one calendar month before the date of application:
- (1) certified copies of bond documents showing the value of the bonds, the date of purchase and the owner;
  - (2) share documents showing the value of the shares, the date of purchase and the owner,
  - (3) the latest audited annual accounts of the organisation in which the investment has been made, clearly showing the amount of money held in the investments, the name of the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner), and the date of investment, or, if no accounts have been produced, a certificate from an accountant showing the amount of money held in the investments, and
  - (4) original trust fund documents from a legal adviser showing the amount of money in the fund, the date that the money is available and the beneficial owner, and including the name and contact details of the legal adviser and at least one of the trustees;
- (iii) Original personal bank statements on the official bank stationery from a bank that is regulated by the official regulatory body for the country in which the institution operates and the funds are located, showing the account number and the amount of money available in the name of the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner), covering a consecutive 90-day period of time, ending no earlier than one calendar month before the date of application. The most recent statement must be no more than one calendar month old at the date of application. Electronic bank statements must be accompanied by a supporting letter from the bank on the institution's official headed paper, issued by an authorising official of that institution, confirming the content and that the document is genuine;
- (iv) If the applicant cannot provide bank statements, an original letter from a bank that is regulated by the official regulatory body for the country in which the institution operates and the funds are located. The letter must be on the institution's official headed paper, issued by an authorised official of that institution, and dated no more than one calendar month before the date of application. The letter must confirm:
- (1) the name of the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner), and that the money is available in their name(s),
  - (2) the account number,
  - (3) that the bank is regulated by the official regulatory body for the country in which the institution operates and the funds are located,
  - (4) the dates of the period covered, including both the day the letter was produced and three full consecutive months immediately before the date of the letter, and
  - (5) the balance of the account to cover the required amount of money as a minimum credit balance on the date of the letter and throughout the three full consecutive months before the date of the letter;

(b) If the funds are not held in the Isle of Man, the applicant must also provide an original letter from a bank or financial institution that is regulated by the official regulatory body for the country in which the institution operates and the funds are located, on the institution's official headed paper, issued by an authorised official of that institution, which confirms:

- (1) the name of the beneficial owner, which should be the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner),
- (2) the account number,
- (3) the date of the letter,
- (4) the amount of money to be transferred,
- (5) that the money can be transferred to the Isle of Man if the application is successful, and
- (6) that the institution will confirm the content of the letter to the Home Office on request.

(c) If specified documents are provided from accountants, the accountant must have a valid licence to practise or practising certificate and must:

- (i) if based in the Isle of Man, be a member of the Institute of Chartered Accountants in England and Wales, the Institute of Chartered Accountants in Scotland, the Institute of Chartered Accountants in Ireland, the Association of Chartered Certified Accountants, the Association of Authorised Public Accountants, the Chartered Institute of Public Finance and Accountancy, the Institute of Financial Accountants, the Chartered Institute of Management Accountants, or the Association of International Accountants, or
- (ii) if not based in the Isle of Man, be a member of an equivalent, appropriate supervisory or regulatory body in the country in which they operate.

64A-SD. Where paragraph 64(b) states that specified documents are required as evidence that the money is under the applicant's control and that he is free to invest it, the applicant must provide all the specified documents from the following list, with contact details that enable verification:

(a) Original documents in the form of:

(i) Money given to the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner) within the three months immediately before the application must be shown in an irrevocable memorandum of gift, which clearly shows:

- (1) the name and signature of the person receiving the gift,
- (2) the name and signature of the person giving the gift,
- (3) the date of the memorandum,
- (4) the relationship between the person giving the gift and the person receiving it,
- (5) the amount of money being given,
- (6) a statement that the legal ownership of the gift is transferred and that the document is the memorandum of transfer,
- (7) a clear description of the gift, and
- (8) a statement that the gift is irrevocable;

(ii) If a memorandum of gift in (i) is provided, it must be accompanied by an original confirmation letter from a legal adviser permitted to practise in the country where the gift was made, which clearly shows:

- (1) the name of the legal adviser who is confirming the details,
- (2) the registration or authority of the legal adviser to practise legally in the country in which the gift was made,
- (3) the date of the confirmation of the memorandum,
- (4) the names of the person giving the gift and the person receiving it,

- (5) the relationship between the person giving the gift and the person receiving it,
  - (6) the amount of money given,
  - (7) the date that the money was transferred to the applicant, or to the husband, wife, civil partner, or unmarried partner or same-sex partner of the applicant,
  - (8) that the memorandum is signed and valid,
  - (9) that the gift is irrevocable, and
  - (10) that the memorandum is binding according to the laws of the country in which it was made;
- (iii) Deeds of sale of assets such as business or property, if the applicant has generated these funds within the three months immediately before the date of application, which meet the relevant legal requirements of the country of sale and clearly show:
- (1) the name of the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner),
  - (2) the amount of money raised, and
  - (3) the date of the sale;
- (iv) If a deed of sale in (iii) is provided, it must be accompanied by an original confirmation letter from a legal adviser permitted to practise in the country where the sale was made, which clearly shows:
- (1) the name of the legal adviser confirming the details,
  - (2) the registration or authority of the legal adviser to practise legally in the country in which the sale was made,
  - (3) the date of the sale,
  - (4) the date of production of the letter confirming the sale,
  - (5) the details of what was sold and the amount of money received from the sale,
  - (6) the relationship between the person making the will and the beneficiary,
  - (7) the name of the person receiving the money from the sale,
  - (8) the date that the money was transferred, and
  - (9) that the sale was valid according to the laws of the country in which it was made;
- (v) If the funds are currently held in the applicant's business (or the business of the applicant and/or the applicant's husband, wife, civil partner, or unmarried or same-sex partner), the applicant must provide business accounts, which:
- (1) are profit and loss accounts (or income and expenditure accounts if the organisation is not trading for profit),
  - (2) are prepared and signed off in accordance with statutory requirements, and
  - (3) clearly show the amount of money available for investment;
- (vi) If business accounts in (v) are provided, they must be accompanied by an original letter from a legal adviser who is permitted to practise in the country where business was operating, confirming that the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner) can lawfully extract the money from the business, which clearly shows:
- (1) the name of the legal adviser who is confirming the details,
  - (2) the registration or authority of the legal adviser to practise legally in the country in which the business is operating,
  - (3) the date on which the details are confirmed, and

(4) that the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner) can lawfully extract the money from the business in question;

(vii) If the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same sex partner) has been the beneficiary of a will within the three months before making the application, and has received money as a result, the applicant must provide a notarised copy of the will. If the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner) has received possessions or assets, rather than money, then the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner) may not use estimates of the value of the items as evidence of funds for investment. The notarised copy of the will must clearly show:

- (1) the date of the will,
- (2) the beneficiary of the will (this should be the applicant or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner),
- (3) the amount of money that the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner) has inherited, and
- (4) the names of any executors, plus any codicils (additions) to the will that affect the amount of money that was received;

(viii) If a notarised copy of a will in (vii) is provided, it must be accompanied by an original confirmation letter from a legal adviser who is permitted to practise in the country where will was made, confirming the validity of the will, which clearly shows:

- (1) the name of the legal adviser confirming the details,
- (2) the registration or authority of the legal adviser to practise legally in the country in which the will was made,
- (3) the date of the document produced by the legal adviser confirming the will,
- (4) the date that the applicant received the money as a result of the settlement of the will,
- (5) the names of the person making the will and the beneficiary,
- (6) confirmation of the amount of money received by the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner).
- (7) that the will is signed and valid, and
- (8) that the will is valid according to the laws of the country in which it was made;

(ix) If the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner) has obtained money as a result of a divorce settlement within the three months immediately before the date of application, the applicant must provide a notarised copy of a financial agreement following a divorce. If the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner) has received possessions or assets, rather than money, estimates of the value of the items will not be accepted as evidence of money for investment.

(x) If a divorce settlement in (ix) is provided, it must be accompanied by an original confirmation letter from a legal adviser who is permitted to practise in the country where the divorce took place, which clearly shows:

- (1) the name of the legal adviser confirming the details,
- (2) the registration or authority of the legal adviser to practise legally in the country in which the divorce took place,
- (3) the date of the document produced by the legal adviser confirming the divorce settlement,
- (4) the date that the applicant received the money as a result of the settlement,
- (5) the names of the persons who are divorced,

(6) confirmation of the amount of money received by the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner,

(7) that the divorce settlement is complete and valid, and

(8) that the divorce settlement is valid according to the laws of the country in which it was made;

(xi) If the applicant is relying on a financial award or winnings as a source of funds, he must provide an original letter from the organisation issuing the financial award or winnings, which clearly shows:

(1) the name of the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner),

(2) the date of the award,

(3) the amount of money won,

(4) the winnings are genuine, and

(5) the contact details for the organisation issuing the award or winnings;

(xii) If a letter showing a financial award or winnings in (xi) is provided, it must be accompanied by an original confirmation letter from a legal adviser who is permitted to practise in the country where the award was made, which clearly shows:

(1) the name of the legal adviser confirming the details,

(2) the registration or authority of the legal adviser to practise legally in the country in which the award was made,

(3) the date of the letter of confirmation,

(4) the date of the award,

(5) the name of the recipient of the award,

(6) the amount of the winnings,

(7) the source of the winnings, and

(8) the date that the money was transferred to the applicant, or husband, wife, civil partner, or unmarried or same-sex partner;

(xiii) If the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner) has received money from a source not listed above, the applicant must provide relevant original documentation as evidence of the source of the money, together with independent supporting evidence, which both clearly confirm:

(1) the amount of money received,

(2) the date that the money was received,

(3) the source of the money, and

(4) that the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner) was the legal recipient of the money.

#### **Source of additional money (Table 9A and Table 9B): notes**

64B-SD. In the case of an application where Table 9A, row 1 (a) or (b), or Table 9B, row 1 (a)(i) or (b)(i) applies, points will only be awarded if the applicant:

(a) (i) has had the additional money (or the additional assets in respect of an application to which either row 1 (a)(i) or (b)(i) of Table 9B applies) that he was not awarded points for in his previous grant of leave for a consecutive 90-day period of time, ending on the date(s) this additional capital was invested (as set out in row 1 of Table 9A or row 2 of Table 9B), and

(ii) provides the specified documents in paragraph 64-SD (or the additional assets in respect of an application to which either row 1 (a)(i) or (b)(i) of Table 9B applies), with the difference that references to "date of application" in that paragraph are taken to read "date of investment"; or

(b) provides the additional specified documents in paragraph 64A-SD of the source of the additional money (with the difference that references to "date of application" in that paragraph are taken to read "date of investment").

64C-SD. In the case of an application where Table 9B, row 1 (a)(ii) or (b)(ii) applies, points will only be awarded if the applicant provides an original letter of confirmation from each Isle of Man regulated financial institution the applicant has taken out a loan with to obtain the additional funds that he was not awarded points for in his previous grant of leave. The letter must have been issued by an authorised official, on the official letter-headed paper of the institution(s), and confirm:

- (i) the amount of money that the institution(s) has loaned to the applicant,
- (ii) the date(s) the loan(s) was taken out by the applicant, which must be no later than the date(s) this additional capital was invested (as set out in Table 9B, row 2),
- (iii) that the institution is a Isle of Man regulated financial institution for the purpose of granting loans,
- (iv) that the applicant has personal assets with a net value of at least £2 million, £10 million or £20 million (as appropriate), and
- (v) that the institution(s) will confirm the content of the letter to the Isle of Man Immigration Office on request.

#### **Qualifying investments (Table 8A to Table 9B): notes**

65. Investment excludes investment by the applicant by way of:

- (a) An offshore company or trust or investments that are held in offshore custody,
- (b) Open-ended investment companies, investment trust companies, investment syndicate companies or pooled investment vehicles,
- (c) Companies mainly engaged in property investment, property management or property development (meaning in this context any investment or development of property to increase the value of the property with a view to earning a return either through rent or a future sale or both, or management of property for the purposes of renting it out or resale. The principle is that business income must be generated from the supply of goods and/or services and not derived from the increased value of property or any income generated through property, such as rent.),
- (d) Deposits with a bank, building society or other enterprise whose normal course of business includes the acceptance of deposits,
- (e) ISAs, premium bonds and saving certificates issued by the National Savings and Investment agency (NS&I), for an applicant who has, or last had leave as a Tier 1 (investor) Migrant, or
- (f) Leveraged investment funds, except where the leverage in question is the security against the loan referred to in paragraph (b) in Table 8B or row 1 of Table 9B (as appropriate), and paragraph 61A(i)-(iii) apply.

65A. Active and trading Isle of Man registered companies" means companies which:

- (a) have a registered office or head office in the Isle of Man;
- (b) have an Isle of Man bank account showing current business transactions; and
- (c) are subject to Isle of Man taxation.

65B. No points will be awarded where the specified documents show that the funds are held in a financial institution which is not permitted under Appendix Finance.

65C. (a) In the case of an application where Table 8A or Table 9A applies, points for maintaining the level of investment for the specified continuous period of leave will only be awarded:

- (i) if the applicant has purchased a portfolio of qualifying investments for a price of at least £2 million (or £5 million or £10 million, as appropriate); and
  - (ii) where any part of the qualifying investments in the portfolio is sold (whether at a gain or at a loss) during the specified continuous period of leave, their gross proceeds are re-invested in qualifying investments before the end of the next reporting period, or within six months of the date of completion of the sale, whichever is sooner.
- (b) In the case of an application where Table 8B or Table 9B applies, points for maintaining the level of investment for the relevant period of leave will only be awarded if:
- (i) the applicant has maintained a portfolio of qualifying investments with a market value of at least £750,000 (or £3,750,000 or £7,500,000 as appropriate);
  - (ii) any fall in the market value of the portfolio below the amount in (i) is corrected before the end of the next reporting period, or within six months of the date of completion of the sale, whichever is sooner, by the purchase of further qualifying investments with a market value equal to the amount of any such fall; and
  - (iii) the applicant has maintained a total level of investment (including the qualifying investments at (i) and (ii) above) of £1,000,000.
- (c) In the case of an application where one of Tables 8A, 8B, 9A or 9B applies:
- (i) The applicant may withdraw interest and dividend payments generated by the qualifying investments from the portfolio;
  - (ii) Fees, for example those charged by institutions for managing the portfolio, and transaction costs and tax incurred through buying and selling investments cannot be paid for from the investment funds for which the applicant scores points; and
  - (iii) If the applicant has invested more than the required level in qualifying investments, the fees, transaction costs and tax referred to in (ii) above may be paid from the surplus investment, providing the surplus investment was made at the same time or before the fees, transaction costs and tax were incurred (for example, if the applicant scores points for investing £2 million in qualifying investments, but has actually invested £2.1 million in qualifying investments, up to £100,000 in fees, transaction costs and tax may be paid for from the investment funds. The applicant must have invested £2.1 million at or by the time he pays these costs; he cannot pay out of a £2 million investment and invest a further £100,000 at a later date to compensate).

65-SD The following specified documents must be provided as evidence of investment:

- (a) The applicant must provide a series of investment portfolio reports, certified as correct by an Isle of Man regulated financial institution, which must:
- (i) cover the required period, beginning no later than the end of the 3 month timescale specified in the relevant table;
  - (ii) continue to the last reporting date of the most recent reporting period directly before the date of the application;
  - (iii) include the price of the investments;
  - (iv) certify that the total investment was maintained as required by paragraph 65C as applicable;
  - (v) show the dates that the investments were made;
  - (vi) show the destination of the investments;
  - (vii) for investments made as loan funds to companies, be accompanied by audited accounts or unaudited accounts with an accounts compilation report for the investments made, giving the full details of the applicant's investment. The accountant must have a valid licence to practise or practicing certificate and must be a member of the Institute of Chartered Accountants in England and Wales, the Institute of Chartered Accountants in Scotland, the Institute of Chartered Accountants in Ireland, the Association of Chartered Certified Accountants, the Association of Authorised Public Accountants, the



Chartered Institute of Public Finance and Accountancy, the Institute of Financial Accountants, the Chartered Institute of Management Accountants, or the Association of International Accountants;

(viii) include the name and contact details of the financial institution that has certified the portfolio as correct, and confirmation that this institution is regulated by the Financial Supervision Commission (FSC) where applicable);

(ix) confirm that the investments were made in the applicant's name and/or that of his spouse, civil partner, unmarried or same-sex partner and not in the name of an offshore company or trust even if this is wholly owned by the applicant;

(x) include the date that each portfolio report was certified by the financial institution; and

(xi) state that the institution will confirm the content of the reports to the Isle of Man Immigration Office on request.

(b) DELETED

(c) Where the applicant previously had leave as an Investor, is applying under Table 8B or Table 9B and is unable to provide the evidence listed above because he manages his own investments, or because he has a portfolio manager who does not operate in the UK or Isle of Man and is therefore not regulated by the Financial Conduct Authority (FCA) (and the Prudential Regulation Authority (PRA) where applicable) or the Isle of Man Financial Services Authority, the applicant must provide the following specified documents showing his holdings used to claim points, as relevant to the type of investment:

(i) Documents confirming the purchase of assets in the Isle of Man, showing the assets purchased, the value of these assets and the dates of purchase. When using property, only the unmortgaged portion of the applicant's own home can be considered. The property must be owned by the applicant (or applicant and/or the husband, wife, civil partner, or unmarried or same-sex partner of the applicant) and the valuation must be provided on a report issued by a surveyor (who is a member of the Royal Institution of Chartered Surveyors) in the six months prior to the date of application;

(ii) If the applicant maintained money on deposit in the Isle of Man, a statement or statements of account on the official stationery of the institution that holds the funds. These statements must be in the name of the applicant (or applicant and/or the husband, wife, civil partner, or unmarried or same-sex partner of the applicant) and confirm the dates and amount of money held. The applicant must ensure that the institution will confirm the content of the statement to the Isle of Man Immigration Office on request;

(iii) An original letter from the financial institution that holds the cash on deposit, on the institution's official headed paper, issued by an authorised official of that institution, which confirms the dates and amount of money held and that the institution will confirm the content of the letter to the Home Office on request.

(d) If the applicant wishes the start of the 3 month timescale specified in Table 8A, Table 8B, Table 9A or Table 9B to be taken as the date he entered the Isle of Man, he must provide evidence which proves this date, such as a stamp in the applicant's passport, or an aircraft boarding card.

(e) Evidence of the investment having been maintained, from the date that the funds were invested for the full period of remaining leave, will be determined using the portfolio provided in (a).

### **Attributes for Tier 1 (Graduate Entrepreneur) Migrants**

66. The attributes for this category have been deleted as the category is now closed and has been replaced by the Business Migrant Start-up category in Appendix X.

**67 – 72 Deleted 6 April 2020.**

### **Attributes for Tier 2 (Intra-Company transfer) migrants**

[Deleted].

### Attributes for Tier 5 (Youth Mobility Scheme) Temporary Migrants

101. An applicant applying for entry clearance as a Tier 5 (Youth Mobility Scheme) Temporary Migrant must score 40 points for attributes.

102. Available points are shown in Table 14.

103. Notes to accompany Table 14 appear below Table 14.

**Table 14**

Criterion	Points
Citizen of a country or rightful holder of a passport issued by a territory listed in Appendix G or Is a British Overseas Citizen, British Territories Overseas Citizen or British National (Overseas.)	30
Will be 18 or over when his or her entry clearance becomes valid for use and was under the age of 31 on the date his or her application was made.	10

#### Notes

104. The applicant must provide a valid passport as evidence of all of the above.

### Attributes for Tier 5 (Temporary Worker) Migrants

105. An applicant applying for entry clearance or leave enter or remain as a Tier 5 (Temporary Worker) Migrant must score 30 points for attributes.

106. Available points are shown in Table 15 below.

107. Notes to accompany Table 15 appear below in that table.

Criterion	Points awarded
Holds a Tier 5 (Temporary Worker) Certificate of Sponsorship	30

#### Notes

108. In order to meet the 'holds a Certificate of Sponsorship' requirement, the applicant will provide a valid Certificate of Sponsorship reference number for sponsorship in this category.

109. A Certificate of Sponsorship reference number will only be considered to be valid if the number supplied links to a Certificate of Sponsorship Checking Service reference that names the applicant as the migrant and confirms that the Sponsor is sponsoring him as a Tier 5( Temporary Worker) Migrant in the subcategory indicated by the migrant in his application for entry clearance or leave.

109A. A Certificate of Sponsorship reference number will only be considered to be valid if:

- (a) the Sponsor assigned the reference number to the migrant no more than 3 months before the application for entry clearance or leave to remain is made, unless the migrant is applying for leave to enter and has previously been granted leave to enter using the same Certificate of Sponsorship reference number
- (b) the application for entry clearance or leave to remain is made no more than 3 months before the start date of the employment as stated on the Certificate of Sponsorship,
- (c) that reference number must not have been cancelled by the Sponsor or by Immigration Officers since it was assigned;
- (d) the sponsor is an A-rated sponsor, unless the application is for leave to remain and the applicant has, or was last granted, leave as a Tier 5 Migrant, and
- (e) where the Certificate of Sponsorship records more than one individual engagement, a period of no more than 14 days intervenes between each successive engagement.

110. The migrant must not previously have applied for entry clearance or leave to remain using the same Certificate of Sponsorship reference number, if that application was either approved or refused (not rejected as an invalid application, declared void or withdrawn).

111. In addition, a Certificate of Sponsorship reference number will only be considered to be valid:

(a) where the Certificate of Sponsorship Checking Service entry shows that the Certificate of Sponsorship has been issued in the Creative and Sporting subcategory to enable the applicant to work as a sports person, if:

(i) The Certificate of Sponsorship Checking Service entry shows that the applicant has been issued a unique endorsement number showing that he has been endorsed in line with the published endorsement criteria by the Governing Body for his sport (that is, the organisation which is specified in Appendix M as being the Governing Body for the sport in question), and

(ii) The applicant provides the original letter issued by the Governing Body containing the endorsement referred to in (a)(i) above, which must confirm that the player or coach is internationally established at the highest level and/or will make a significant contribution to the development of his sport at the highest level in the Isle of Man, and that the post could not be filled by a suitable settled worker.

(b) where the Certificate of Sponsorship Checking Service entry shows that the Certificate of Sponsorship has been issued in the Creative and Sporting subcategory to enable the applicant to work as a creative worker, if the entry confirms that:

(i) where a relevant creative sector Codes of Practice exists in Appendix J, the Sponsor has complied with that Code of Practice; or

(ii) the job appeared on the shortage occupation list in Appendix K at the time the Certificate of Sponsorship was assigned to the applicant, or

(iii) where neither (i) nor (ii) apply, the Sponsor has otherwise taken into account the needs of the resident labour market in that field, and the work could not be carried out by a suitable settled worker.

(c) where the Certificate of Sponsorship Checking Service entry shows that the Certificate of Sponsorship has been issued in the Charity Workers subcategory, if the work the applicant is being sponsored to do is:

(i) voluntary fieldwork which contributes directly to the achievement or advancement of the sponsor's charitable purpose;

(ii) not paid or otherwise remunerated, including receipt of benefits in kind, (except reasonable expenses outlined in section 37 of the Minimum Wage Act 2001); and

(iii) not filling a permanent position, including on a temporary basis.

(d) where the Certificate of Sponsorship Checking Service entry shows that the Certificate of Sponsorship has been issued in the Religious Workers subcategory, if the entry confirms:

(i) that the applicant is being sponsored to perform religious duties, which:

(1) must be work which is within the Sponsor's organisation, or directed by the Sponsor's organisation,

(2) may include preaching, pastoral work and non pastoral work, and (ii) an outline of the duties in (i),

(iii) if the Sponsor's organisation is a religious order, that the applicant is a member of that order;

(iv) that the applicant will receive pay and conditions at least equal to those given to settled workers in the same role,

- (v) that the remuneration complies with or is exempt from Minimum Wage Regulations, and provides details of the remuneration,
- (vi) details of how the resident labour market test has been complied with or why the role is exempt from the test, as set out in paragraph 92A of this Appendix.
- (e) where the Certificate of Sponsorship Checking Service entry shows that the Certificate of Sponsorship has been issued in the Government Authorised Exchange subcategory, if the entry confirms that the work, volunteering or job shadowing the applicant is being sponsored to do:
- (i) meets the requirements of the individual exchange scheme, as set out in Appendix N. Evidence must be provided to demonstrate the overarching sponsor body has approved the work experience or training programme in the Isle of Man,
  - (ii) does not fill a vacancy in the workforce,
  - (iii) is skilled to Regulated Qualifications Framework level 3, as stated in the codes of practice in Appendix J, unless the applicant is being sponsored under an individual exchange scheme set up as part of the European Commission's Erasmus+ programme,
  - (iv) conforms with all relevant Isle of Man legislation, such as the Minimum Wage Act 2001 (of Tynwald)<sup>27</sup>
- (f) where the Certificate of Sponsorship Checking Service entry shows that the Certificate of Sponsorship has been issued in the International Agreement subcategory and the applicant is applying for entry clearance or leave to enter or remain for the purpose of work as a Contractual Service Supplier, or Independent Professional if either:
- (i) the work is pursuant to a contract to supply services to the sponsor in the Isle of Man by an overseas undertaking established on the territory of a party to the General Agreement on Trade in Services or a similar trade agreement which has been concluded between the EU and another party or parties and which is in force, and which has no commercial presence in the European Union; and
  - (ii) the service which that undertaking is contracted to supply to the sponsor in the Isle of Man is a service falling within the scope of the sectors specified in the relevant commitments in respect of Contractual Service Suppliers or Independent Professionals as set out in the agreements mentioned at (i) above; and
  - (iii) the sponsor has, through an open tendering procedure or other procedure which guarantees the bona fide character of the contract, awarded a services contract for a period not exceeding 12 months to the applicant's employer; and
  - (iv) the sponsor will be the final consumer of the services provided under that contract; and
  - (v) the applicant is a national of the country in which the overseas undertaking is established; and
  - (vi) where the applicant is a Contractual Service Supplier, he possesses:
    - (1) a university degree or a technical qualification demonstrating knowledge of an equivalent level, and provides the original certificate of that qualification, except where (4) applies;
    - (2) where they are required by any relevant law, regulations or requirements in force in the Isle of Man in order to exercise the activity in question, professional qualifications;
    - (3) 3 years' professional experience in the sector concerned, except where (4) applies; and
    - (4)(a) in the case of advertising and translation services, relevant qualifications and 3 years' professional experience, and provides the original certificate of those qualifications;

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(b) in the case of management consulting services and services related to management consulting (managers and senior consultants), a university degree and 3 years professional experience, and provides the original certificate of that qualification;

(c) in the case of technical testing and analysis services, a university degree or technical qualifications demonstrating technical knowledge and 3 years professional experience, and provides the original certificate of that qualification;

(d) in the case of fashion model services and entertainment services other than audio visual services, 3 years' relevant experience;

(e) in the case of chef de cuisine services, an advanced technical qualification and 6 years' relevant experience at the level of chef de cuisine, and provides the original certificate of that qualification; and

(vii) where the applicant is a Contractual Service Supplier, he has been employed, and provides the specified documents in paragraph 111-SD to show that he has been employed, by the service supplier for a period of at least one year immediately prior to the date of application; or

(viii) where the applicant is an Independent Professional, he possesses:

(1) a university degree or a technical qualification demonstrating knowledge of an equivalent level, and provide the original certificate of that qualification,

(2) where they are required by any relevant law, regulations or requirements in force in the Isle of Man in order to exercise the activity in question, professional qualifications; and

(3) at least six years professional experience in the sector concerned; or

(ix) the applicant is applying for leave to remain and holds a Certificate of Sponsorship issued in the International Agreement sub-category by the same sponsor, and for the purpose of the same contract to supply services, as was the case when the applicant was last granted entry clearance, leave to enter or remain.

111-SD(a) Where paragraph 111(f)(vii) refers to specified documents, those specified documents are:

(i) original formal payslips issued by the employer and showing the employer's name; or

(ii) payslips accompanied by a letter from the applicant's employer, on the employer's headed paper and signed by a senior official, confirming the payslips are authentic; or

(iii) Personal bank or building society statements covering the full specified period, which clearly show:

(1) the applicant's name,

(2) the account number,

(3) the date of the statement (The most recent statement must be dated no earlier than 31 days before the date of the application),

(4) the financial institution's name and logo, and

(5) transactions by the service supplier covering the full specified period; or

(iv) A building society pass book, which clearly shows:

(1) the applicant's name,

(2) the account number,

(3) the financial institution's name and logo, and

(4) transactions by the service supplier covering the full specified period. (b) If the applicant provides the bank or building society statements in (a)(iii):

(i) The statements must:

(1) be printed on paper bearing the bank or building society's letterhead,

- (2) bear the official stamp of the bank on every page, or
- (3) be accompanied by a supporting letter from the issuing bank or building society, on company headed paper, confirming the authenticity of the statements provided;
- (ii) The statements must not be mini-statements obtained from an Automated Teller Machine.

112. Points will not be awarded for a Tier 5 (Temporary Worker) Certificate of Sponsorship where the claimed basis for its issuance are the provisions under Mode 4 of the General Agreement on Trade in Services relating to intra-corporate transfers.

### **Attributes for Tier 4 (General) Students**

113. An applicant applying for entry clearance or leave to remain as a Tier 4 (General) Student must score 30 points for attributes.

114. Available points are shown in Table 16 below.

115. Notes to accompany Table 16 appear below that table.

**Table 16**

<b>Criterion</b>	<b>Points awarded</b>
Confirmation of Acceptance for Studies	30

115A. In order to obtain points for a Confirmation of Acceptance for Studies, the applicant must provide a valid Confirmation of Acceptance for Studies reference number.

### **Notes**

116. A Confirmation of Acceptance for Studies will only be considered to be valid if:

- (a) it was issued no more than 6 months before the application is made,
- (b) the application for entry clearance or leave to remain is made no more than 3 months before the start date of the course of study as stated on the Confirmation of Acceptance for Studies,
- (c) the sponsor has not withdrawn the offer since the Confirmation of Acceptance for Studies for Studies was issued,
- (d) it was issued by an institution with a Tier 4 (General) Student Sponsor Licence,
- (e) the institution must still hold such a licence at the time the application for entry clearance or leave to remain is determined, and
- (ea) the migrant must not previously have applied for entry clearance, leave to enter or leave to remain using the Confirmation of Acceptance for Studies where that application was either approved or refused (not rejected as an invalid application, declared void or withdrawn),
- (f) it contains the following mandatory information:
  - (i) the applicant's:
    - (1) name,
    - (2) date of birth,
    - (3) gender,
    - (4) nationality, and
    - (5) passport number;
  - (ii) the course:
    - (1) title,
    - (2) level,

(3) start and end dates, and

(4) hours per week, including confirmation that the course is full-time;

(iii) confirmation if the course is one in which the applicant must hold a valid Academic Technology Approval Scheme clearance certificate from the Counter-Proliferation Department of the Foreign and Commonwealth Office;

(iv) confirmation if the course is a recognised Foundation Programme for postgraduate doctors or dentists, and requires a certificate from the Postgraduate Dean;

(v) the main study address;

(vi) details of how the Tier 4 sponsor has assessed the applicant's English language ability including, where relevant, the applicant's English language test scores in all four components (reading, writing, speaking and listening);

(vii) details of any work placements relating to the course;

(viii) accommodation, fees and boarding costs;

(ix) details of any partner institution, if the course will be provided by an education provider that is not the Tier 4 sponsor; and

(x) the name and address of the overseas higher education institution, if the course is part of a study abroad programme.

117. A Certificate of Acceptance for Studies will only be considered to be valid if:

(a) the number supplied links to a Certificate of Acceptance for Studies Checking Service entry that names the applicant as the migrant and confirms that the sponsor is sponsoring him in the Tier 4 category indicated by the migrant in his application for leave to remain (that is, as a Tier 4 (General) Student or a Tier 4 (Child) Student), and

(b) that Certificate of Acceptance for Studies must not have been cancelled by the sponsor or by the Isle of Man Immigration Office since it was assigned.

118. No points will be awarded for a Certificate of Acceptance for Studies unless:

(a) the applicant supplies, as evidence of previous qualifications, one or more of the specified documents set out in paragraph 120-SD(a)(i) to (iii), that the applicant used to obtain the offer of a place on a course from the *sponsor* unless the applicant is sponsored by a Highly Trusted Sponsor, is a national of one of the countries or the rightful holder of a qualifying passport issued by one of the relevant competent authorities, as appropriate, listed in Appendix H, and is applying for entry clearance in his country of nationality or in the territory related to the passport he holds, as appropriate, or leave to remain in the Isle of Man. The Isle of Man Immigration Office reserves the right to request the specified documents from these applicants. The application will be refused if the specified documents are not provided in accordance with the request made; and

(b) one of the requirements in (i) to (iii) below is met:

(i) the course is degree level study and the Confirmation of Acceptance for Studies has been assigned by a UK recognised Body or a body in receipt of funding as a higher education institution from the Department of Education and Children, and

(1) the applicant is a national of one of the following countries: Antigua and Barbuda; Australia; The Bahamas; Barbados; Belize; Canada; Dominica; Grenada; Guyana; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and the Grenadines; Trinidad and Tobago; United States of America, and provides the specified documents set out in paragraph 120-SD(b); or

(2) the applicant has obtained an academic qualification (not a professional or vocational qualification), which is deemed by Ecctis to meet or exceed the recognised standard of a Bachelor's or Master's degree or a PhD in the United Kingdom, from an educational establishment in one of the following countries: Antigua and Barbuda; Australia; The Bahamas; Barbados; Belize; Dominica; Grenada; Guyana; Ireland; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and The

Grenadines; Trinidad and Tobago; the United States of America, and provides the specified documents set out in paragraph 120-SD(b); or

(3) the applicant has obtained an academic qualification (not a professional or vocational qualification) from an educational establishment in the Isle of Man or UK, which is either a Bachelor's or Master's degree or a PhD in the Isle of Man or UK and provides the specified documents set out in paragraph 120-SD(a); or

(4) Not Used

(5) the applicant has successfully completed a course as a Tier 4 (Child) student (or under the student Rules that were in force before 26 July 2010, where the student was granted permission to stay whilst he was under 18 years old) which:

i. was at least six months in length, and

ii. ended within two years of the date the sponsor assigned the Confirmation of Acceptance for studies; or

(6) the Confirmation of Acceptance for Studies confirms that the applicant has a knowledge of English equivalent to level B2 of the Council of Europe's Common European framework for language learning in all four components (reading, writing, speaking and listening) or above or that the sponsor is satisfied that on completion of a pre-sessional course as provided for in paragraph 120(b)(i) of this Appendix, the applicant will have a knowledge of English as set out in this paragraph;

Or

(ii) the course is degree level study and the Confirmation of Acceptance for Studies has been assigned by a sponsor which is not a recognised Body or is not a body in receipt of funding as a Higher Education Institution from the Department of Education and Children and:

(1) the applicant is a national of one of the following countries: Antigua and Barbuda; Australia; The Bahamas; Barbados; Belize; Canada; Dominica; Grenada; Guyana; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and the Grenadines; Trinidad and Tobago; United States of America, and provides the specified documents set out in paragraph 120-SD(b); or

(2) the applicant has obtained an academic qualification (not a professional or vocational qualification), which is deemed by Ecctis to meet or exceed the recognised standard of a Bachelor's or Master's degree or a PhD in the UK, from an educational establishment in one of the following countries: Antigua and Barbuda; Australia; The Bahamas; Barbados; Belize; Dominica; Grenada; Guyana; Ireland; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and The Grenadines; Trinidad and Tobago; the United States of America, and provides the specified documents set out in paragraph 120-SD(b); or

(3) the applicant has obtained an academic qualification (not a professional or vocational qualification) from an educational establishment in the Isle of Man or UK, which is either a Bachelor's or Master's degree or a PhD in the Isle of Man or UK and provides the specified documents set out in paragraph 120-SD(a); or

(4) Not Used

(5) the applicant has successfully completed a course as a Tier 4 (Child) Student (or under the student Rules that were in force before 26 July 2010, where the student was granted permission to stay whilst he was under 18 years old) which:

i. was at least six months in length, and

ii. ended within two years of the date the sponsor assigned the Confirmation of Acceptance for Studies; or



(6) the applicant provides the specified documents from an English language test provider approved for these purposes as published on the UK Visas and Immigration pages of Gov.uk, which clearly show:

- i. the applicant's name,
- ii. that the applicant has achieved or exceeded level B2 of the Council of Europe's Common European Framework for Language learning in all four components (reading, writing, speaking and listening), unless exempted from sitting a component on the basis of the applicant's disability,
- iii. the date of the award, and
- iv. that the test is within its validity date (where applicable), and
- v. the test centre at which was test was taken is approved as a Secure English Language Test Centre. Or

(iii) the course is for below degree level study and:

(1) the applicant is a national of one of the following countries: Antigua and Barbuda; Australia; The Bahamas; Barbados; Belize; Canada; Dominica; Grenada; Guyana; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and the Grenadines; Trinidad and Tobago; United States of America, and provides the specified documents set out in paragraph 120-SD(b); or

(2) the applicant has obtained an academic qualification (not a professional or vocational qualification), which is deemed by Ecctis to meet or exceed the recognised standard of a Bachelor's or Master's degree or a PhD in the UK, from an educational establishment in one of the following countries: Antigua and Barbuda; Australia; The Bahamas; Barbados; Belize; Dominica; Grenada; Guyana; Ireland; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and The Grenadines; Trinidad and Tobago; the United States of America, and provides the specified documents set out in paragraph 120-SD(b); or

(3) the applicant has obtained an academic qualification (not a professional or vocational qualification) from an educational establishment in the UK, which is either a Bachelor's or Master's degree or a PhD in the UK and provides the specified documents set out in paragraph 120-SD(a);

(4) the applicant has successfully completed a course as a Tier 4 (Child) student (or under the student Rules that were in force before 26 July 2010, where the student was granted permission to stay whilst he was under 18 years old) which:

- i. was at least six months in length, and
- ii. ended within two years of the date the sponsor assigned the Confirmation of Acceptance for Studies; or

(5) the applicant provides the specified documents from an English language test provider approved by the Secretary of State for these purposes as published on the UK Visas and Immigration pages of Gov.uk, which clearly show:

- i. the applicant's name,
- ii. that the applicant has achieved or exceeded level B1 of the Council of Europe's Common European Framework for Language learning in all four components (reading, writing, speaking and listening), unless exempted from sitting a component on the basis of the applicant's disability,
- iii. the date of the award, and
- iv. that the test is within its validity date (where applicable); and

(v) the test centre at which the test was taken is approved by the Secretary of State as a Secure English Language Test Centre.

119. If the applicant is re-sitting examinations or repeating a module of a course, the applicant must not previously have re-sat the same examination or repeated the same module more than once. If this requirement is not met then no points will be awarded for the Confirmation of Acceptance for Studies.

120. Points will only be awarded for a Confirmation of Acceptance for Studies (even if all the requirements in paragraphs 116 to 119 above are met) if the course in respect of which it is issued meets each of the following requirements:

(a) The course must meet the following minimum academic requirements:

- (i) the course must be at Regulated Qualifications Framework (RQF) level 3 or above, or
- (ii) the course must be an English language course at level B2 or above of the Common European framework of reference for languages; or
- (iii) the course must be a recognised Foundation Programme for postgraduate doctors or dentists;

(b) The Confirmation of Acceptance for Studies must be for a single course of study except where the Confirmation of Acceptance for Studies is:

- (i) issued by a Recognised Body or a body in receipt of funding as a Higher Education institution from the Department of Education and Children to cover both a pre-session course of no longer than three months' duration and a course of degree level study at that sponsor; and
- (ii) the applicant has an unconditional offer of a place on a course of degree level study at that sponsor or that where the offer is made in respect of an applicant whose knowledge of English is not at B2 level of the Council of Europe's Common European Framework for Language Learning in all four components (reading, writing, speaking and listening) or above, the sponsor is satisfied that on completion of a pre-session course as provided for in (i) above, the applicant will have a knowledge of English at as set out in this paragraph; and
- (iii) the course of degree level study commences no later than one month after the end date of the pre-session course.

(c) The course must, except in the case of a pre-session course, lead to an approved qualification as defined in (cb) below.

(ca) If a student is specifically studying towards an Association of Certified Chartered Accountants (ACCA) qualification or an ACCA Foundations in Accountancy qualification, the sponsor must be an ACCA approved learning partner - student tuition (ALP-st) at either Gold or Platinum level.

(cb) An approved qualification is one that is:

- (1) validated by Royal Charter,
- (2) awarded by a body that is on the list of recognised bodies produced by the Department for Business, Innovation and Skills,
- (3) recognised by one or more recognised bodies through a formal articulation agreement with the awarding body,
- (4) in England, Wales and Northern Ireland or the Isle of Man, on the Register of Regulated Qualifications (<http://register.ofqual.gov.uk/>) at Regulated Qualifications Framework (RQF) level 3 or above,
- (5) in Scotland, accredited at Level 6 or above in the Scottish Credit and Qualifications Framework (SCQF) by the Scottish Qualifications Authority,
- (6) an overseas qualification that Ecctis assesses as valid and equivalent to Regulated Qualifications Framework (RQF) level 3 or above, or
- (7) covered by a formal legal agreement between a UK-recognised body and another education provider or awarding body. An authorised signatory for institutional agreements within the recognised body must sign this. The agreement must confirm the recognised body's own independent assessment of the level of the Tier 4 sponsor's or the awarding body's programme compared to the Regulated Qualifications

Framework (RQF) or its equivalents. It must also state that the recognised body would admit any student who successfully completes the Tier 4 Sponsor's or the awarding body's named course onto a specific or a range of degree-level courses it offers.

(d) Other than when the applicant is on a course-related work placement or a pre-sessional course, all study that forms part of the course must take place on the premises of the sponsoring educational institution or an institution which is a partner institution of the migrant's sponsor.

(e) The course must meet one of the following requirements:

- i. be a full time course of degree level study that leads to an approved qualification as defined in (cb) above;
- ii. be an overseas course of degree level study that is recognised as being equivalent to a UK Higher Education course and is being provided by an overseas Higher Education Institution; or
- iii. be a full time course of study involving a minimum of 15 hours per week organised daytime study and, except in the case of a pre-sessional course, lead to an approved qualification, below bachelor degree level as defined in (cb) above.

(f) Where the student is following a course of below degree level study including course –related work placement, the course can only be offered by a Highly Trusted Sponsor. If the course contains a course-related work placement, any period that the applicant will be spending on that placement must not exceed one third of the total length of the course spent in the Isle of Man except:

- (i) where it is a statutory requirement that the placement should exceed one third of the total length of the course; or
- (ii) where the placement does not exceed one half of the total length of the course undertaken in the Isle of Man and the student is following a course of degree level study and is sponsored by a Recognised Body or a body in receipt of public funding as a higher education institution from the Department for Education and Children.

### **Specified documents**

120-SD. Where paragraphs 118 to 120 of this Appendix refer to specified documents, those specified documents are as follows:

(a) In the case of evidence relating to previous qualifications, the applicant must provide, for each qualification, either:

(i) The original certificate(s) of qualification, which clearly shows:

- (1) the applicant's name,
- (2) the title of the award,
- (3) the date of the award, and
- (4) the name of the awarding institution;

(ii) The transcript of results (which, unless the applicant has applied for their course through UCAS (Universities and Colleges Admission Service) and the applicant is applying in the Isle of Man to study at a Higher Education Institution which has Tier 4 status and the qualification is issued by a UK or Isle of Man awarding body for a course that the applicant has studied in the UK or Isle of Man, must be an original), which clearly shows:

- (1) the applicant's name,
- (2) the name of the academic institution,
- (3) their course title, and
- (4) confirmation of the award;

or

(iii) If the applicant's Tier 4 sponsor has assessed the applicant by using one or more references, and the Confirmation of Acceptance for Studies Checking Service entry includes details of the references assessed, the original reference(s) (or a copy, together with an original letter from the Tier 4 sponsor confirming it is a true copy of the reference they assessed), which must contain:

- (1) the applicant's name,
- (2) confirmation of the type and level of course or previous experience; and dates of study or previous experience,
- (3) date of the letter, and
- (4) contact details of the referee;

and

(iv) If the qualification was obtained from an educational establishment in Antigua and Barbuda, Australia, The Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Ireland, Jamaica, New Zealand, St Kitts and Nevis, St Lucia, St Vincent and The Grenadines, Trinidad and Tobago, or the USA, an original document issued by Ecctis confirming that the qualification meets or exceeds the recognised standard of a Bachelor's or Master's degree or a PhD in the UK.

(b) In the case of evidence of the applicant's nationality, the specified documents are the applicant's valid passport or travel document. If the applicant is unable to provide this, the Isle of Man Immigration Office may exceptionally consider this requirement to have been met where the applicant provides full reasons in the passport section of the application form, and either:

- (1) a current national identity document, or
- (2) an original letter from his home government or embassy, on the letter-headed paper of the government or embassy, which has been issued by an authorised official of that institution and confirms the applicant's full name, date of birth and nationality

120A(a) If the applicant has previously been granted leave as a Tier 4 (General) Student or as a Student and is applying for leave to remain, points will only be awarded for a valid Confirmation of Acceptance for Studies (even if all the requirements in paragraphs 116 to 120-SD above are met) if the sponsor has confirmed that the course for which the Confirmation of Acceptance for Studies has been assigned represents academic progress, as defined in (b) below, except where:

i. either:

- (1) the applicant is re-sitting examinations or repeating modules in accordance with paragraph 119 above, or
- (2) the applicant has previously re-sat examinations or repeated modules in accordance with paragraph 119 above, and requires leave to remain to complete the course in respect of which those examinations were re-sat or modules repeated, or

ii. the applicant is applying for leave for the purpose of completing the PhD or other doctoral qualification for which the Confirmation of Acceptance for Studies relating to the study undertaken during the last period of leave as a Tier 4 (General) Student or as a Student was assigned, or

iii. the applicant is making a first application to move to a new institution to complete a course commenced at a Tier 4 sponsor that has had its licence revoked, or

iv. the applicant is applying for leave under the doctorate extension scheme or as a postgraduate doctor or dentist on a recognised Foundation Programme, or

v. the applicant is applying for leave under the doctorate extension scheme or as a postgraduate doctor or dentist on a recognised foundation programme, or

vi. the applicant is applying for leave to undertake an intercalated Bachelor's or Master's degree course or PhD where they are studying medicine, veterinary medicine and science, or dentistry as their principal course of study, or to complete their principal course, having completed a period of intercalation.

- (b) For a course to represent academic progress from previous study the applicant must:
- i. have successfully completed the course for which the Confirmation of Acceptance for Studies relating to the study undertaken during the last period of leave as a Tier 4 (General) Student or Student was assigned, or an equivalent course undertaken in accordance with the conditions set out in paragraph 245ZW(c)(iv)(2) or paragraph 245ZY(c)(iv)(2) of Part 6A, or
  - ii. be applying for leave to allow them to progress from:
    - (1) a Bachelors to Masters level course as part of an integrated Masters course, or
    - (2) a Masters to PhD level course as part of an integrated Masters and PhD programme
 having been offered a place on a higher level course by the sponsor after an assessment of their academic ability  
and
  - iii. the course must be above the level of the previous course for which the Confirmation of Acceptance of Studies relating to the study undertaken during the last period of leave as a Tier 4 (General) Student or as a Student was assigned, unless:
    - (1) the course is taught by a Tier 4 Licenced Sponsor, or a body in receipt of public funding as a higher education institution from the Department of Education and Children which is also the sponsor; and
    - (2) the course is at degree level or above; and
    - (3) the new course is not at a lower level than the previous course for which the applicant was granted leave as a Tier 4 (General) Student or as a Student; and
    - (4) the sponsor has Tier 4 Sponsor status; and
    - (5) the sponsor confirms that:
      - (a) the course is related to the previous course for which the applicant was granted leave as a Tier 4 (General) Student or as a Student, meaning that it is either connected to the previous course, part of the same subject group, or involves deeper specialisation; or
      - (b) the previous course and the new course in combination support the applicant's genuine career aspirations.

### Attributes for Tier 4 (Child) Students

121. An applicant applying for entry clearance or leave to remain as a Tier 4 (Child) Student must score 30 points for attributes.

122. Available points are show in Table 17 below.

123. Notes to accompany Table 17 appear below that table.

123A. In order to obtain points for a Confirmation of Acceptance for Studies, the applicant must provide a valid Confirmation of Acceptance for Studies reference number.

**Table 17**

Criterion	Points awarded
Confirmation of Acceptance for Studies	30

### Notes

124. A Confirmation of Acceptance for Studies will be considered to be valid only if:

- (a) where the applicant is under 16, it was issued by an independent, fee paying school,
- (b) it was issued no more than 6 months before the application is made,

- (c) the application for entry clearance or leave to remain is made no more than 3 months before the start date of the course of study as stated on the Confirmation of Acceptance for Studies .
- (d) the sponsor has not withdrawn the offer since the Confirmation of Acceptance for Studies was issued,
- (e) it was issued by an institution with a Tier 4 (Child) Student sponsor licence,
- (f) the institution must still hold such a licence at the time the application for entry clearance or leave to remain is determined, and
- (fa) the migrant must not previously have applied for entry clearance, leave to enter or leave to remain using the same Confirmation of Acceptance for Studies, if that application was either approved or refused (not rejected as an invalid application, declared void or withdrawn), and
- (g) it contains such information as is specified as mandatory in these immigration rules.

125. A Confirmation of Acceptance for Studies reference number will only be considered to be valid if:

- (a) the number supplied links to a Confirmation of Acceptance for Studies Checking Service entry that names the applicant as the migrant and confirms that the sponsor is sponsoring him in the Tier 4 category indicated by the migrant in his application for leave to remain (that is, as a Tier 4 (General) Student or a Tier 4 (Child) Student), and
- (b) that Confirmation of Acceptance for Studies must not have been withdrawn or cancelled by the sponsor or the Isle of Man Immigration Office since it was assigned.

125A. Points will only be awarded for a Confirmation of Acceptance for Studies if the applicant:

- (a) supplies, as evidence of previous qualifications, specified documents set out in paragraph 125-SD that the applicant used to obtain the offer of a place on a course from the *sponsor*, or
- (b) is sponsored by a Highly Trusted Sponsor, is a national of one of the countries or the rightful holder of a qualifying passport issued by one of the relevant competent authorities, as appropriate, listed in Appendix H and is applying for entry clearance in his country of nationality or in the territory related to the passport he holds, as appropriate, or leave to remain in the Isle of Man. The Isle of Man Immigration Office reserves the right to request the specified documents set out in paragraph 125-SD from these applicants. The application will be refused if the specified documents are not provided in accordance with the request made; or
- (c) where the application for entry clearance or leave to remain is for the applicant to commence a new course of study, not for completion of a course already commenced by way of re-sitting examinations or repeating a module of a course, the Sponsor must hold an A-rated or Highly Trusted Sponsor Licence and must not be a Legacy Sponsor,
- (d) where the Confirmation of Acceptance for Studies is issued by a Legacy Sponsor or a B-rated sponsor, the Confirmation of Acceptance for Studies will only be valid if it is issued for completion of a course already commenced by way of re-sitting examinations or repeating a module of a course and the Confirmation of Acceptance for Studies must be for the same course as the course for which the last period of leave was granted to study with that same sponsor.

### **Specified documents**

125-SD. Where paragraph 125 of this Appendix refers to specified documents evidence relating to previous qualifications, those specified documents are:

- (i) The original certificate(s) of qualification, which clearly shows:
  - (1) the applicant's name,
  - (2) the title of the award,
  - (3) the date of the award, and
  - (4) the name of the awarding institution;
- (ii) The original transcript of results, which clearly shows:

- (1) the applicant's name,
- (2) the name of the academic institution,
- (3) their course title, and
- (4) confirmation of the award;

126. Points will not be awarded under Table 17 unless the course that the student will be pursuing meets one of the following requirements:

- (a) be taught in accordance with the National Curriculum,
- (b) be taught in accordance with the Regulated Qualifications Framework (RQF),
- (c) be accepted as being of equivalent academic status to (a) or (b) above by Ofsted
- (d) be provided as required by prevailing independent school education inspection standards.
- (e) is a single course of study, except where the Confirmation of Acceptance for Studies is:
  - (i) issued by an independent school to cover both a pre-sessional course and a course at an independent school; and
  - (ii) the applicant has an unconditional offer of a place at the independent school; and
  - (iii) the duration of the pre-sessional course and period of study at the independent school does not exceed the maximum period of entry clearance or leave to remain that can be granted under paragraphs 245ZZB and 245ZZd of the Immigration Rules.

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## Appendix B - English language

1. An applicant applying as a Tier 1 Migrant must have 10 points for English language, unless applying for entry clearance or leave to remain:

- (i) as a Tier 1 (Exceptional Talent) Migrant, or
- (ii) as a Tier 1 (Investor) Migrant.

1A. An applicant applying as a Worker Migrant under Appendix W, must;

- (i) be a National of a majority English speaking country;
- (ii) have a Degree taught in English;
- (iii) have passed an English language test, the required levels are set out in Table 1 Row F and G below;
- (iv) have met requirement in a previous grant of leave;
- (v) meet the Transitional arrangements; or
- (vi) be employed as a doctor, dentist, nurse or midwife, and have passed an English language assessment which is accepted by the relevant regulated professional body as a requirement for registration.

2. The levels of English language required are shown in Table 1.

3. Available points for English language are shown in Table 2.

4. Notes to accompany the tables are shown below each table.

**Table 1**

### Level of English language required to score points

#### Tier 1

Row	Category	Applications	Level of English language required
B	Tier 1 (Entrepreneur)	Entry Clearance and leave to remain	A knowledge of English equivalent to level B1 or above of the Council of Europe's Common European Framework for Language Learning.

#### Worker Migrant

Row	Category	Applications	Level of English language required
F	Worker Migrant	Entry Clearance and leave to remain, other than the cases in paragraph 5 below	A knowledge of English equivalent to level B1 or above of the Council of Europe's Common European Framework for Language Learning
G	Worker Migrant	Leave to remain cases in paragraph 5 below	A knowledge of English equivalent to level A1 or above of the Council of Europe's Common European Framework for Language Learning

#### Notes

5. An applicant applying for leave to remain as a Worker Migrant, must have competence of English to a level A1 or above as set out in Table 1 above if:

- (i) he previously had leave as:
  - (1) a Tier 2 (General) Migrant under the rules in place before 6 June 2011,
  - (2) a Qualifying Work Permit Holder,
  - (3) a representative of an overseas newspaper, news agency or Broadcasting organisation,



(4) a Member of the Operational Ground Staff of an Overseas-owned Airline, or

(5) a Jewish Agency Employee,

and

(ii) he has not been granted leave to remain in any other routes, or entry clearance or leave to enter in any route, since the grant of leave referred to in (i) above.

**Table 2**

**Points available for English language for Tier 1 applicants**

<b>Factor</b>	<b>Points</b>
National of a majority English speaking country	10
Degree taught in English	10
Passed an English language test	10
Met requirement in a previous grant of leave	10
Transitional arrangements	10

**Notes**

**National of a majority English speaking country**

6. 10 points will only be awarded (or in the case of a Worker Migrant, will only have met the requirement) for being a national of a majority English speaking country if the applicant has the relevant level of English language shown in Table 1 above and:

(i) is a national of one of the following countries:

Antigua and Barbuda

Australia

The Bahamas

Barbados

Belize

Canada

Dominica

Grenada

Guyana

Jamaica

Malta

New Zealand

St Kitts and Nevis

St Lucia

St Vincent and the Grenadines

Trinidad and Tobago

USA

and

(ii) provides his valid passport or travel document to show that this requirement is met. If the applicant is unable to do so, the Isle of Man Immigration Office may exceptionally consider this requirement to have been met where the applicant provides full reasons in the passport section of the application form, and either:

(1) a current national identity document, or

(2) an original letter from his home government or embassy, on the letter-headed paper of the government or embassy, which has been issued by an authorised official of that institution and confirms the applicant's full name, date of birth and nationality.

### **Degree taught in English**

7. 10 points will be awarded (or in the case of a Worker Migrant, will have met the requirement) for a degree taught in English if the applicant has the relevant level of English language shown in Table 1 above and:

(i) has obtained an academic qualification (not a professional or vocational qualification) which either:

(1) is a UK Bachelor's degree, Master's degree or PhD

(2) is a qualification awarded by an educational establishment outside the UK, which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Master's degree or a PhD in the UK, and Ecctis has confirmed that the degree was taught or researched in English to the appropriate level of the Council of Europe's Common European Framework for Language learning or above

or:

(3) is deemed by Ecctis to meet or exceed the recognised standard of a Bachelor's or Master's degree or a PhD in the UK, and is from an educational establishment in one of the following countries:

Antigua and Barbuda

Australia

The Bahamas

Barbados

Belize

Dominica

Grenada

Guyana

Ireland

Jamaica

Malta

New Zealand

St Kitts and Nevis

St Lucia

St Vincent and The Grenadines

Trinidad and Tobago

the USA,

and

(ii) provides the following specified documents to show he has the qualification:

(1) the original certificate of the award, or

(2) if the applicant is awaiting graduation having successfully completed the qualification, or no longer has the certificate and the awarding institution is unable to provide a replacement, an academic transcript (or original letter in the case of a PhD qualification) from the awarding institution on its official headed paper, which clearly shows:

- (a) the applicant's name,
- (b) the name of the awarding institution,
- (c) the title of the award,
- (d) confirmation that the qualification has been or will be awarded, and
- (e) the date that the certificate will be issued (if the applicant has not yet graduated) or confirmation that the institution is unable to reissue the original certificate or award, and

(iii) provides original documentation produced by Ecctis which confirms the assessment in (i)(2) or (3), if applicable.

8. If the applicant is required to have competence of English to level A1 as set out in Table 1 above in row G, the Worker Migrant will have met the requirement for a degree taught in English if the applicant has the relevant level of English language shown in Table 1 above and:

(i) has obtained an academic qualification (not a professional or vocational qualification) which is either awarded by an educational establishment in the Isle of Man or UK, and is a Bachelor's degree or Master's degree or PhD; or, if awarded by an educational establishment outside the UK, is deemed by Ecctis to meet or exceed the recognised standard of a Bachelor's or Master's degree or a PhD in the UK,

(ii) provides the specified documents in paragraph 7(ii) as evidence to show that he has the qualification, and

(iii) provides an original letter from the awarding institution on its official headed paper, which clearly shows:

- (1) the applicant's name,
- (2) the name of the awarding institution,
- (3) the title of the award,
- (4) the date of the award, and
- (5) unless it is a qualification awarded by an educational establishment in the Isle of Man or UK, confirmation that the qualification was taught in English, and

(iv) provides original documentation produced by Ecctis which confirms the assessment in (i), if the qualification was awarded by an educational establishment outside the UK.

9. [Deleted].

10. 10 points will only be awarded (or in the case of a Worker Migrant, will only have met the requirement) for passing an English language test if the applicant has passed a Secure English Language Test, at a Secure English Language Test centre, which has been approved by the Secretary of State and has provided their unique reference number for the test, which allows their score to be verified using the provider's online verification system. Details of the approved tests and Secure English Language Test centres are published on the UK Visas and Immigration pages of Gov.uk.

Where two or more components (reading, writing, speaking and listening) of an English language test are examined and awarded together, for example a combined exam and certificate for reading and writing skills, the specified evidence submitted by the applicant must show that they achieved the required scores in all the relevant components during a single sitting of that examination, unless exempted from sitting a component on the basis of his or her disability.

10A. The qualification obtained must meet or exceed the relevant level shown in Table 1 above in:

- (i) speaking and listening, if the relevant level is A1 of the Council of Europe's Common European Framework for Language Learning, or

(ii) all four components (reading, writing, speaking and listening), in all other cases, unless the applicant was exempted from sitting a component on the basis of his disability.

11. Subject to paragraph 15 below, 10 points will be awarded for meeting the requirement in a previous grant of leave if the applicant:

- (i) has ever been granted leave as a Tier 1 (General) Migrant, a Tier 1 (Entrepreneur) Migrant or Business person, or a Tier 1 (Post-Study Work) Migrant, or
- (ii) has ever been granted leave as a Highly Skilled Migrant under the Rules in place on or after 5 December 2006.

12. Subject to paragraph 15 below, 10 points will be awarded for meeting the requirement in a previous grant of leave if the applicant has ever been granted leave:

- (a) as a Minister of Religion (not as a Tier 2 (Minister of Religion) Migrant) under the Rules in place on or after 19 April 2007,
- (b) as a Tier 2 (Minister of Religion) Migrant, provided that when he was granted that leave he obtained points for English language for being a national of a majority English speaking country, a degree taught in English, or passing an English language test, or
- (c) as a Tier 4 (General) student, and the Confirmation of Acceptance for Studies used to support that application was assigned on or after 27 June 2012 for a course of at least degree level study.

13. Subject to paragraph 15 below, 10 points will be awarded (or in the case of a Worker Migrant, will have met the requirement) for meeting the requirement in a previous grant of leave if the applicant has ever been granted leave:

- (a) as a Tier 1 (Graduate Entrepreneur) Migrant,
- (b) as a Tier 2 (General) Migrant under the Rules in place on or after 6 April 2011,
- (c) as a Tier 4 (General) student, and the Confirmation of Acceptance for Studies used to support that application was assigned on or after 21 April 2011, or
- (d) as a Worker Migrant under the Rules in place on or after 6 April 2018.

provided that when he was granted that leave he obtained points (or in the case of a Worker Migrant, met the requirement) for having knowledge of English equivalent to level B1 of the Council of Europe's Common European Framework for Language Learning or above.

14. Subject to paragraph 15 below, where the application falls under row G of Table 1 above, the applicant will have met the requirement where the requirement has been met in a previous grant of leave if the applicant has ever been granted:

- (i) leave as a Minister of Religion (not as a Tier 2 (Minister of Religion) Migrant) under the Rules in place on or after 23 August 2004,
- (ii) leave as a Tier 2 Migrant or Worker Migrant, provided that when he was granted that leave he obtained points for English language for being a national of a majority English speaking country, a degree taught in English, or passing an English language test.

15. No points will be awarded for meeting the requirement in a previous grant of leave if false representations were made or false documents or information were submitted (whether or not to the applicant's knowledge) in relation to the requirement in the application for that previous grant of leave.

### **Transitional arrangements**

16. This requirement will have been met if the applicant:

- (a) is applying for leave to remain as a Worker Migrant, and
- (b) has previously been granted entry clearance, leave to enter or leave to remain as:
  - (i) a Jewish Agency Employee,
  - (ii) a Member of the Operational Ground Staff of an Overseas-owned Airline,

- (iii) a Minister of Religion, Missionary or Member of a Religious Order,
  - (iv) a Qualifying Work Permit Holder,
  - (v) a Representative of an Overseas Newspaper, News Agency or Broadcasting Organisation, and
- (c) has not been granted leave in any categories other than Worker Migrant, Tier 2 (General), Tier 2 (Intra-Company Transfer) and those listed in (b) above under the Rules in place since 26 July 2010.

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## Appendix C - Maintenance (funds)

1A. In all cases where an applicant is required to obtain points under Appendix C, or is required to meet the level of Maintenance funds of this Appendix by Appendix W, the applicant must meet the requirements listed below:

- (a) The applicant must have the funds specified in the relevant part of Appendix C at the date of the application;
- (b) If the applicant is applying as a Worker Migrant, Worker (Intra Company Transfer) Migrant a Tier 1 Migrant or a Tier 5 (Temporary Worker) Migrant, the applicant must have had the funds referred to in (a) above for a consecutive 90 day period of time, unless applying as a Tier 1 (Exceptional Talent) Migrant or as a Tier 1 (Investor) Migrant;
- (c) If the applicant is applying as a Tier 4 Migrant or Worker (Seasonal) Migrant, the applicant must have had the funds referred to in (a) above for a consecutive 28 day period of time;
- (ca) If the applicant is applying for entry clearance or leave to remain as a Tier 4 Migrant, he must confirm that the funds referred to in (a) above are:
  - (i) available in the manner specified in paragraph 13 below for his use in studying and living in the Isle of Man; and
  - (ii) that the funds will remain available in the manner specified in paragraph 13 below unless used to pay for course fees and living costs;
- (d) If the funds were obtained when the applicant was in the Isle of Man, the funds must have been obtained while the applicant had valid leave and was not acting in breach of any conditions attached to that leave;
- (e) Where the funds are in one or more foreign currencies, the applicant must have the specified level of funds when converted to pound sterling (£) using the spot exchange rate which appears on [www.oanda.com](http://www.oanda.com) for the date of the application;
- (f) Where the applicant is applying as a Worker Migrant, Worker (Intra Company Transfer) Migrant, Worker (Seasonal) Migrant, Tier 1 Migrant or Tier 5 Migrant, the funds must have been under their own control on the date of the application and for the period specified in (b) or (c) above (as relevant);
- (g) Where the application is made at the same time as applications by the partner or child of the applicant (such that the applicant is a Relevant Points Based System Migrant, or is a Worker Migrant or Worker (Intra Company Transfer) Migrant for the purposes of paragraph 319AA), each applicant must have the total requisite funds specified in the relevant parts of Appendices C and E. If each applicant does not individually meet the requirements of Appendices C and /or E, as appropriate, all the applications (the application by the Relevant Points Based System Migrant, the application by the Relevant Worker Migrant and applications as the partner or child of that Relevant Points Based System Migrant, or Relevant Worker Migrant) will be refused.
- (h) the end date of the 90-day and 28-day periods referred to in (b) and (c) above will be taken as the date of the closing balance on the most recent of the specified documents (Where specified documents from two or more accounts are submitted, this will be the end date for the account that most favours the applicant), and must be no earlier than 31 days before the date of application
- (i) Funds must be held in a financial institution permitted under Appendix Finance.
- (j) Maintenance must be in the form of cash funds. Other accounts or financial instruments such as shares, bonds, credit cards, pension funds etc, regardless of notice period are not acceptable.
- (k) If the applicant wishes to rely on a joint account as evidence of available funds, the applicant (or for children under 18 years of age, the applicant's parent or legal guardian who is legally present in the Isle of Man) must be named on the account as one of the account holders.
- (l) Overdraft facilities will not be considered towards funds that are available or under an applicant's own control.

1B. In all cases where Appendix C or Appendix E states that an applicant is required to provide specified documents, the specified documents are:

(a) Personal bank or building society statements which satisfy the following requirements:

(i) The statements must cover:

(1) a consecutive 90-day period of time, if the applicant is applying as a, Worker Migrant, Worker (Intra Company Transfer) Migrant, Tier 1 Migrant, a Tier 5 (Temporary Worker) Migrant, or the Partner or Child of a Relevant Points Based System Migrant, or the Partner or Child of a Relevant Worker Migrant or Relevant Worker (Intra Company Transfer) Migrant in any of these categories,

(2) a single date within 31 days of the date of the application, if the applicant is applying as a Tier 5 (Youth Mobility Scheme) Migrant, or

(3) a consecutive 28-day period of time, if the applicant is applying as a Tier 4 Migrant, Worker (Seasonal) Migrant or the Partner or Child of a Relevant Points Based System Migrant who is a Tier 4 Migrant or Worker (Seasonal) Migrant.

(ii) The most recent statement must be dated no earlier than 31 days before the date of the application;

(iii) The statements must clearly show:

(1) the name of:

i. the applicant,

ii the applicant's parent(s) or legal guardian's name, if the applicant is applying as Tier 4 Migrant,

iii. the name of the Relevant Points Based System Migrant or Relevant Worker Migrant or Relevant Worker (Intra Company Transfer) Migrant, if the applicant is applying as a Partner or Child of a Relevant Points Based System Migrant, or as a Partner or Child of a Relevant Worker Migrant or Relevant Worker (Intra Company Transfer) Migrant, or

iv. the name of the applicant's other parent who is legally present in the Isle of Man, if the applicant is applying as a Child of a Relevant Points Based System Migrant, or applying as a Child of a Relevant Worker Migrant or Relevant Worker (Intra Company Transfer) Migrant,

(2) the account number,

(3) the date of each statement,

(4) the financial institution's name,

(5) the financial institution's logo,

(6) any transactions during the specified period, and

(7) that the funds in the account have been at the required level throughout the specified period;

(iv) The statements must be either:

(1) printed on the bank's or building society's letterhead,

(2) electronic bank or building society statements, accompanied by a supporting letter from the bank or building society, on company headed paper, confirming the statement provided is authentic, or

(3) electronic bank or building society statements, bearing the official stamp of the bank or building society on every page,

(v) The statements must not be mini-statements from automatic teller machines (ATMs);

or

(b) A building society pass book which satisfies the following requirements:

(i) The building society pass book must cover:

(1) a consecutive 90-day period of time, if the applicant is applying as a Worker Migrant, Worker (Intra Company Transfer) Migrant, a Tier 1 Migrant, a Tier 5 (Temporary Worker) Migrant, or the Partner or Child of a Relevant Points Based System Migrant, or the Partner or Child of a Relevant Worker Migrant or Relevant Worker (Intra Company Transfer) Migrant in any of these categories,

(2) a single date within 31 days of the date of the application, if the applicant is applying as a Tier 5 (Youth Mobility Scheme) Migrant, or

(3) a consecutive 28-day period of time, if the applicant is applying as a Tier 4 Migrant, Worker (Seasonal) Migrant or the Partner or Child of a Relevant Points Based System Migrant who is a Tier 4 Migrant or Worker (Seasonal) Migrant.

(ii) The period covered by the building society pass book must end no earlier than 31 days before the date of the application;

(iii) The building society pass book must clearly show:

(1) the name of:

i. the applicant,

ii the applicant's parent(s) or legal guardian's name, if the applicant is applying as Tier 4 Migrant,

iii. the name of the Relevant Points Based System Migrant or Relevant Worker Migrant or Relevant Worker (Intra Company Transfer) Migrant, if the applicant is applying as a Partner or Child of a Relevant Points Based System Migrant, or as a Partner or Child of a Relevant Worker Migrant or Relevant Worker (Intra Company Transfer) Migrant, or Relevant Points Based System, or

iv. the name of the applicant's other parent who is legally present in the Isle of Man, if the applicant is applying as a Child of a Relevant Points Based System Migrant, or as a Child of a Relevant Worker Migrant or Relevant Worker (Intra Company Transfer) Migrant,

(2) the account number,

(3) the building society's name and logo,

(4) any transactions during the specified period, and

(5) that there have been enough funds in the applicant's account throughout the specified period;

or

(c) A letter from the applicant's bank or building society, or a letter from a financial institution regulated by the Financial Services Authority or, for overseas accounts, the official regulatory body for the country in which the institution operates and the funds are located, which satisfies the following requirements:

(i) The letter must confirm the level of funds and that they have been held for:

(1) a consecutive 90-day period of time, if the applicant is applying as a Worker Migrant, Worker (Intra Company Transfer) Migrant, a Tier 1 Migrant, a Tier 5 (Temporary Worker) Migrant, or the Partner or Child of a Relevant Points Based System Migrant, or the Partner or Child of a Relevant Worker Migrant or Relevant Worker (Intra Company Transfer) Migrant in any of these categories,

(2) a single date within 31 days of the date of the application, if the applicant is applying as a Tier 5 (Youth Mobility Scheme) Migrant, or

(3) a consecutive 28-day period of time, if the applicant is applying as a Tier 4 Migrant, Worker (Seasonal) Migrant or the Partner or Child of a Relevant Points Based System Migrant who is a Tier 4 Migrant or Worker (Seasonal) Migrant;

(ii) The period covered by the letter must end no earlier than 31 days before the date of the application;

(iii) The letter must be dated no earlier than 31 days before the date of the application;

(iv) The letter must be on the financial institution's letterhead or official stationery;

(v) The letter must clearly show:



(1) the name of:

i. the applicant,

ii the applicant's parent(s) or legal guardian's name, if the applicant is applying as Tier 4 Migrant,

iii. the name of the Relevant Points Based System Migrant or Relevant Worker Migrant, if the applicant is applying as a Partner or Child of a Relevant Points Based System Migrant, or as a Partner or Child of a Relevant Worker Migrant or Relevant Worker (Intra Company Transfer) Migrant, or Relevant Points Based System Migrant Relevant Points Based System Migrant, or

iv. the name of the applicant's other parent who is legally present in the Isle of Man, if the applicant is applying as a Child of a Relevant Points Based System Migrant, or as a Child of a Relevant Worker Migrant or Relevant Worker (Intra Company Transfer) Migrant,

(2) the account number,

(3) the date of the letter,

(4) the financial institution's name and logo,

(5) the funds held in the applicant's account, and

(6) confirmation that there have been enough funds in the applicant's account throughout the specified period;

or

(d) If the applicant is applying as a Tier 4 Migrant, an original loan letter from a financial institution regulated by either the Financial Services Authority or, in the case of overseas accounts, the official regulatory body for the country the institution is in and where the money is held, which is dated no more than 6 months before the date of the application and clearly shows:

(1) the applicant's name,

(2) the date of the letter,

(3) the financial institution's name and logo,

(4) the money available as a loan,

(5) for applications for entry clearance, that the loan funds are or will be available to the applicant before he travels to the UK, or that the loan funds are or will be paid directly to the sponsor before the applicant travels to the UK, with the living costs portion of the loan released to the applicant on or before arrival in the Isle of Man, unless the loan is an academic or student loan from the applicant's country's national government and will be released to the applicant on arrival in the UK,

(6) there are no conditions placed upon the release of the loan funds to the applicant, other than him making a successful application as a Tier 4 Migrant, and

(7) the loan is provided by the national government, the state or regional government or a government sponsored student loan company or is part of an academic or educational loans scheme.

### Tier 1 Migrants

1. An applicant applying for entry clearance or leave to remain as a Tier 1 Migrant must score 10 points for funds, unless applying as a Tier 1 (Exceptional Talent) Migrant or a Tier 1 (Investor) Migrant.

2. 10 points will only be awarded if an applicant:

(a) applying for entry clearance, has the level of funds shown in the table below and provides the specified documents in paragraph 1B above, or

Category	Level of funds	Points
Tier 1 (Entrepreneur)	£3,310	10

Tier 1 (Graduate Entrepreneur)	£1,890	10
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(b) applying for leave to remain, has the level of funds shown in the table below and provides the specified documents in paragraph 1B above, or

Level of funds	Points
£945	10

3. Where the applicant is applying as a Tier 1 (Entrepreneur) Migrant, he cannot use the same funds to score points for attributes under Appendix A and to score points for maintenance funds for himself or his dependants under this Appendix or Appendix E.

### **Worker Migrants, Worker (Intra Company Transfer) Migrants and Worker (Seasonal) Migrants**

4. An applicant applying for entry clearance or leave to remain as a Worker Migrant must meet the required Level of Funds.

5. The Level of Funds will be met:

(a) where the applicant has the level of funds shown in the table below and provides the specified documents in paragraph 1B above, or

Category of Application	Level of Funds
Worker Migrant	£945
Worker (Intra Company Transfer) Migrant	£945
Worker (Seasonal) Migrant	£945

(b) the applicant has entry clearance, leave to enter or leave to remain as:

- (i) a Tier 2 Migrant prior to 6 April 2018,
- (ii) a Worker Migrant,
- (iii) a Worker (Intra Company Transfer) Migrant,
- (iv) a Worker (Seasonal) Migrant
- iv) a Minister of Religion, Missionary or Member of a Religious Order,
- (vi) a Work Permit Holder,
- (vii) a UK Tier 2 Migrant,
- (viii) a UK Tier 2 (Intra-Company Transfer) Migrant,
- (ix) a UK Skilled Worker,
- (x) a UK Intra-company Transfer Migrant, or
- (xi) a UK Intra-company Graduate Trainee Migrant, or

(c) the employer has certified on the Confirmation of Employment that, should it become necessary, it will maintain and accommodate the migrant up to the end of the first month of his employment. The Employer may limit the amount of the undertaking but any limit must be at least £945. The requirements of this paragraph will only have been met if the applicant provides a valid Confirmation of Employment with his application.

### **Tier 5 (Youth Mobility) Temporary Migrants**

6. An applicant applying for entry clearance as a Tier 5 (Youth Mobility) Temporary Migrant must score 10 points for funds.

7. 10 points will only be awarded if an applicant has £1,800 and provides the specified documents in paragraph 1B above.

### Tier 5 (Temporary Worker) Migrants

8. A migrant applying for entry clearance or leave to remain as a Tier 5 (Temporary Worker) Migrant must score 10 points for funds.

9. 10 points will only be awarded if an applicant has the level of funds shown in the table below and provides the specified documents in paragraph 1B above:

Criterion	Points awarded
<p>Meets one of the following criteria:</p> <ul style="list-style-type: none"> <li>• Has £945; or</li> <li>• The Sponsor is an A rated Sponsor and has certified on the Certificate of Sponsorship that, should it become necessary, it will maintain and accommodate the migrant up to the end of the first month of his employment. The Sponsor may limit the amount of the undertaking but any limit must be at least £945.</li> </ul> <p>Points will only be awarded if the applicant provides a valid Certificate of Sponsorship reference number with his application.</p>	10

### Tier 4 (General) Students

10. A Tier 4 (General) Student must score 10 points for funds.

11. 10 points will only be awarded if the funds shown in the table below are available in the manner specified in paragraph 13 and 13A below to the applicant. The applicant must either:

(a) provide the specified documents in 1B above to show that the funds are available to him, or

(b) where the applicant is sponsored by a sponsor with Tier 4 Sponsor status, is a national of one of the countries or the rightful holder of a qualifying passport issued by one of the relevant competent authorities, as appropriate, listed in Appendix H and is applying for entry clearance in his country of nationality or in the territory related to the passport he holds, as appropriate, or leave to remain in the Isle of Man, confirm that the funds are available to him in the specified manner. The Isle of Man Immigration Office reserves the right to request the specified documents in paragraph 1B above from these applicants to support this confirmation. The application will be refused if the specified documents are not provided in accordance with the request made.

Criterion	Points
<p>(i) Where the applicant is applying for leave to remain as a postgraduate doctor or dentist on a recognised Foundation Programme, the applicant must have £1,015 for each month remaining of the course up to a maximum of two months.</p> <p>(ii) Where the applicant is applying for leave to remain on the doctorate extension scheme, the applicant must show they have two months' worth of funds, i.e. £2,030.</p> <p>(iii) In all other circumstances, the applicant must have funds amounting to the full course fees for the first academic year of the course, or for the entire course if it is less than a year long, plus £1,015 for each month of the course up to a maximum of nine months.</p>	10

### Notes

12. [Not used]

12A. If the length of the applicant's course includes a part of a month, the time will be rounded up to the next full month. For example, if a course is seven months and two weeks, the applicant must show that he has the specified funds for eight months.

13. Funds will be available to the applicant only where the specified documents show or, where permitted by these rules, the applicant confirms that the funds are held or provided by:

- (i) the applicant (whether as a sole or joint account holder); and/or
- (ii) the applicant's parent(s) or legal guardian(s), and the parent(s) or legal guardian(s) have provided written consent that their funds may be used by the applicant in order to study in the Isle of Man; and/or
- (iii) an official financial sponsor which must be the Isle of Man Government, the applicant's home government, the British Council or any international organisation, international company, University or Independent school.

13A. In assessing whether the requirements of Appendix C, paragraph 11 are met, where an applicant pays a deposit on account to the sponsor for accommodation costs this amount, up to a maximum of £1020, can be offset against the total maintenance requirement if he will be staying in accommodation arranged by the Tier 4 sponsor and he has paid this money to that Tier 4 sponsor.

13B. If the applicant is relying on the provisions in paragraph 13(ii) above, he must provide:

- (a) one of the following original (or notarised copy) documents:
  - (i) his birth certificate showing names of his parent(s),
  - (ii) his certificate of adoption showing the names of both parent(s) or legal guardian, or
  - (iii) a Court document naming his legal guardian;

and

- (b) a letter from his parent(s) or legal guardian, confirming:
  - (1) the relationship between the applicant and his parent(s) or legal guardian, and
  - (2) that the parent(s) or legal guardian give their consent to the applicant using their funds to study in the Isle of Man.

13C. If the applicant has already paid all or part of the course fees to his Tier 4 sponsor:

- (a) the Confirmation of Acceptance for Studies Checking Service entry must confirm details of the fees already paid; or
- (b) the applicant must provide an original paper receipt issued by the Tier 4 sponsor, confirming details of the fees already paid.

13D. If the applicant has an official financial sponsor as set out in paragraph 13(iii) above:

- (a) the Confirmation of Acceptance for Studies Checking Service entry must confirm details of the official financial sponsorship, if it is the Tier 4 sponsor who is the official financial sponsor; or
- (b) the applicant must provide a letter of confirmation from his official financial sponsor, on official letter-headed paper or stationery of that organisation and bearing the official stamp of that organisation, which clearly shows:
  - (1) the applicant's name,
  - (2) the name and contact details of the official financial sponsor,
  - (3) the date of the letter,
  - (4) the length of the official financial sponsorship, and
  - (5) the amount of money the official financial sponsor is giving to the applicant, or a statement that the official financial sponsor will cover all of the applicant's fees and living costs.

14. an applicant will have an established presence studying in the Isle of Man if the applicant has current entry clearance, leave to enter or leave to remain as a Tier 4 migrant, student or as a Postgraduate doctor or dentist and at the date of application:

- (i) has finished a single course that was at least six months long within the applicant's last period of entry clearance, leave to enter or leave to remain, or
- (ii) is applying for continued study on a single course where the applicant has completed at least six months of that course.

#### Tier 4 (Child) Students

15. A Tier 4 (Child) Student must score 10 points for funds.

16. 10 points will only be awarded if the funds shown in the table below are available in the manner specified in paragraph 21 and 21A below to the applicant. The applicant must either:

- (a) provide the specified documents in paragraph 1B above to show that the funds are available to him, or
- (b) where the applicant is sponsored by a Highly Trusted sponsor, is a national of one of the countries or the rightful holder of a qualifying passport issued by one of the relevant competent authorities, as appropriate, listed in appendix H, and is applying for entry clearance in his country of nationality or in the territory related to the passport he holds, as appropriate, or leave to remain in the Isle of Man, confirm that the funds are available to him in the specified manner. The Isle of Man Immigration Office reserves the right to request the specified documents in paragraph 1B above from these applicants to support this confirmation. The application will be refused if the specified documents are not provided in accordance with the request made.:

Criterion	Points
<b>Where the child is (or will be) studying at a residential independent school:</b> sufficient funds are available to the applicant to pay boarding fees (being course fees plus board/lodging fees) for an academic year.	10
<b>Where the child is (or will be) studying at a non-residential independent school and is in a private foster care arrangement (see notes below) or staying with and cared for by a close relative (see notes below):</b> sufficient funds are available to the applicant to pay school fees for an academic year, the foster carer or relative (who must meet the requirements specified in paragraph 19 of this Appendix) has undertaken to maintain and accommodate the child for the duration of the course, and that foster carer or relative has funds equivalent to at least £550 per month, for up to a maximum of nine months, to support the child while he/she is in the Isle of Man.	10
<b>Where the child is (or will be) studying at a non-residential independent school,</b> and is (or will be) accompanied by a parent who is on the Parent of a Tier 4 (Child) Student route, sufficient funds are available to the applicant to pay school fees for an academic year, plus: <ul style="list-style-type: none"> <li>• if no other children are accompanying the applicant and the parent, £1535 per month of stay up to a maximum of nine months; or</li> <li>• if other children are accompanying the applicant and the parent, £1500 per month, plus £615 per month for each additional child, up to a maximum of nine months.</li> </ul>	10
<b>Where the child is aged 16 or 17 years old and is living independently</b> <ul style="list-style-type: none"> <li>i) Where the applicant does not have an established presence studying in the Isle of Man the applicant must have funds amounting to the full course fees for the first academic year of the course, or for the entire course if it is less than a year long, plus £715 for each month of the course up to a maximum of nine months.</li> <li>ii) Where the applicant has an established presence studying in the Isle of Man, the applicant must have funds amounting to the course fees required either for the remaining academic year if the</li> </ul>	10

applicant is applying part-way through, or for the next academic year if the applicant will continue or commence a new course at the start of the next academic year, or for the entire course if it is less than a year long, plus £715 for each month of the course up to a maximum of two months.	
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### Notes

17. Children (under 16, or under 18 if disabled) are privately fostered when they are cared for on a full-time basis by a person or persons aged 18 or over, who are not their parents or a close relative, for a period of 28 days or more.

18. A close relative is a grandparent, brother, sister, step-parent, uncle (brother or half-brother of the child's parent) or aunt (sister or half-sister of the child's parent) who is aged 18 or over.

19. The care arrangement made for the child's care in the Isle of Man must comply with the following requirements:

(a) In all cases, the applicant must provide a letter from their parent(s) or legal guardian, confirming:

- (1) the relationship between the parent(s) or legal guardian and the applicant,
- (2) that the parent(s) or legal guardian have given their consent to the application,
- (3) that the parent(s) or legal guardian agrees to the applicant's living arrangements in the Isle of Man, and
- (4) if the application is for entry clearance, that the parent(s) or legal guardian agrees to the arrangements made for the applicant's travel to and reception in the Isle of Man,
- (5) if a parent(s) or legal guardian has legal custody or sole responsibility for the applicant,
- (6) that each parent or legal guardian with legal custody or responsibility for the applicant agrees to the contents of the letter, and signs the letter, and
- (7) the applicant's parent(s) or legal guardian's consent to the applicant travelling to and living in the Isle of Man independently, if the applicant is 16 or 17 years old and living independently.

(b) If the applicant is under 16 years old or is not living in the Isle of Man independently, the applicant must provide:

(i) a written letter of undertaking from his intended carer confirming the care arrangement, which clearly shows:

- (1) the name, current address and contact details of the intended carer,
- (2) the address where the carer and the applicant will be living in the Isle of Man if different from the intended carer's current address,
- (3) confirmation that the accommodation offered to the applicant is a private address, and not operated as a commercial enterprise, such as a hotel or a youth hostel,
- (4) the nature of the relationship between the applicant's parent(s) or legal guardian and the intended carer,
- (5) that the intended carer agrees to the care arrangements for the applicant,
- (6) that the intended carer has at least £560 per month (up to a maximum of nine months) available to look after and accommodate the applicant for the length of the course,
- (7) a list of any other people that the intended carer has offered support to, and
- (8) the carer's signature and date of the undertaking;

(ii) A letter from his parent(s) or legal guardian, which confirms the care arrangement and clearly shows:

- (1) the nature of parent(s) or legal guardian's relationship with the intended carer,
- (2) the address in the Isle of Man where the applicant and the intended carer will be living,

(3) that the parent(s) or legal guardian support the application, and authorise the intended carer to take responsibility for the care of the applicant during his stay in the Isle of Man;

and

(iii) The intended carer's original (or notarised copy, although the Isle of Man Immigration Office reserves the right to request the original):

- (1) current UK or European Union passport,
- (2) current passport or travel document to confirm that they are settled in the Isle of Man, or
- (3) certificate of naturalisation.

(c) If the applicant is staying in a private foster care arrangement, he must receive permission from the Department of Social Care.

(d) If the applicant is staying in a private foster care arrangement and is under 16 years old, he must provide:

- (i) A copy of the letter of notification from his parent(s), legal guardian or intended carer to the Department of Social Care, confirming that the applicant will be in the care of a private foster carer while in the Isle of Man, and
- (ii) The Department of Social Care's confirmation of receipt, confirming that they have received notification of the foster care arrangement.

20. If the length of the applicant's course includes a part of a month, the time will be rounded up to the next full month.

21. Funds will be available to the applicant only where the specified documents show or, where permitted by these Rules, the applicant confirms that the funds are held or provided by:

- (i) the applicant (whether as a sole or joint account holder); and/or
- (ii) the applicant's parent(s) or legal guardian(s), and the parent(s) or legal guardian(s) have provided written consent that their funds may be used by the applicant in order to study in the Isle of Man; and/or
- (iii) an official financial sponsor which must be the Isle of Man Government, the applicant's home government, the British Council or any international organisation, international company, University or Independent school.

21A. In assessing whether the requirements of Appendix C, paragraph 16 are met, where an applicant pays a deposit on account to the sponsor for accommodation costs this amount, up to a maximum of £1020, can be offset against the total maintenance requirement if he will be staying in accommodation arranged by the Tier 4 sponsor and he has paid this money to that Tier 4 sponsor.

21B. If the applicant has already paid all or part of the course fees to his Tier 4 sponsor:

- (a) the Confirmation of Acceptance for Studies Checking Service entry must confirm details of the fees already paid; or
- (b) the applicant must provide an original paper receipt issued by the Tier 4 sponsor, confirming details of the fees already paid.

21C. If the applicant has an official financial sponsor as set out in paragraph 21(iii) above:

- (a) the Confirmation of Acceptance for Studies Checking Service entry must confirm details of the official financial sponsorship, if it is the Tier 4 sponsor who is the official financial sponsor; or
- (b) the applicant must provide a letter of confirmation from his official financial sponsor, on official letter-headed paper or stationery of that organisation and bearing the official stamp of that organisation, which clearly shows:
  - (1) the applicant's name,
  - (2) the name and contact details of the official financial sponsor,

- (3) the date of the letter,
- (4) the length of the official financial sponsorship, and
- (5) the amount of money the official financial sponsor is giving to the applicant, or a statement that the official financial sponsor will cover all of the applicant's fees and living costs.

22. An applicant will have an established presence studying in the Isle of Man if the applicant has current entry clearance, leave to enter or leave to remain as a Tier 4 migrant or student and at the date of application:

- (i) has finished a single course that was at least six months long within the applicant's last period of entry clearance, leave to enter or leave to remain, or
- (ii) is applying for continued study on a single course where the applicant has completed at least six months of that course.

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## Appendix Continuous Residence

*This Appendix sets out how the continuous residence requirement is met.*

*It applies only to applications under Appendix Hong Kong British National (Overseas), and Appendix ECAA Extension of Stay.*

### How the continuous residence requirement is met

CR 1.1. The continuous residence requirement is met if the applicant has spent the qualifying unbroken continuous residence period required by their route lawfully in the Isle of Man.

### Absences from the UK and Islands

CR 2.1. To meet the continuous residence requirement the applicant must not have been outside the UK and Islands for more than 180 days in any 12 month period.

CR 2.2. When calculating the 180 days in CR 2.1. any period spent outside the UK and Islands will not count towards the 180-day limit if the absence was for any of the following reasons—

- (a) the applicant was assisting with a national or international humanitarian or environmental crisis overseas, providing that if on a sponsored route, their sponsor agreed to the absence for that purpose;
- (b) travel disruption due to natural disaster, military conflict or pandemic;
- (c) compelling and compassionate personal circumstances, such as the life-threatening illness of the applicant or death of a close family member; or
- (d) research activity undertaken by a Worker Migrant which was approved by their employer and where the applicant was sponsored for a job in one of the following Standard Occupational Classification Codes—
  - (i) 2111 Chemical scientists;
  - (ii) 2112 Biological scientists and biochemists;
  - (iii) 2113 Physical scientists
  - (iv) 2114 Social and humanities scientists;
  - (v) 2119 Natural and social science professionals not elsewhere classified;
  - (vi) 2150 Research and development managers; or
  - (vii) 2311 Higher education teaching professionals.

CR 2.3. Any time the applicant spent lawfully in the UK or Channel Islands is treated for the purpose of this Appendix as time spent in the Isle of Man provided the applicant's most recent grant of permission was in the Isle of Man.

### Breaking continuous residence

CR 4.1. An applicant's continuous residence period will be broken if any of the following apply—

- (a) the applicant is convicted of an offence and sentenced to a custodial sentence (unless it is a suspended sentence), or directed to be detained in an institution other than a prison;
- (b) the applicant is subject to a deportation order, exclusion order or exclusion direction;
- (c) the applicant is subject to removal directions under section 10 of the Immigration and Asylum Act 1999;
- (d) the applicant does not have permission, unless—
  - (i) the applicant made a successful application for permission to stay under the circumstances set out in paragraph 39E of Part 1 of these Rules; or

(ii) the applicant had permission when they left the UK and Islands, applied for entry clearance before that permission expired, or within 14 days of that permission expiring, and that application for entry clearance was successful; or

(e) the applicant is absent from the Isle of Man for longer than the period permitted under CR 2.1. and none of the exceptions in CR 2.2. or CR 2.3. apply.

CR 4.2. Where CR 4.1.(d)(i) or (ii) applies, the periods of time where the applicant did not have permission will not count when calculating the continuous residence period.

### **Lawful presence**

CR 5.1. The applicant will not be regarded as lawfully present in the Isle of Man under CR 1.1.—

(a) during any custodial sentence or detention under CR 4.1.(a); or

(b) during any period where they required permission and did not have it, unless paragraph 39E applies.

CR 5.2. Where CR 4.1. applies the applicant will not be regarded as continuously resident for any period during which those circumstances apply (and the exceptions in CR 2.2. and CR 2.3. will not apply).

### **Calculating the continuous residence period**

CR 6.1. The continuous residence period in CR 2.1. will be calculated by counting back from whichever of the following dates is the most beneficial to the applicant—

(a) the date of application;

(b) any date up to 28 days after the date of application; or

(c) the date of decision.

## **Appendix D - Immigration rules for leave to enter as a Highly Skilled Migrant as at [1 December 2009], and immigration rules for leave to remain as a Highly Skilled Migrant as at 1 December 2009**

### **Requirements for leave to enter the Isle of Man as a highly skilled migrant**

135A. The requirements to be met by a person seeking leave to enter as a highly skilled migrant are that the applicant:

- (i) must produce a valid document issued by the Department for Enterprise confirming that he meets, at the time of the issue of that document, the criteria specified by the Minister for entry to the Isle of Man under the Highly Skilled Migrant Programme; and
- (ii) intends to make the Isle of Man his main home; and
- (iii) is able to maintain and accommodate himself and any dependants adequately without recourse to public funds; and
- (iv) holds a valid Isle of Man entry clearance for entry in this capacity.

### **Leave to enter as a highly skilled migrant**

135B. A person seeking leave to enter the Isle of Man as a highly skilled migrant may be admitted for a period not exceeding 2 years, [subject to a condition prohibiting Employment as a Doctor in Training, (unless the applicant has submitted with this application a valid Highly Skilled Migrant Programme Approval Letter, where the application for that approval letter was made on or before 6 February 2008),] provided the Immigration Officer is satisfied that each of the requirements of paragraph 135A is met and that the application does not fall for refusal under paragraph 135HA.

### **Refusal of leave to enter as a highly skilled migrant**

135C. Leave to enter as a highly skilled migrant is to be refused if the Immigration Officer is not satisfied that each of the requirements of paragraph 135A is met or if the application falls for refusal under paragraph 135HA.

### **Requirements for extension of stay as a highly skilled migrant**

135D. The requirements for an extension of stay as a highly skilled migrant for a person who has previously been granted entry clearance or leave in this capacity, are that the applicant:

- (i) entered the Isle of Man with a valid Isle of Man entry clearance as a highly skilled migrant, or has previously been granted leave in accordance with paragraphs 135DA-135DD of these Rules; and
- (ii) has achieved at least 75 points in accordance with the criteria specified in Appendix 4 of these Rules, having provided all the documents which are set out in Appendix 5 (Part I) of these Rules which correspond to the points which he is claiming; and
- (iii) (a) has produced an International English Language Testing System certificate issued to him to certify that he has achieved at least band 6 competence in English; or
  - (b) has demonstrated that he holds a qualification which was taught in English and which is of an equivalent level to a UK Bachelors degree by providing both documents which are set out in Appendix 5 (Part II) of these Rules; and
- (iv) meets the requirements of paragraph 135A(ii)-(iii).

135DA The requirements for an extension of stay as a highly skilled migrant for a work permit holder are that the applicant:

- (i) entered the Isle of Man or was given leave to remain as a work permit holder in accordance with paragraphs 128 to 132 of these Rules; and
- (ii) meets the requirements of paragraph 135A (i)-(iii).

135DB The requirements for an extension of stay as a highly skilled migrant for a student are that the applicant:

- (i) entered the Isle of Man or was given leave to remain as a student in accordance with paragraphs 57 to 62 of these Rules; and
- (ii) has obtained a degree qualification on a recognised degree course at either a United Kingdom publicly funded further or higher education institution or a bona fide United Kingdom private education institution which maintains satisfactory records of enrolment and attendance; and
- (iii) has the written consent of his official sponsor to remain as a highly skilled migrant 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
- (iv) meets the requirements of paragraph 135A(i)-(iii).

135DC. The requirements for an extension of stay as a highly skilled migrant for a postgraduate doctor or postgraduate dentist are that the applicant:

- (i) entered the Isle of Man or was given leave to remain as a postgraduate doctor or a postgraduate dentist in accordance with paragraphs 70 to 75 of these Rules; and
- (ii) has the written consent of his official sponsor to such 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 the requirements of paragraph 135A(i)-(iii).

135DD The requirements for an extension of stay as a highly skilled migrant for a working holidaymaker are that the applicant:

- (i) entered the Isle of Man as a working holidaymaker in accordance with paragraphs 95 to 96 of these Rules; and
- (ii) meets the requirements of paragraph 135A(i)-(iii).

### **Extension of stay as a highly skilled migrant**

135E. An extension of stay as a highly skilled migrant may be granted for a period not exceeding 3 years, provided that the Minister is satisfied that each of the requirements of paragraph 135D, 135DA, 135DB, 135DC, or 135DD is met and that the application does not fall for refusal under paragraph 135HA.

### **Refusal of extension of stay as a highly skilled migrant**

135F. An extension of stay as a highly skilled migrant is to be refused if the Minister is not satisfied that each of the requirements of paragraph 135D, 135DA, 135DB, 135DC, or 135DD is met or if the application falls for refusal under paragraph 135HA.

### **Additional grounds for refusal for highly skilled migrants**

135HA. An application under paragraphs 135A-135F of these Rules is to be refused, even if the applicant meets all the requirements of those paragraphs, if:

- (i) the applicant submits any document which, whether or not it is material to his application, is forged or not genuine, unless the Immigration Officer or Minister is satisfied that the applicant is unaware that the document is forged or not genuine; or
- (ii) the Immigration Officer or Minister has cause to doubt the genuineness of any document submitted by the applicant and, having taken reasonable steps to verify the document, has been unable to verify that it is genuine.

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## Appendix E – Maintenance (funds) for the family of a Relevant Points Based System Migrant, Relevant Worker Migrant or Business Migrant

In this Appendix, Appendix C and in paragraphs A277A to 319K of Part 8 the following definitions apply:

**“Relevant Points Based System Migrant”** means a migrant granted leave as a Tier 1 Migrant, a Tier 2 Migrant, a Tier 4 (General) Student, or a Tier 5 (Temporary Worker) Migrant with leave in one of the following subcategories:

- (i) Tier 5 (Temporary Worker) Creative and Sporting
- (ii) Tier 5 (Temporary Worker) Charity Worker
- (iii) Tier 5 (Temporary Worker) Government Authorised Exchange
- (iv) Tier 5 (Temporary Worker) International Agreement
- (v) Tier 5 (Temporary Worker) Religious Worker.

**“Relevant Worker Migrant”** means a migrant granted or deemed to have been granted leave under Appendix W of these Rules.

**“Business Migrant”** means a migrant granted leave under Appendix X of these Rules.”.

A sufficient level of funds must be available to an applicant applying as the partner or child of a Relevant Points Based System Migrant, Relevant Worker Migrant or Business Migrant. A sufficient level of funds will only be available if the following requirements are met.

(aa) Paragraphs 1A and 1B of Appendix C also apply to this Appendix.

(ab) Where the application is connected to a Tier 1 (Entrepreneur) Migrant, the applicant cannot use the same funds to score points for maintenance funds from this Appendix as the Tier 1 (Entrepreneur) Migrant used to score points for attributes under Appendix A.

(ac) Where the application is connected to a Business Migrant, the applicant cannot use the same funds meet the requirements of this appendix as the Business Migrant used to meet the funds requirements under Appendix X.

(a) Where the application is connected to a Tier 1 Migrant (other than a Tier 1 (Investor) Migrant or a Tier 1 (Exceptional Talent) Migrant) who is outside the UK or Isle of Man or who has been in the UK or Isle of Man for a period of less than 12 months, there must be:

- (i) £1,260 in funds, where the application is connected to a Tier 1 (Graduate Entrepreneur) Migrant;
- (ii) £1,890 in funds, where the applicant is connected to a Tier 1 (Entrepreneur) Migrant.

(b) Where:

- (i) paragraph (a) does not apply, and
- (ii) the application is connected to
  - (1) a Relevant Points Based System Migrant (who is not a Tier 1 (Investor) Migrant, a Tier 1 (Exceptional Talent) Migrant or a Tier 4 (General) Student),
  - (2) a Relevant Worker Migrant, or
  - (3) a Business Migrant
 there must be £630 in funds.

(ba) Where the application is connected to a Tier 4 (General) Student:

- (1) There must be £460 in funds for each month for which the applicant would, if successful, be granted leave under paragraph 319D(a), up to a maximum of £4,140; and
- (2) the applicant must confirm that the funds referred to in (1) above are:

(i) available in the manner specified in paragraph (f) below for use in living costs in the Isle of Man; and

(ii) that the funds will remain available in the manner specified in paragraph (f) below unless used to pay for living costs.

(c) Where the applicant is applying as the partner of a Relevant Points Based System Migrant, Business Migrant or relevant Worker Migrant, the relevant amount of funds must be available to either the applicant or the Relevant Points Based System Migrant, Business Migrant or Relevant Worker Migrant as applicable.

(d) Where the applicant is applying as the child of a Relevant Points Based System Migrant, the child of a Business Migrant or the child of a Relevant Worker Migrant, the relevant amount of funds must be available to the applicant, the Relevant Points Based System Migrant, Business Migrant, the Relevant Worker Migrant, or the applicant's other parent who is lawfully present in the Isle of Man or being granted entry clearance, or leave to enter or remain, at the same time.

(e) Where the Relevant Points Based System Migrant, Business Migrant or Relevant Worker Migrant, is applying for entry clearance or leave to remain at the same time as the applicant, the amount of funds available to the applicant must be in addition to the level of funds required separately of the Relevant Points Based System Migrant, Business Migrant or of the Relevant Worker Migrant as applicable.

(f) In all cases, the funds in question must be available to:

(i) the applicant, or

(ii) where the applicant is applying as the partner of a Relevant Points Based System Migrant, as the partner of a Business Migrant or as the partner of a Relevant Worker Migrant, either:

(1) the applicant,

(2) the Relevant Points Based System Migrant,

(3) the Business Migrant,

(4) the Relevant Worker Migrant,

or (iii) where the applicant is applying as the child of a Relevant Points Based System Migrant, the child of a Business Migrant or the child of a Relevant Worker Migrant, either

(1) the applicant,

(2) the Relevant Points Based System Migrant,

(3) the Business Migrant,

(4) the Relevant Worker Migrant, or

(5) the child's other parent who is lawfully present in the Isle of Man, or being granted entry clearance, or leave to enter or remain, at the same time. (g) The funds in question must have been available to the person referred to in (f) above on the date of the application and for:

(i) a consecutive 90-day period of time, if the applicant is applying as the Partner or Child of a Relevant Worker Migrant, Business Migrant a Tier 1 Migrant (other than a Tier 1 (Investor) Migrant) or a Tier 1 (Exceptional Talent) Migrant), a or a Tier 5 (Temporary Worker) Migrant;

(ii) a consecutive 28-day period of time, if the applicant is applying as the Partner or Child of a Tier 4 (General) Student;

(h) If the funds in question were obtained when the person referred to in (f) above was in the Isle of Man, the funds must have been obtained while that person had valid leave and was not acting in breach of any conditions attached to that leave; and

(i) In the following cases, sufficient funds will be deemed to be available where all of the following conditions are met:

- (1) the Relevant Points Based System Migrant, or Relevant Worker Migrant, to whom the application is connected has, or is being granted, leave as a Worker Migrant, Worker (Intra Company Transfer) Migrant or as a Tier 5 (Temporary Worker) Migrant,
- (2) the Sponsor of that Relevant Points Based System Migrant is A-rated, and
- (3) that Sponsor, or Employer, has certified that, should it become necessary, it will maintain and accommodate the dependents of the relevant Points Based System Migrant, or of the Relevant Worker Migrant, up to the end of the first month of the dependent's leave, if granted, by either:
  - a. endorsing the certification on the Certificate of Sponsorship or Confirmation of Employment, or
  - b. providing the certification in a letter from the sponsor which includes:
    - i. the applicant's name,
    - ii. the sponsor's, or Employer's, name and logo, and
    - iii. details of any limit on the level of the undertaking provided.

The undertaking may be limited provided the limit is at least £630 per dependent. If the relevant Points Based System Migrant, or Relevant Worker Migrant, is applying at the same time as the applicant, points will only be awarded if the Relevant Points Based System Migrant, or Relevant Worker Migrant, provides a valid Certificate of Sponsorship reference number, or valid Confirmation of Employment, with his application.

- (ia) Sufficient funds will not be treated as available to the partner or child unless the specified documents, as set out in paragraph 1B of Appendix C, show that the funds are held in a financial institution to which Appendix Finance applies.
- (ib) Sufficient funds will be deemed to be available where the application is connect to a Business Migrant, whose Letter of Endorsement confirms that the Department for Enterprise has awarded funding that is at least sufficient to cover:
  - (i) the required maintenance funds for the applicable Business Migrant sub category,
  - (ii) the applicant,
  - (iii) any other dependents, and
  - (iv) any investment funds an innovator is required to have in that category.
- (j) In all cases the applicant must provide the specified documents as set out in paragraph 1B of Appendix C, unless:
  - (i) the applicant is applying at the same time and location as the Relevant Points Based System Migrant, who is a Tier 4 (General) Student sponsored by a sponsor with Tier 4 Sponsor status, and
  - (ii) both the applicant and the Relevant Points Based System Migrant are nationals of one of the countries or the rightful holder of a qualifying passport issued by one of the relevant competent authorities, as appropriate, listed in Appendix H, and
  - (iii) the applicant is applying for entry clearance in the country where they are living, or leave to remain in the Isle of Man, and
  - (iv) the applicant confirms these requirements are met, in which case the specified documents shall not be required. The Immigration Service reserves the right to request the specified documents from these applicants. The application will be refused if the specified documents are not provided in accordance with the request made.
- (k) Where the funds are in one or more foreign currencies, the applicant must have the specified level of funds when converted to pound sterling (£) using the spot exchange rate which appears on [www.oanda.com](http://www.oanda.com) for the date of the application.

(l) Where the application is one of a number of applications made at the same time as a partner or child of a Relevant Points Based System Migrant, Business Migrant or of a Relevant Worker Migrant, (as set out in paragraphs 319A and 319F) each applicant, including the Relevant Points Based System Migrant, Business Migrant or including the Relevant Worker Migrant, if applying at the same time, must have the total requisite funds specified in the relevant parts of Appendices C and E. If each applicant does not individually meet the requirements of Appendices C and / or E, as appropriate, all the applications (the application by the Relevant Points Based System Migrant, Business Migrant or Relevant Worker Migrant, and applications as the partner or child of that Relevant Points Based System Migrant, Business Migrant or Relevant Worker Migrant) will be refused.

(m) The end date of the 90-day and 28-day periods referred to in (g) above will be taken as the date of the closing balance on the most recent of the specified documents (Where specified documents from two or more accounts are submitted, this will be the end date for the account that most favours the applicant) as set out in paragraph 1B of Appendix C, and must be no earlier than 31 days before the date of application.

(n) If:

(i) the Relevant Points Based System Migrant is a Tier 4 (General) Student who has official financial sponsorship as set out in paragraph 13(iii) of Appendix C, and

(ii) this sponsorship is intended to cover costs of the Relevant Points Based System Migrant's family member(s), the applicant must provide a letter of confirmation from the Tier 4 (General) Student's official financial sponsor which satisfies the requirements in paragraph 13D of Appendix C, and confirms that the sponsorship will cover costs of the applicant in addition to costs of the Relevant Points Based System Migrant.

(o) Where the applicant is applying as the Partner or Child of a Relevant Points Based System Migrant, or Relevant Worker Migrant who, is applying for entry clearance or leave to remain at the same time as the applicant, and is not required to provide evidence of maintenance funds because of the provisions in paragraph 5(b) of Appendix C, the applicant is also not required to provide evidence of maintenance funds.

(p) Where the applicant:

(i) is not applying at the same time as the Relevant Points Based System Migrant, or at the same time as the Relevant Worker Migrant, and

(ii) in the application which led to his most recent grant of entry clearance or leave to remain, the Relevant Points Based System Migrant, or the Relevant Worker Migrant, was not required to provide evidence of maintenance funds because of the provisions in paragraph 5(b) of Appendix C, the applicant is also not required to provide evidence of maintenance funds.

(q) Overdraft facilities will not be considered towards funds that are available or under an applicant's own control.

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## Appendix ECAA Extension of Stay

*This route is for ECAA workers, business persons and their family members who are in the Isle of Man and already hold permission in that capacity and are seeking an extension of their permission.*

*It also covers children of ECAA workers and business persons who can apply for entry clearance to come to the Isle of Man as a dependant child.*

*A person with permission on the ECAA route can apply for settlement under Appendix ECAA Settlement.*

### Validity requirements for an ECAA worker or ECAA business person on the ECAA Extension of Stay route

- ECAA 1.1. A person applying for permission to stay on the ECAA route must apply using the required paper application form posted on the Immigration Service webpage of the Isle of Man Government website: <https://www.gov.im/immigration>.
- ECAA 1.2. An application for permission to stay as an ECAA worker or ECAA business person must meet all the following requirements—
- (a) the applicant must be a Turkish national;
  - (b) the applicant must have provided any required biometrics;
  - (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
  - (d) the applicant must be in the Isle of Man.
- ECAA 1.3. An application which does not meet all the validity requirements for the ECAA route is invalid and may be rejected and not considered.

### Suitability requirements for the ECAA Extension of Stay route

- ECAA 2.1. The suitability requirement for the ECAA Extension of Stay route will be met unless—
- (a) the applicant is an ECAA worker, and in respect of conduct before 23:00 on 31 December 2020, the decision maker considers it is proportionate to refuse the application on grounds of public policy, public security or public health in accordance with Article 14 of Decision 1/80; or
  - (b) the applicant is an ECAA business person, and in respect of conduct before 23:00 on 31 December 2020, the application is refused on grounds that it is undesirable to grant it in the light of the applicant's character, conduct or associations as set out in paragraph 4 of HC510; or
  - (c) in respect of conduct after 23:00 on 31 December 2020, the applicant falls for refusal as provided for in Section 1 of Part 9 of these rules or ECAA 2.2.
- ECAA 2.2. If applying for permission to stay and in respect of conduct after 23:00 on 31 December 2020, the applicant must not be—
- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
  - (b) on immigration bail.

## **Eligibility requirements for the ECAA Extension of Stay route**

### **ECAA worker requirement for the ECAA route**

- ECAA 3.1. To meet the ECAA worker requirement—
- (a) the applicant must—
    - (i) have permission as an ECAA worker; and
    - (ii) have been lawfully employed in the Isle of Man for at least 3 years with the same employer; or
  - (b) have been lawfully employed in the Isle of Man for at least 4 years, including at least 3 years with the same employer and the remaining time in the same occupation.
- ECAA 3.2. The applicant must show that they will continue to be employed in the Isle of Man throughout the period of permission requested.
- ECAA 3.3. The requirements in ECAA 3.1. and ECAA 3.2. must be proved by evidence that the applicant—
- (a) holds a valid employment contract with the employer; and
  - (b) continues to receive payment for services as part of that contract.
- ECAA 3.4. For the purposes of ECAA 3.1. the following absences will be treated as periods during which the applicant was lawfully employed—
- (a) annual holidays;
  - (b) statutory maternity leave, paternity leave or shared parental leave;
  - (c) statutory adoption leave;
  - (d) sick leave (up to 6 weeks in any 12 months, or longer if there are compelling circumstances);
  - (e) absence due to an accident at work; and
  - (f) periods of involuntary unemployment (provided that the applicant registered with the relevant employment authorities and made a reasonable effort to re-join the workforce).

### **ECAA business person requirement for the ECAA route**

- ECAA 4.1. To meet the ECAA business person requirement, the applicant must meet all the following requirements—
- (a) the applicant must have permission as an ECAA business person;
  - (b) the applicant must have established, or intend to establish, take over or become a partner or director of, one or more genuine businesses in the Isle of Man;
  - (c) the business or businesses must be viable; and

- (d) the applicant must genuinely intend to operate, or have genuinely operated, one or more businesses in the Isle of Man.

ECAA 4.2. The applicant must—

- (a) provide evidence that they have invested, or will invest, sufficient funds or assets in the business or businesses in proportion to their interest in the business or businesses;
- (b) demonstrate that those funds or assets are, and continue to be, their own;
- (c) demonstrate they can meet their share of the liabilities which the business or businesses may incur;
- (d) demonstrate that their part in the business or businesses does not amount to disguised employment;
- (e) demonstrate that their share of the profits of the business is enough to support themselves and any dependants; and
- (f) if they are joining an existing business, provide—
  - (i) a written statement of the terms and conditions on which they are joining the business;
  - (ii) accounts for the existing business for the 12 months before the date of application; and
  - (iii) evidence that there is a genuine need for their services and investment.

ECAA 4.3. In assessing whether the requirements in ECAA 4.1. and ECAA 4.2. are met, the factors that will be considered include the following—

- (a) the viability and credibility of the source of the money being used to set up or invest in the business or businesses;
- (b) evidence of a credible time frame (lasting no more than 11 months) of when money that has not yet been invested in the business or businesses will be invested;
- (c) the credibility of the financial accounts of the business or businesses;
- (d) the credibility of the applicant's proposed business activity in the Isle of Man; and
- (e) if the nature of the business requires mandatory accreditation, registration or insurance, whether the accreditation, registration or insurance have been obtained.

### **Decision on the ECAA Extension of Stay route**

ECAA 5.1. If the decision maker is satisfied that the suitability requirements are met, and either the eligibility requirements for either an ECAA worker or an ECAA business person are met, the application will be granted; otherwise, the application will be refused.

**Period and conditions of grant on the ECAA Extension of Stay route**

- ECAA 6.1 If the applicant meets the ECAA worker requirement and meets the requirement in ECAA 3.1.(a), but does not meet the requirement in ECAA 3.1.(b), they will be granted permission to stay for up to 12 months.
- ECAA 6.2. If the applicant meets the ECAA worker requirement and meets the requirement in ECAA 3.1.(b), they will be granted permission to stay for up to 36 months.
- ECAA 6.3. If the applicant meets the ECAA business person requirement, they will be granted permission to stay for up to 36 months.
- ECAA 6.4. The grant will be subject to all the following conditions—
- (a) if the applicant meets the ECAA worker requirement and has been lawfully employed in the Isle of Man for less than 4 years, work is allowed only for the applicant's current employer, or in the same occupation with a different employer;
  - (b) if the applicant meets the ECAA business person requirement, work is allowed only for the business or businesses the applicant has established, joined or taken over (but not as an apprentice);
  - (c) no access to public funds (subject to any bi-lateral agreements);
  - (d) study is permitted, subject to the condition set out in Part 15 of the Immigration Rules; and
  - (e) if Part 10 applies, the applicant will be required to register with the police.

**Dependants on the ECAA Extension of Stay route****Validity requirements for dependant partner and dependant child on the ECAA Extension of Stay route**

- ECAA 7.1. A person applying—
- (a) as a child applying for entry clearance as a dependant on the ECAA Extension of Stay route must apply online on the gov.uk website on the following specified form—"Join or accompany a family" on the "Find and apply for other visas from outside the UK" form; or
  - (b) as a child or a partner applying for permission to stay (a partner must already be in the Isle of Man and cannot apply for entry clearance) as a dependant on the ECAA Extension of Stay route, must apply using the required paper application form posted on the Immigration Service webpage of the Isle of Man Government website: <https://www.gov.im/immigration>.
- ECAA 7.2. An application for entry clearance or permission to stay by a dependant on the ECAA route must meet all the following requirements—
- (a) the applicant must have provided any required biometrics;
  - (b) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and

- (c) where the applicant is applying for permission to stay as a dependant partner they must be in the Isle of Man and have permission to stay as a dependant partner on the ECAA route.

ECAA 7.3. An application which does not meet all the validity requirements for a dependant partner or dependent child on the ECAA Extension of Stay route is invalid and may be rejected and not considered.

### **Suitability requirements for dependant partner and dependant child on the ECAA Extension of Stay route**

ECAA 8.1. The suitability requirements for entry clearance for a dependant child will be met unless the applicant falls for refusal under Part 9: grounds for refusal.

ECAA 8.2. The suitability requirement for permission to stay as a dependant partner or dependant child on the ECAA Extension of Stay route will be met unless—

- (a) the applicant is the dependant of an ECAA worker, and in respect of conduct committed before 23:00 on 31 December 2020, the decision maker considers it is proportionate to refuse the application on grounds of public policy, public security or public health in accordance with Article 14 of Decision 1/80;
- (b) the applicant is the dependant of an ECAA business person, and in respect of conduct committed before 23:00 on 31 December 2020, the application is refused on grounds that it is undesirable to grant the application in the light of the applicant's character, conduct or associations as set out in paragraph 4 of HC 510; or
- (c) in respect of conduct committed after 23:00 on 31 December 2020, the applicant falls for refusal as provided for under Section 1 of Part 9 of these rules or ECAA 8.3. applies.

ECAA 8.3. If applying for permission to stay the applicant must not be—

- (a) in breach of immigration laws, except that, where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

### **Eligibility requirements for a dependant partner or dependant child on the ECAA Extension of Stay route**

#### **Entry requirement for a dependant child on the ECAA Extension of Stay route**

ECAA 9.1. A person seeking to come to the Isle of Man as a dependant child must apply for and obtain entry clearance as a dependant child on the ECAA Extension of Stay route before they arrive in the Isle of Man.

#### **Relationship requirement for a dependant partner on the ECAA Extension of Stay route**

ECAA 10.1. The applicant must be the partner of a person (P) and P must have permission as an ECAA worker or ECAA business person on the ECAA route.

- ECAA 10.2. If the applicant and the ECAA Worker or ECAA business person partner are unmarried partners, all of the following requirements must be met—
- (a) they must both be aged 18 or over on the date of application;
  - (b) any previous relationship of the applicant or their ECAA worker or ECAA business person partner with another person must have permanently broken down; and
  - (c) the applicant and their ECAA worker or ECAA business person partner must not be so closely related that they would not be allowed to marry or form a civil partnership in the Isle of Man.
- ECAA 10.3. The relationship between the applicant and their ECAA worker or ECAA business person partner must be genuine and subsisting.
- ECAA 10.4. The applicant and their ECAA worker or ECAA business person partner must intend to live together throughout the applicant's stay in the Isle of Man.

### **Relationship requirement for a dependant child on the ECAA Extension of Stay route**

- ECAA 11.1. The applicant must be the child of a person (P) who has permission as an ECAA worker or ECAA business person on the ECAA route, or a person who is the partner of P.
- ECAA 11.2. The applicant's parents must each be either applying for permission, or be present in the Isle of Man with permission (other than as a visitor) on the ECAA route unless—
- (a) the parent with permission on the ECAA route is the sole surviving parent;
  - (b) the parent with permission on the ECAA route has sole responsibility for the applicant's upbringing; or
  - (c) the decision maker is satisfied that there are serious and compelling reasons to grant the applicant entry clearance or permission to stay, to live with the parent who has permission on the ECAA route.

### **Age requirement for a dependant child on the ECAA Extension of Stay route**

- ECAA 12.1. The applicant must be under the age of 21 at the date of application, unless they were last granted permission as the dependant child of their parent on the ECAA route.
- ECAA 12.2. The applicant must not be leading an independent life.

### **Care requirement for a dependant child on the ECAA Extension of Stay route**

- ECAA 13.1. If the applicant is under the age of 18 at the date of application there must be suitable arrangements for the child's care and accommodation in the Isle of Man, which must comply with relevant Isle of Man legislation and regulations.

### **Financial requirement for a dependant partner or dependant child on the ECAA Extension of Stay route**

- ECAA 14.1. There must be adequate accommodation provided by the ECAA worker or ECAA business person for the applicant.

ECAA 14.2. Where the applicant is the dependant of an ECAA business person, the profits of the business or businesses must be sufficient to maintain the applicant and any other dependants in the Isle of Man.

### **Decision for a dependant partner or dependant child on the ECAA Extension of Stay route**

ECAA 15.1. If the applicant meets the suitability requirements and meets the eligibility requirements for either a dependant partner or dependant child on the ECAA Extension of Stay route, the application will be granted; otherwise the application will be refused.

### **Period and conditions of grant for a dependant partner or dependant child on the ECAA Extension of Stay route**

ECAA 16.1. The grant will be for a period which ends on the same day as the permission of the ECAA worker or ECAA business person on the ECAA route.

ECAA 16.2. The grant will be subject to all the following conditions—

- (a) no access to public funds (subject to any bi-lateral agreement);
- (b) work is permitted;
- (c) study is permitted, subject to the condition set out in Part 15 of the Immigration Rules; and

(d) if Part 10 applies, the applicant will be required to register with the police.

## Appendix ECAA Settlement

### Part ECAA 1. Definitions

ECAA.1.1. Unless the contrary intention is expressed in this Appendix, the definitions in paragraph 6 of the Immigration Rules shall apply to this Appendix.

### Part ECAA 2. Continuous periods lawfully in the Isle of Man

ECAA 2.1. References to a "continuous period" "lawfully in the Isle of Man" for the purposes of this Appendix means residence in the Isle of Man, for an unbroken period with valid leave, and for these purposes a period shall be considered unbroken where—

- (a) the applicant has not been absent from the UK and Islands for more than 180 days during any 12 month period in the continuous period, except that any absence from the UK and Islands for the purpose of—
  - (i) assisting with a national crisis;
  - (ii) assisting with an international humanitarian or environmental crisis overseas; or
  - (iii) as the result of travel restrictions or serious illness,
 shall not count towards the 180 days, if the applicant provides evidence that this was the purpose of the absence(s);
- (b) the applicant has existing limited leave to enter or remain upon their departure and return except that—
  - (i) where that leave expired no more than 28 days prior to a further application for entry clearance which was made before 1 January 2021 and subsequently granted, that period and any period pending the applicant's re-entry in to the Isle of Man shall be disregarded; and
  - (ii) where, on or after 1 January 2021, the applicant makes a further application for entry clearance during the currency of continuing limited leave which is subsequently granted, the period spent outside the UK and Islands with continuing leave and any period pending the applicant's re-entry in to the Isle of Man shall be disregarded; and
- (c) the applicant has any current period of overstaying disregarded where paragraph 39E of the Immigration Rules applies.

ECAA 2.2. Except for periods where the applicant had leave as—

- (a) an ECAA business person; or
- (b) a Tier 1 Migrant, other than a Tier 1 (Post Study Work) Migrant.

Any absences from the UK and Islands during the relevant qualifying period must have been for a purpose that is consistent with the applicant's basis of stay here, including paid annual leave, or for serious or compelling reasons.

ECAA 2.3. The continuous period will be considered as ending on whichever of the following dates is most beneficial to the applicant—

- (a) the date of application;
- (b) the date of decision; or



(c) any date up to 28 days after the date of application.

ECAA 2.4. References to a continuous period spent with valid leave in the Isle of Man include time spent with valid leave in the UK, the Bailiwick of Guernsey or the Bailiwick of Jersey, where that leave was granted for an equivalent purpose to one of the categories stated in the relevant paragraph, provided that the most recent period prior to the date of application was spent in the Isle of Man with valid leave in the relevant category.

### **Part ECAA 3. Requirements for ECAA workers applying for indefinite leave to remain**

ECAA 3.1. The requirements for indefinite leave to remain to be granted to an ECAA worker are that the applicant must—

- (a) be an ECAA worker;
- (b) have resided lawfully in the Isle of Man for a continuous period of 5 years,, of which the most recent period of leave must have been as an ECAA worker, in any combination of the following categories—
  - (i) an ECAA worker;
  - (ii) a Worker Migrant; or
  - (iii) a work permit holder;
- (c) have demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the UK and Islands, in accordance with Appendix KoLL;
- (d) have been able to support any family members with them without recourse to public funds to which they are not entitled; and
- (e) not fall for refusal under Part 9: grounds for general refusal.

#### **Indefinite leave to remain as an ECAA worker**

ECAA 3.2. Indefinite leave to remain as an ECAA worker will be granted provided that the Minister is satisfied that each of the requirements of paragraph ECAA 3.1. are met.

#### **Refusal of indefinite leave to remain as an ECAA worker**

ECAA 3.3. Indefinite leave to remain as an ECAA worker will be refused if the Minister is not satisfied that each of the requirements of paragraph ECAA 3.1. are met.

### **Part ECAA 4. Requirements for ECAA business persons applying for indefinite leave to remain**

ECAA 4.1. The requirements for indefinite leave to remain to be granted to an ECAA business person are that the applicant must—

- (a) be an ECAA business person;

- (b) have resided lawfully in the Isle of Man for a continuous period of 5 years, of which the most recent period of leave must have been as an ECAA business person, in any combination of the following categories—
  - (i) an ECAA business person;
  - (ii) a Tier 1 (Entrepreneur) Migrant; or
  - (iii) a Business Migrant;
- (c) have demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the UK and Islands, in accordance with Appendix KoLL;
- (d) have been able to support any family members with them without recourse to public funds to which they are not entitled;
- (e) not fall for refusal under Part 9: grounds for refusal; and
- (f) be relying on a business which meet(s) the requirements under paragraph ECAA 4.2.

ECAA 4.2. The Minister on the balance of probabilities must be satisfied that—

- (a) the applicant has established, taken over or become a director of one or more genuine businesses in the Isle of Man, and has genuinely operated that business or businesses while they had leave as an ECAA business person;
- (b) the business(es) upon which they are relying on for any of the qualifying period is viable; and
- (c) the applicant genuinely intends to continue operating one or more businesses in the Isle of Man.

ECAA 4.3. In making the assessment in ECAA 4.2., the Minister may take into account the following factors—

- (a) the evidence the applicant has submitted;
- (b) the viability and credibility of the source of the money used to set up or invest in the business(es);
- (c) the credibility of the financial accounts of the business(es);
- (d) the credibility of the applicant's business activity in the Isle of Man, including when they had leave as an ECAA business person;
- (e) if the nature of the business requires mandatory accreditation, registration or insurance, whether that accreditation, registration or insurance has been obtained; and
- (f) any other relevant information.

ECAA 4.4. The Minister may request additional information and evidence to support the assessment in paragraph ECAA 4.3., and may refuse the application if the information or evidence requested is not received by the Minister at the address specified in the request within 28 working days of the date of the request.

### **Indefinite leave to remain as an ECAA business person**

ECAA 4.5. Indefinite leave to remain as an ECAA business person will be granted provided that the Minister is satisfied that each of the requirements of paragraph ECAA 4.1. are met.

## **Refusal of indefinite leave to remain as an ECAA business person**

ECAA 4.6. Indefinite leave to remain as an ECAA business person will be refused if the Minister is not satisfied that each of the requirements of paragraph ECAA 4.1. are met.

## **Part ECAA 5. Requirements for children of ECAA workers or ECAA business persons applying for indefinite leave to remain**

ECAA 5.1. The requirements for indefinite leave to remain to be granted to a child of an ECAA worker or an ECAA business person are that the applicant—

- (a) must be the child of a parent who has, or is at the same time being granted, indefinite leave to remain as—
  - (i) an ECAA worker or ECAA business person; or
  - (ii) the spouse, civil partner or unmarried partner of an ECAA worker or ECAA business person;
- (b) must have, or have last been granted, leave as the child of, or have been born in the UK, the Isle of Man or Channel Islands to—
  - (i) the ECAA worker or ECAA business person; or
  - (ii) the spouse, civil partner or unmarried partner of an ECAA worker or ECAA business person who is being granted indefinite leave to remain;
- (c) must not—
  - (i) be married or in a civil partnership;
  - (ii) have formed an independent family unit; or
  - (iii) be leading an independent life;
- (d) must, if they are over the age of 21 on the date of application, provide the specified documents and information in paragraph 319H-SD (except that references to the “Relevant Points Based System Migrant”, “Business Migrant” or “Relevant Worker Migrant” are to be read as a reference to the ECAA worker or ECAA business person) to show that this requirement is met;
- (e) must have both of their parents either, be lawfully settled in the Isle of Man, or being granted indefinite leave to remain at the same time as the applicant, unless—
  - (i) the ECAA worker or ECAA business person is the applicant’s sole surviving parent;
  - (ii) the ECAA worker or ECAA business person parent has, and has had, sole responsibility for the applicant’s upbringing;
  - (iii) there are serious and compelling family or other considerations which would make it desirable not to refuse the application and suitable arrangements have been made for the applicant’s care; or
  - (iv) the parent is, at the same time, being granted indefinite leave to remain as an ECAA worker or ECAA business person, the other parent is lawfully present in the Isle of Man or being granted leave at the same time as the applicant;

- (f) must have demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the UK and Islands, in accordance with Appendix KoLL, unless they are under the age of 18 at the date of application;
- (g) must, if the applicant is a child of an ECAA worker or ECAA business person, provide a full birth certificate, with translations where necessary showing the names of both parents;
- (h) must have all arrangements for the child's care and accommodation in the Isle of Man must comply with relevant Isle of Man legislation and regulations;
- (i) must not be in the Isle of Man in breach of immigration laws except that, where paragraph 39E of the Immigration applies, any current period of overstaying will be disregarded; and
- (j) must not fall for refusal under Part 9: grounds for refusal.

### **Indefinite leave to remain as the child of an ECAA worker or ECAA business person**

ECAA 5.2. Indefinite leave to remain as the child of an ECAA worker or ECAA business person will be granted provided that the Minister is satisfied that each of the requirements of paragraph ECAA 5.1. are met.

### **Refusal of indefinite leave to remain as the child of an ECAA worker or ECAA business person**

ECAA 5.3. Indefinite leave to remain as the child of an ECAA worker or ECAA business person will be refused if the Minister is not satisfied that each of the requirements of paragraph ECAA 5.1. are met.

### **Part ECAA 6. Requirements for partners of ECAA workers or ECAA business persons applying for indefinite leave to remain**

ECAA 6.1. The requirements for indefinite leave to remain to be granted to a partner of an ECAA worker or an ECAA business person are that the applicant must—

- (a) be the spouse, civil partner or unmarried partner of a person "P" who—
  - (i) has indefinite leave to remain as an ECAA worker or ECAA business person;
  - (ii) is, at the same time being granted indefinite leave to remain as an ECAA worker or ECAA business person; or
  - (iii) has become a British citizen where prior to that they held indefinite leave to remain as an ECAA worker or ECAA business person;
- (b) have, or have last been granted, leave as the spouse, civil partner or unmarried partner of the ECAA worker or ECAA business person;
- (c) be in a marriage, civil partnership or unmarried partnership with P which must be genuine and subsisting at the time the application is made;
- (d) intend to live permanently with P as their spouse, civil partner or unmarried partner;

- (e) have demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the UK and Islands, in accordance with Appendix KoLL;
- (f) have been living together with P in the UK and Islands in a marriage, civil partnership or unmarried partnership for at least the applicable specified period in line with paragraphs ECAA 6.2. and ECAA 6.3.; and
- (g) not fall for refusal under Part 9: grounds for refusal.

ECAA 6.2. The specified period for spouses, civil partners or unmarried partners of ECAA workers or ECAA business persons is a continuous period of 5 years. The 5 year period may consist of a combination of leave as either—

- (a) the spouse, civil partner or unmarried partner of an ECAA worker or ECAA business person; or
- (b) the spouse, civil partner or unmarried partner of an ECAA worker or ECAA business person during a period when the sponsor had leave under another category of these Rules.

ECAA 6.3. During the specified period the applicant must—

- (a) have been in a relationship with the same ECAA worker or ECAA business person for the entire period;
- (b) have spent the most recent part of the 5 year period with leave as the spouse, civil partner or unmarried partner of that ECAA worker or ECAA business person;
- (c) have spent the remainder of the 5 year period, where applicable, with leave as the spouse or civil partner or unmarried partner of that person at a time when that person had leave under another category of the Rules; and
- (d) not have been absent from the UK and Islands for more than 180 days during any 12 month period, subject to the exceptions at ECAA 2.

### **Indefinite leave to remain as the partner of an ECAA worker or ECAA business person**

ECAA 6.4. Indefinite leave to remain as the partner of an ECAA worker or ECAA business person may be granted provided that the Minister is satisfied that each of the requirements of paragraph ECAA 6.1. are met.

### **Refusal of indefinite leave to remain as the partner of an ECAA worker or ECAA business person**

ECAA 6.5. Indefinite leave to remain as the partner of an ECAA worker or ECAA business person will be refused if the Minister is not satisfied that each of the requirements of paragraph ECAA 6.1. are met.

### **Part ECAA 7. Requirements for partners of an ECAA worker or ECAA business person applying for further leave**

ECAA 7.1. The requirements for further leave to remain to be granted to a partner of an ECAA worker or an ECAA business person are that the applicant must—

- (a) be the spouse, civil partner or unmarried partner of an ECAA worker or ECAA business person who—
  - (i) has been granted indefinite leave to remain in line with the ECAA guidance in force prior to 16 March 2018;
  - (ii) has been granted indefinite leave to remain under paragraph ECAA 3.2. or ECAA 4.5. of this Appendix; or
  - (iii) has British citizenship having previously been granted indefinite leave to remain under either provision specified in (i) or (ii) of this paragraph;
- (b) have last been granted entry clearance or leave to remain as a dependant of an ECAA worker or ECAA business person;
- (c) having last been granted leave to remain as a dependant of an ECAA business person, be currently in the Isle of Man without leave, and at the time of that leave expiring—
  - (i) they did not qualify for indefinite leave to remain in line with the ECAA guidance in force prior to 16 March 2018 due to not meeting the 2 years residency requirement; and
  - (ii) did not qualify for further limited leave to remain as the dependant of an ECAA business person due to that ECAA business person having acquired indefinite leave to remain;
- (d) be living together and in a subsisting relationship with the ECAA worker or ECAA business person to whom leave to remain was granted;
- (e) not fall for refusal under Part 9: grounds for refusal;
- (f) have a sponsor who has adequate accommodation for the parties and can maintain any dependants without recourse to public funds;
- (g) be registered with the police where required.; and
- (h) not be in the Isle of Man in breach of immigration laws, except that—
  - (i) where paragraph 39E of these Rules applies, any current period of overstaying will be disregarded; or
  - (ii) where paragraph ECAA 7.1.(c)) applies, any current period of overstaying will be disregarded.

### **Further leave to remain as the partner of an ECAA worker or ECAA business person**

ECAA 7.2. Leave to remain as a partner of an ECAA worker or ECAA business person will be granted for up to 3 years will be granted if the Minister is satisfied that each of the requirements of paragraph ECAA 7.1. are met.

### **Refusal of further leave to remain as a partner ECAA worker or ECAA business person**

ECAA 7.3. Leave to remain as a partner of an ECAA worker or ECAA business person will be refused if the Minister is not satisfied that each of the requirements of paragraph ECAA 7.1. are met.

## Appendix English Language

*This Appendix sets out how the English language requirement is met.*

*It applies only to applications under Appendix Hong Kong British Nationals (Overseas) and Appendix ECAA Extension of Stay.*

*The route sets out whether the English language requirement must be met and at what level.*

### Exemption

EL 1.1. The English language is met if any of the requirements in EL 3. to EL 6. are met.

EL 1.2. An applicant for settlement is exempt from the English language requirement if at the *date of application*.

- (a) they are aged 65 or over;
- (b) they are aged under 18; or
- (c) they have a disability (physical or mental condition) which prevents them from meeting the requirement.

### How the requirement is met

EL 2.1. The English language requirement is met if any of the requirements in EL 3. to EL 6. are met.

EL 2.2. The English language requirement is also met by a dependant partner or dependant child applying for settlement if they meet the requirements in paragraph 3.2. of Appendix KOLL.

### Met in a previous application

EL 3.1. An applicant will meet the English language requirement if they have already shown they met the requirement, at the level required for their current application, in a previous successful application for entry clearance or *permission to stay*.

### Majority English speaking country

EL 4.1. An applicant will meet the English language requirement if they are a national of any of the following majority-English-speaking countries—

- Antigua and Barbuda;
- Australia;
- The Bahamas;
- Barbados;
- Belize;
- Canada;
- Dominica;
- Grenada;

- Guyana;
- Jamaica;
- Malta;
- New Zealand;
- St Kitts and Nevis;
- St Lucia;
- St Vincent and the Grenadines;
- Trinidad and Tobago;
- United States of America

### **Academic qualification**

EL 5.1. An applicant will meet the English language requirement if they have an academic qualification which meets one of the requirements at EL 5.2. and is proven by the required evidence under EL 5.3. or EL 5.4.

EL 5.2. The requirements are that the applicant has—

- (a) a bachelor's degree, master's degree or doctorate awarded in the UK and Islands;
- (b) a degree or degree-level qualification taught in a university or college in a majority-English-speaking country listed in EL 4.1. (except Canada), or Ireland, which meets or exceeds the recognised standard of a Bachelor's degree, Master's degree or doctorate awarded in the UK and Islands; or
- (c) a degree or degree level qualification which meets, or exceeds, the recognised standard of a UK bachelor's degree, master's degree or doctorate and was taught or researched in English.

EL 5.3. The requirement at EL 5.2. must be proven by one of—

- (a) a certificate from the awarding body;
- (b) a transcript issued by the university or college that awarded the qualification; or
- (c) an official letter from the university or college that awarded the qualification containing information equivalent to a degree certificate.

EL 5.4. If the qualification was awarded by a body from outside the UK and Islands, the requirement at EL 5.2. must, in addition to the requirement at EL 5.3., be proven by confirmation from Ecctis that the qualification meets the requirements at EL 5.2.(b) or EL 5.2.(c).



## **Appendix EU: EU, other EEA and Swiss citizens and family members**

### **Purpose**

EU1. This Appendix sets out the basis on which an **EEA citizen** and their family members, and the family members of a **qualifying British citizen**, will, if they apply under it, be granted indefinite leave to enter or remain or limited leave to enter or remain.

### **Requirements and procedure**

#### **Requirements for indefinite leave to enter or remain other than as a joining family member of a relevant sponsor**

EU2. The applicant will be granted indefinite leave to enter (where the application is made outside the UK and Islands) or indefinite leave to remain (where the application is made within the Isle of Man) where—

- a valid application has been made in accordance with paragraph EU9;
- the applicant meets the eligibility requirements for indefinite leave to enter or remain in accordance with paragraph EU11 or EU12; and
- the application is not to be refused on grounds of suitability in accordance with paragraph EU15 or EU16.

#### **Requirements for indefinite leave to enter or remain as a joining family member of a relevant sponsor**

EU2A. The applicant will be granted indefinite leave to enter (where the application is made outside the UK or Islands) or indefinite leave to remain (where the application is made within the Isle of Man) as a **joining family member of a relevant sponsor**, where—

- a valid application has been made in accordance with paragraph EU9;
- the applicant meets the eligibility requirements for indefinite leave to enter or remain in accordance with paragraph EU11A; and
- the application is not to be refused on grounds of suitability in accordance with paragraph EU15 or EU16.

#### **Requirements for limited leave to enter or remain other than as a joining family member of a relevant sponsor**

EU3. The applicant will be granted 5 years' limited leave to enter (where the application is made outside the UK and Islands) or 5 years' limited leave to remain (where the application is made within the Isle of Man) where—

- a valid application has been made in accordance with paragraph EU9;
- the applicant does not meet the eligibility requirements for indefinite leave to enter or remain in accordance with paragraph EU11 or EU12, but meets the eligibility requirements for limited leave to enter or remain in accordance with paragraph EU14; and
- the application is not to be refused on grounds of suitability in accordance with paragraph EU15 or EU16.

#### **Requirements for limited leave to enter or remain as a joining family member of a relevant sponsor**

EU3A. The applicant will be granted 5 years' limited leave to enter (where the application is made outside of the UK and Islands) or 5 years' limited leave to remain (where the application is made within the Isle of Man) as a joining family member of a relevant sponsor where—

- a valid application has been made in accordance with paragraph EU9;
- the applicant does not meet the eligibility requirements for indefinite leave to enter or remain in accordance with paragraph EU11A, but meets the eligibility requirements for limited leave to enter or remain in accordance with paragraph EU14A; and

- the application is not to be refused on grounds of suitability in accordance with paragraph EU15 or EU16.

#### Other provisions as to requirements and procedure

EU4. Where a person has been granted limited leave to enter or remain under this Appendix—

- they must continue to meet the eligibility requirements for that leave which they met at the **date of application** (except for any which related to their dependency as a **child, dependent parent** or **dependent relative**) or meet other eligibility requirements for limited leave to enter or remain in accordance with paragraph EU14 (where they have been granted limited leave to enter or remain under paragraph EU3) or in accordance with paragraph EU14A (where they have been granted limited leave to enter or remain under paragraph EU3A); and
- they remain able to apply for indefinite leave to enter or remain under this Appendix and will be granted this where the requirements in paragraph EU2 (where they have been granted limited leave to enter or remain under paragraph EU3) or paragraph EU2A (where they have been granted limited leave to enter or remain under paragraph EU3A) are met.

EU5. Paragraphs 18 to 19A of the Immigration Rules (returning residents) do not apply to indefinite leave to enter or remain granted under this Appendix. A person granted such leave may resume their residence in the Isle of Man where, having been absent from the **UK and Islands**, that leave has not lapsed under article 17 of the Immigration (Leave to Enter and Remain) Order 2019<sup>28</sup>.

EU6. A valid application made under this Appendix which does not meet the requirements for indefinite leave to enter or remain or limited leave to enter or remain will be refused.

- EU7. (1) Annex 1 sets out definitions which apply to this Appendix. Any provision made elsewhere in the Immigration Rules for those terms, or for other matters for which this Appendix makes provision, does not apply to an application made under this Appendix.
- (2) Where this Appendix requires that a document, card or other evidence is valid (or that it remained valid for the period of residence relied upon), or has not been cancelled or invalidated or has not ceased to be effective, it does not matter that the person concerned no longer has the right to enter or reside under the **EEA Regulations** (or under the equivalent provisions in the UK or Channel Islands), on which basis the document, card or other evidence was issued, by virtue of the revocation of those Regulations (or equivalent provisions in the UK or Channel Islands).

EU8. Annex 2 applies to the consideration by the Minister of a valid application made under this Appendix.

#### **Valid application**

EU9. A valid application has been made under this Appendix where—

- it has been made using the **required application process**;
- the **required proof of identity and nationality** has been provided, where the application is made within the Isle of Man;
- where an application is made from outside the UK and Islands, the **required proof of entitlement to apply from outside the UK and Islands** has been provided; and
- the **required biometrics** have been provided.

EU10. (1) An application made under this Appendix will be rejected as invalid where it does not meet the requirements in paragraph EU9.

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<sup>28</sup> SD 2019/0147.

- (2) In paragraph 34BB of these Rules, sub-paragraphs (3) to (5) do not apply to applications made under this Appendix.

### **Eligibility for indefinite leave to enter or remain**

#### **Persons eligible for indefinite leave to enter or remain as a relevant EEA citizen or their family member, or as a person with a derivative right to reside or with a Zambrano right to reside**

EU11. The applicant meets the eligibility requirements for indefinite leave to enter or remain as a **relevant EEA citizen** or their family member (or as a **person with a derivative right to reside** or a **person with a Zambrano right to reside**) where the Minister is satisfied, including (where applicable) by the **required evidence of family relationship**, that, at the date of application and in an application made by the **required date**, one of conditions 1 to 7 set out in the following table is met—

Condition	Is met where—
1.	<p>(a) The applicant—</p> <ul style="list-style-type: none"> <li>(i) is a relevant EEA citizen; or</li> <li>(ii) is (or, as the case may be, was) a <b>family member of a relevant EEA citizen</b>; or</li> <li>(iii) is (or, as the case may be, was) a <b>family member who has retained the right of residence</b> by virtue of a relationship with a relevant EEA citizen; and</li> </ul> <p>(b) the applicant has a <b>documented right of permanent residence</b>; and</p> <p>(c) no <b>supervening event</b> has occurred</p>
2.	<p>(a) The applicant is—</p> <ul style="list-style-type: none"> <li>(i) a relevant EEA citizen; or</li> <li>(ii) a family member of a relevant EEA citizen; or</li> <li>(iii) a family member who has retained the right of residence by virtue of a relationship with a relevant EEA citizen; and</li> </ul> <p>(b) there is <b>valid evidence of their indefinite leave to enter or remain</b></p>
3.	<p>(a) The applicant—</p> <ul style="list-style-type: none"> <li>(i) is a relevant EEA citizen; or</li> <li>(ii) is (or, as the case may be, for the relevant period was) a family member of a relevant EEA citizen; or</li> <li>(iii) is (or, as the case may be, for the relevant period was) a family member who has retained the right of residence by virtue of a relationship with a relevant EEA citizen; or</li> <li>(iv) is a person with a derivative right to reside; or</li> <li>(v) is a person with a Zambrano right to reside; or</li> <li>(vi) is a <b>person who had a derivative or Zambrano right to reside</b>; and</li> </ul> <p>(b) the applicant has completed a <b>continuous qualifying period</b> of 5 years in any (or any combination) of those categories; and</p> <p>(c) since then no supervening event has occurred</p>
4.	<p>(a) The applicant is a relevant EEA citizen who is a <b>person who has ceased</b></p>

	<p><b>activity</b>; and</p> <p>(b) since they did so, no supervening event has occurred</p>
5.	<p>(a) The applicant is (or, as the case may be, was) a family member of a relevant EEA citizen; and</p> <p>(b) the relevant EEA citizen is a person who has ceased activity; and</p> <p>(c) (i) where the date of application by the family member is before 1 July 2021, the relevant EEA citizen—</p> <p style="padding-left: 40px;">(aa) meets the requirements of sub-paragraph (b) of the applicable definition of relevant EEA citizen in Annex 1; or</p> <p style="padding-left: 40px;">(bb) meets the requirements of sub-paragraph (d)(ii) or (d)(iii) of the applicable definition of relevant EEA citizen in Annex 1; or</p> <p style="padding-left: 40px;">(cc) is a <b>relevant naturalised British citizen</b> (in accordance with sub-paragraphs (b) and(c) of the relevant definition in Annex 1); and</p> <p>(ii) where the date of application by the family member is on or after 1 July 2021, the relevant EEA citizen meets the following requirements of the applicable definition of relevant EEA citizen in Annex 1—</p> <p style="padding-left: 40px;">(aa) sub-paragraph (a)(ii)(aa); or</p> <p style="padding-left: 40px;">(bb) sub-paragraph (b)(ii)(aa); or</p> <p style="padding-left: 40px;">(cc) sub-paragraph (c)(i); or</p> <p style="padding-left: 40px;">(dd) sub-paragraph (d)(i)(bb)(aaa), (d)(i)(bb)(ccc) or (d)(ii)(bb)(aaa); and</p> <p>(d) sub-paragraph (a) above was met at the point at which the relevant EEA citizen became a person who has ceased activity; and</p> <p>(e) the applicant was resident in the UK and Islands for a continuous qualifying period immediately before the relevant EEA citizen became a person who has ceased activity; and</p> <p>(f) since the relevant EEA citizen became a person who has ceased activity, no supervening event has occurred</p>
6.	<p>(a) The applicant is a family member of a relevant EEA citizen; and</p> <p>(b) the relevant EEA citizen has died and was resident in the Isle of Man as a <b>worker</b> or <b>self-employed person</b> at the time of their death; and</p> <p>(c) the relevant EEA citizen was resident in the UK and Islands for a continuous qualifying period of at least 2 years immediately before dying, or the death was the result of an accident at work or an occupational disease; and</p> <p>(d) the applicant was resident in the Isle of Man with the relevant EEA citizen immediately before their death; and</p> <p>(e) since the death of the relevant EEA citizen, no supervening event has occurred</p>
7.	<p>(a) The applicant is a family member of a relevant EEA citizen and is a child under the age of 21 years of a relevant EEA citizen (or of their <b>spouse</b> or <b>civil partner</b>), and either—</p> <p style="padding-left: 40px;">(i) the marriage was contracted or the civil partnership was formed before the <b>specified date</b>; or</p> <p style="padding-left: 40px;">(ii) the person who is now their spouse or civil partner was the <b>durable</b></p>

	<p><b>partner</b> of the relevant EEA citizen before the specified date (the definition of durable partner in Annex 1 being met before that date rather than at the date of application) and the partnership remained durable at the specified date; and</p> <p>(b) (i) where the date of application by the family member is before 1 July 2021, the relevant EEA citizen (or, as the case may be, their spouse or civil partner)—</p> <p style="padding-left: 40px;">(aa) has been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix (or under its equivalent in the UK or Channel Islands), which has not lapsed or been cancelled, revoked or invalidated (or is being granted that leave under that paragraph of this Appendix or under its equivalent in the UK or Channel Islands); or</p> <p style="padding-left: 40px;">(bb) meets the requirements of sub-paragraph (b)(ii) of the applicable definition of relevant EEA citizen in Annex 1 (where the relevant EEA citizen is an Irish citizen); or</p> <p style="padding-left: 40px;">(cc) meets the requirements of sub-paragraph (d)(ii) or (d)(iii) of the applicable definition of relevant EEA citizen in Annex 1; or</p> <p style="padding-left: 40px;">(dd) meets the requirements of sub-paragraph (e)(ii) of the applicable definition of relevant EEA citizen in Annex 1; or</p> <p style="padding-left: 40px;">(ee) is a relevant naturalised British citizen (in accordance with sub-paragraphs (b), (c) and (d) of the relevant definition in Annex 1); or</p> <p>(ii) where the date of application by the family member is on or after 1 July 2021, the relevant EEA citizen (or, as the case may be, their spouse or civil partner) meets the following requirements of the applicable definition of relevant EEA citizen in Annex 1—</p> <p style="padding-left: 40px;">(aa) sub-paragraph (a)(ii)(aa); or</p> <p style="padding-left: 40px;">(bb) sub-paragraph (b)(ii)(aa) (where the relevant EEA citizen is an Irish citizen); or</p> <p style="padding-left: 40px;">(cc) sub-paragraph (c)(i); or</p> <p style="padding-left: 40px;">(dd) sub-paragraph (d)(i)(bb)(aaa), (d)(i)(bb)(ccc) or (d)(ii)(bb)(aaa); or</p> <p style="padding-left: 40px;">(ee) sub-paragraph (e)(ii)(aa)</p>
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**Persons eligible for indefinite leave to enter or remain as a joining family member of a relevant sponsor**

EU11A. The applicant meets the eligibility requirements for indefinite leave to enter or remain as a joining family member of a relevant sponsor where the Minister is satisfied, including by the required evidence of family relationship, that, at the date of application and in an application made after the specified date and by the required date, one of conditions 1 to 4 set out in the following table is met—

Condition	Is met where—
1.	<p>(a) The applicant—</p> <p style="padding-left: 40px;">(i) is (or, as the case may be, for the relevant period was) a joining family member of a <b>relevant sponsor</b>; or</p> <p style="padding-left: 40px;">(ii) is (or, as the case may be, for the relevant period was) a family member who has retained the right of residence by virtue of a relationship with a</p>

	<p>relevant sponsor; and</p> <p>(b) the applicant has completed a continuous qualifying period of 5 years which began after the specified date, in either (or any combination) of those categories; and</p> <p>(c) since then no supervening event has occurred</p>
2.	<p>(a) The applicant is (or, as the case may be, was) a joining family member of a relevant sponsor; and</p> <p>(b) the relevant sponsor is a person who has ceased activity; and</p> <p>(c) (i) where the date of application is before 1 July 2021, the relevant sponsor—</p> <p style="padding-left: 40px;">(aa) meets the requirements of sub-paragraph (a)(i)(aa) or (a)(ii)(bb) of the definition of relevant sponsor in Annex 1; or</p> <p style="padding-left: 40px;">(bb) meets the requirements of sub-paragraph (a)(iv)(bb) or (a)(iv)(cc) of the definition of relevant sponsor in Annex 1; or</p> <p style="padding-left: 40px;">(cc) is a relevant naturalized British citizen (in accordance with sub-paragraphs (b), (c) and (d) of the relevant definition in Annex 1); or</p> <p>(ii) where the date of application is on or after 1 July 2021, the relevant sponsor meets the following requirements of the definition of relevant sponsor in Annex 1—</p> <p style="padding-left: 40px;">(aa) sub-paragraph (b)(i)(aa); or</p> <p style="padding-left: 40px;">(bb) sub-paragraph (b)(ii)(aa); or</p> <p style="padding-left: 40px;">(cc) sub-paragraph (b)(iii)(aa); or</p> <p style="padding-left: 40px;">(dd) sub-paragraph (b)(iv)(bb)(aaa), (b)(iv)(bb)(bbb) or (b)(v)(bb)(aaa); or</p> <p style="padding-left: 40px;">(ee) sub-paragraph (b)(vi)(aa); and</p> <p>(d) sub-paragraph (a) above was met at the point at which the relevant sponsor became a person who has ceased activity; and</p> <p>(e) immediately before the relevant sponsor became a person who has ceased activity, the applicant was resident in the UK and Islands for a continuous qualifying period which began after the specified date; and</p> <p>(f) since the relevant sponsor became a person who has ceased activity, no supervening event has occurred</p>
3.	<p>(a) The applicant is a joining family member of a relevant sponsor; and</p> <p>(b) the relevant sponsor has died and was resident in the Isle of Man as a worker or self-employed person at the time of their death; and</p> <p>(c) the relevant sponsor was resident in the UK and Islands for a continuous qualifying period of at least 2 years immediately before dying, or the death was the result of an accident at work or an occupational disease; and</p> <p>(d) the applicant was resident in the Isle of Man with the relevant sponsor after the specified date and immediately before their death; and</p> <p>(e) since the death of the relevant sponsor, no supervening event has occurred</p>
4.	<p>(a) (i) The applicant is a joining family member of a relevant sponsor and is a child under the age of 21 years of the relevant sponsor; and</p>

	<p>(ii) (aa) where the date of application is before 1 July 2021, the relevant sponsor—</p> <p>(aaa) meets the requirements of sub-paragraph (a)(i)(aa) of the definition of relevant sponsor in Annex 1; or</p> <p>(bbb) meets the requirements of sub-paragraph (a)(ii)(bb) of the definition of relevant sponsor in Annex 1 (where the relevant sponsor is an Irish citizen); or</p> <p>(ccc) meets the requirements of sub-paragraph (a)(iv)(bb) or (a)(iv)(cc) of the definition of relevant sponsor in Annex 1; or</p> <p>(ddd) meets the requirements of sub-paragraph (a)(v)(bb) of the definition of relevant sponsor in Annex 1; or</p> <p>(eee) is a relevant naturalised British citizen (in accordance with sub-paragraphs (b), (c) and (d) of the relevant definition in Annex 1; or</p> <p>(bb) where the date of application is on or after 1 July 2021, the relevant sponsor meets the following requirements of the definition of relevant sponsor in Annex 1—</p> <p>(aaa) sub-paragraph (b)(i)(aa); or</p> <p>(bbb) sub-paragraph (b)(ii)(aa); or</p> <p>(ccc) sub-paragraph (b)(iii)(aa); or</p> <p>(ddd) sub-paragraph (b)(iv)(bb)(aaa), (b)(iv)(bb)(bbb); or (b)(v)(bb)(aaa); or</p> <p>(eee) sub-paragraph (b)(vi)(aa); or</p> <p>(b) (i) the applicant is a joining family member of a relevant sponsor and is a child under the age of 21 years of the spouse or civil partner of the relevant sponsor (in accordance with sub-paragraph (a) of the definition of family member of a relevant EEA citizen in Annex 1, substituting “relevant sponsor” for each reference in that sub-paragraph to “relevant EEA citizen”); and</p> <p>(ii) the spouse or civil partner has been or is being granted indefinite leave to enter or remain under paragraph EU2 of this Appendix; or</p> <p>(c) (i) the applicant is a joining family member of a relevant sponsor and is a child under the age of 21 years of the spouse or civil partner of the relevant sponsor (in accordance, in respect of the spouse or civil partner, with the first sub-paragraph (a), together with either the second sub-paragraph (a) or sub-paragraph (b)(i) or (b)(ii), of the definition of joining family member of a relevant sponsor in Annex 1); and</p> <p>(ii) the spouse or civil partner has been or is being granted indefinite leave to enter or remain under paragraph EU2A of this Appendix</p>
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**Persons eligible for indefinite leave to enter or remain as a family member of a qualifying British citizen**

EU12. The applicant meets the eligibility requirements for indefinite leave to enter or remain as a **family member of a qualifying British citizen**, or as a family member who has retained the right of residence by virtue of a relationship with a qualifying British citizen, where the Minister is satisfied, including by the required evidence of family relationship, that, at the date of application and in an application made by the required date, one of conditions 1 to 4 set out in the following table is met—

Condition	Is met where—
1.	<p>(a) The applicant is (or, as the case may be was)—</p> <p>(i) a family member of a qualifying British citizen; or</p> <p>(ii) a family member who has retained the right of residence by virtue of a relationship with a qualifying British citizen; and</p> <p>(b) the applicant has a documented right of permanent residence; and</p> <p>(c) no supervening event has occurred</p>
2.	<p>(a) The applicant is—</p> <p>(i) a family member of a qualifying British citizen; or</p> <p>(ii) a family member who has retained the right of residence by virtue of a relationship with a qualifying British citizen; and</p> <p>(b) there is valid evidence of their indefinite leave to enter or remain</p>
3.	<p>(a) The applicant is (or, as the case may be, for the relevant period was)—</p> <p>(i) a family member of a qualifying British citizen; or</p> <p>(ii) a family member who has retained the right of residence by virtue of a relationship with a qualifying British citizen; and</p> <p>(b) the applicant has completed a continuous qualifying period in the UK and Islands of 5 years in either (or any combination) of those categories; and</p> <p>(c) the applicant was, for any period in which they were present in the Isle of Man as a family member of a qualifying British citizen relied upon under sub-paragraph (b), lawfully resident by virtue of regulation 10(1) to (6) of the EEA Regulations (regardless of whether in the Isle of Man the qualifying British citizen was a qualified person under regulation 7 of the EEA Regulations); and</p> <p>(d) since completing the continuous qualifying period of 5 years, no supervening event has occurred</p>
4.	<p>(a) The applicant is a child under the age of 21 years of the spouse or civil partner of the qualifying British citizen, and either—</p> <p>(i) the marriage was contracted or the civil partnership was formed before the <b>date and time of withdrawal</b>; or</p> <p>(ii) the person who is now their spouse or civil partner was the durable partner of the qualifying British citizen before the date and time of withdrawal (the definition of durable partner in Annex 1 being met before then rather than at the date of application) and the partnership remained durable at the date and time of withdrawal; and</p> <p>(b) the applicant is in the Isle of Man lawfully by virtue of regulation 10(1) to (6) of the EEA Regulations (regardless of whether in the Isle of Man the qualifying British citizen was a qualified person under regulation 7 of the EEA Regulations); and</p> <p>(c) the spouse or civil partner has been or is being granted indefinite leave to enter or remain under paragraph EU2 of this Appendix</p>

EU13. The reference to the applicant completing a continuous qualifying period of 5 years—

- In condition 3 in the table in paragraph EU12 can include a period (or combination of periods) during which the applicant was a relevant EEA citizen, a family member of a relevant EEA citizen,



a family member who has retained the right of residence by virtue of a relationship with a relevant EEA citizen, a person with a derivative right to reside or a person with a Zambrano right to reside before becoming the family member of a qualifying British citizen (or thereafter a family member who has retained the right of residence by virtue of a relationship with a qualifying British citizen); and

- In condition 3 in the table in paragraph EU11 can include a period during which the applicant was a family member of a qualifying British citizen or a family member who has retained the right of residence by virtue of a relationship with a qualifying British citizen before becoming (as the case may be) a relevant EEA citizen, a family member of a relevant EEA citizen (or thereafter a family member who has retained the right of residence by virtue of a relationship with a relevant EEA citizen), a person with a derivative right to reside or a person with a Zambrano right to reside.

### **Eligibility for limited leave to enter or remain**

Persons eligible for limited leave to enter or remain as a relevant EEA citizen or their family member, as a person with a derivative right to reside or with a Zambrano right to reside or as a family member of a qualifying British citizen

EU14. The applicant meets the eligibility requirements for limited leave to enter or remain where the Minister is satisfied, including (where applicable) by the required evidence of family relationship, that, at the date of application and in an application made by the required date, condition 1 or 2 set out in the following table is met—

Condition	Is met where—
1.	<p>(a) The applicant is—</p> <ul style="list-style-type: none"> <li>(i) a relevant EEA citizen; or</li> <li>(ii) a family member of a relevant EEA citizen; or</li> <li>(iii) a family member who has retained the right of residence by virtue of a relationship with a relevant EEA citizen; or</li> <li>(iv) a person with a derivative right to reside; or</li> <li>(v) a person with a Zambrano right to reside; and</li> </ul> <p>(b) the applicant is not eligible for indefinite leave to enter or remain under paragraph EU11 of this Appendix solely because they have completed a continuous qualifying period of less than 5 years</p>
2.	<p>(a) the applicant is—</p> <ul style="list-style-type: none"> <li>(i) a family member of a qualifying British citizen; or</li> <li>(ii) a family member who has retained the right of residence by virtue of a relationship with a qualifying British citizen; and</li> </ul> <p>(b) The applicant was, for any period in which they were present in the Isle of Man as a family member of a qualifying British citizen relied upon under subparagraph (c), lawfully resident by virtue of regulation 10(1) to (6) of the EEA Regulations (regardless of whether in the Isle of Man the qualifying British citizen was a qualified person under regulation 7 of the EEA Regulations); and</p> <p>(c) the applicant is not eligible for indefinite leave to enter or remain under paragraph EU12 of this Appendix solely because they have completed a continuous qualifying period of less than 5 years</p>

Persons eligible for limited leave to enter or remain as a joining family member of a relevant sponsor

EU14A. The applicant meets the eligibility requirements for limited leave to enter or remain as a joining family member of a relevant sponsor where the Minister is satisfied, including by the required evidence of family relationship, that, at the date of application and in an application made after the specified date and by the required date, the condition set out in the following table is met—

Condition	Is met where—
	<p>(a) The applicant is—</p> <p style="padding-left: 2em;">(i) a joining family member of a relevant sponsor; or</p> <p style="padding-left: 2em;">(ii) a family member who has retained the right of residence by virtue of a relationship with a relevant sponsor; and</p> <p>(b) The applicant is—</p> <p style="padding-left: 2em;">(i) not eligible for indefinite leave to enter under paragraph EU11A of this Appendix, where the application is made outside the UK and Islands; or</p> <p style="padding-left: 2em;">(ii) not eligible for indefinite leave to remain under paragraph EU11A of this Appendix, where the application is made within the Isle of Man, solely because they have completed a continuous qualifying period of less than 5 years which began after the specified date</p>

**Suitability**

EU15. (a) An application made under this Appendix will be refused on grounds of suitability where any of the following apply at the date of decision—

- (i) the applicant is subject to a **deportation order** or to a decision to make a deportation order; or
  - (ii) the applicant is subject to an **exclusion order** or **exclusion decision**.
- (b) An application made under this Appendix will be refused on grounds of suitability where the applicant's presence in the Isle of Man is not conducive to the public good because of conduct committed after the specified date.
- (c) An application made under this Appendix may be refused on grounds of suitability where any of the following apply at the date of decision—
- (a) the applicant is subject to a **UK or CI deportation order**; or
  - (b) the applicant is subject to a **UK or CI exclusion order**.

EU16. An application made under this Appendix may be refused on grounds of suitability where, at the date of decision, the Minister is satisfied that—

- (a) it is proportionate to refuse the application where, in relation to the application and whether or not to the applicant's knowledge, false or misleading information, representations or documents have been submitted (including false or misleading information submitted to any person to obtain a document used in support of the application); and the information, representation or documentation is material to the decision whether or not to grant the applicant indefinite leave to enter or remain or limited leave to enter or remain under this Appendix; or
- (b) it is proportionate to refuse the application where the applicant is subject to a removal decision under the EEA Regulations on the grounds of their non-exercise or misuse of rights, and the date of application under this Appendix is before 1 July 2021; or
- (c) (i) the applicant—

- (aa) has previously been refused admission to the Isle of Man in accordance with regulation 24(1) of the EEA Regulations; or
  - (bb) had indefinite leave to enter or remain or limited leave to enter or remain granted under this Appendix (or limited leave to enter granted by virtue of having arrived in the Isle of Man with an entry clearance that was granted under Appendix EU (Family Permit) to these Rules) which was cancelled under paragraph 321B(b)(i) or 321B(b)(ii) of these Rules, under paragraph A3.1. or A3.2.(a) of Annex 3 to this Appendix or under paragraph A3.3. or A3.4.(a) to Appendix EU (Family Permit); and
- (ii) the refusal of the application is justified either–
- (aa) in respect of the applicant’s conduct committed before the specified date, on grounds of public policy, public security or public health in accordance with regulation 28 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that in regulation 28 “with a right of permanent residence under regulation 17” and “has a right of permanent residence under regulation 17” read “who meets the requirements of paragraph EU11, EU11A or EU12 of Appendix EU to the Immigration Rules”; and for “an EEA decision” read “a decision under paragraph EU16(c) of Appendix EU to the Immigration Rules”), and it is proportionate to refuse the application; or
  - (bb) in respect of conduct committed after the specified date, on the ground that the decision is conducive to the public good; or
- (d) it is proportionate to refuse the application where the applicant is a **relevant excluded person** because of their conduct committed before the specified date and the Minister is satisfied that the decision to refuse the application is justified on the grounds of public policy, public security or public health in accordance with regulation 28 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that in regulation 28 “with a right of permanent residence under regulation 17” and “has a right of permanent residence under regulation 17” read “who meets the requirements of paragraph EU11, EU11A or EU12 of Appendix EU to the Immigration Rules”; and for “an EEA decision” read “a decision under paragraph EU16(d) of Appendix EU to the Immigration Rules”); or
- (e) the applicant is a relevant excluded person because of conduct committed after the specified date.

EU17. The references in paragraphs EU15 and EU16 to an order or decision to which the applicant is subject do not include an order or decision which, at the date of decision on their application under this Appendix, has been set aside or revoked.

EU18. Annex 3 applies in respect of the cancellation, curtailment and revocation of leave to enter or remain granted under this Appendix.

### **Annex 1 – Definitions**

<b>Term</b>	<b>Definition</b>
adopted child	a <b>child</b> adopted in accordance with a <b>relevant adoption decision</b>
child	(a) the direct descendant under the age of 21 years of a relevant EEA citizen (or, as the case may be, of a qualifying British citizen or of a relevant sponsor) or of their spouse or civil partner; or  (b) (i) the direct descendant aged 21 years or over of a relevant EEA citizen (or, as the case may be, of a qualifying British citizen or of a relevant sponsor) or of their spouse or civil partner; and  (ii) (unless the applicant was previously granted limited leave to enter or remain under this Appendix as a child on the basis that

	<p>sub-paragraph (a) above applied or under its equivalent in the UK or Channel Islands on that basis) dependent on (as the case may be); and</p> <p>(aa) the relevant EEA citizen (or on their spouse or civil partner) at the date of application or, where the date of application is after the specified date, at the specified date; or</p> <p>(bb) on the qualifying British citizen (or on their spouse or civil partner) at the date of application or, where the date of application is after the specified date, at the specified date; or</p> <p>(cc) on the relevant sponsor (or on their spouse or civil partner) at the date of application</p> <p>'dependent' means here that—</p> <p>(a) having regard to their financial and social conditions, or health, the applicant cannot, or (as the case may be) for the relevant period could not, meet their essential living needs (in whole or in part) without the financial or other material support of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen or of the relevant sponsor) or of their spouse or civil partner; and</p> <p>(b) such support is, or (as the case may be) was, being provided to the applicant by the relevant EEA citizen (or, as the case may be, by the qualifying British citizen or by the relevant sponsor) or by their spouse or civil partner; and</p> <p>(c) there is no need to determine the reasons for that dependence or for the recourse to that support</p> <p>in addition—</p> <p>(a) 'child' includes—</p> <p>(i) an adopted child of; or</p> <p>(ii) a child born through surrogacy (where recognised in the law of the Isle of Man or laws in the UK or Channel Islands) for; or</p> <p>(iii) a child in respect of whom a special guardianship order (within the meaning of section 17A of the Children and Young Persons Act 2001) has been made appointing as their special guardian; or</p> <p>(iv) a child in respect of whom an order has been made under sections 6 or 7 of the Children and Young Persons Act 2001 appointing as their guardian; or</p> <p>(v) a child in respect of whom a special guardianship order (within the meaning of section 14A(1) of the Children Act 1989 (of Parliament)) is in force appointing as their special guardian; or</p> <p>(vi) a child in respect of whom an order has been made under section 5 of the Children Act 1989 (of Parliament) appointing as their guardian; or</p> <p>(vii) a child subject to a permanence order made under section 80 of the Adoption and Children (Scotland) Act 2007 (of Parliament) vesting parental responsibilities and parental rights in a person who is; or</p> <p>(viii) a child who has a guardian appointed under section 7 of the Children (Scotland) Act 1995 (of Parliament), or who is living with a</p>
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	<p>person pursuant to an order made under section 11 of that Act, and that guardian or other person is; or</p> <p>(ix) a child in respect of whom an order has been made under Article 159 of the Children (Northern Ireland) Order 1995 (of Parliament), or in respect of whom an appointment has been made under Article 160 of that Order, appointing as their guardian a person who is; or</p> <p>(x) a child who has a guardian appointed under section 12 or 14 of the Children (Guernsey and Alderney) Law 2008 or section 12 or 13 of the Children (Sark) Law 2016, or who is living in the care of a person pursuant to an order made under section 14 of the 2008 Law or section 13 of the 2016 Law, and that guardian or other person is; or</p> <p>(xi) a child in respect of whom an order under Article 7 of the Children (Jersey) Law 2002 is in force appointing as their guardian, a relevant EEA citizen (or, as the case may be, a qualifying British citizen or a relevant sponsor) or their spouse or civil partner, but 'child' does not include a child cared for by a relevant EEA citizen (or, as the case may be, by a qualifying British citizen or by a relevant sponsor) or their spouse or civil partner solely by virtue of a formal or informal fostering arrangement; and</p> <p>(b) 'direct descendant' also includes a grandchild or great-grandchild, other than for the purpose of meeting condition 7 in the table in paragraph EU11 of this Appendix, condition 4 in the table in paragraph EU11A or condition 4 in the table in paragraph EU12; and</p> <p>(c) 'spouse or civil partner' means (as the case may be) the person described in sub-paragraph (a)(i) or (a)(ii) of the entry for 'family member of a qualifying British citizen' in this table, in sub-paragraph (a) of the entry for 'family member of a relevant EEA citizen' in this table or in the first sub-paragraph (a) (together with either the second sub-paragraph (a) or sub-paragraph (b)(i) or (b)(ii)) of the entry for "joining family member of a relevant sponsor" in this table</p>
civil partner	<p>(a) the person is, or (as the case may be) for the relevant period was, in a valid civil partnership (which exists or existed under or by virtue of the Civil Partnership Act 2011 or under any equivalent legislation in the UK or Channel Islands); or is, or (as the case may be) for the relevant period was, in a relationship registered overseas which is, or was, entitled to be treated as a civil partnership under that Act or under any equivalent legislation in the UK or Channel Islands, with a relevant EEA citizen (or, as the case may be, with a qualifying British citizen or with a relevant sponsor); and</p> <p>(b) it is, or (as the case may be) for the relevant period was, not a <b>civil partnership of convenience</b>; and</p> <p>(c) neither party has, or (as the case may be) for the relevant period had, another civil partner, a spouse or a durable partner with (in any of those circumstances) <b>immigration status in the Isle of Man or the UK or Channel Islands</b> based on that person's relationship with that party</p>
civil partnership of	a civil partnership, durable partnership or marriage entered into as a

<p>convenience</p> <p>durable partnership of convenience</p> <p>marriage of convenience</p>	<p>means to circumvent—</p> <p>(a) any criterion the party would have to meet in order to enjoy a right to enter or reside in the Isle of Man under the EEA Regulations; or</p> <p>(b) any other provision of the immigration law of the Isle of Man or any requirement of the Immigration Rules; or</p> <p>(c) any criterion the party would otherwise have to meet in order to enjoy a right to enter or reside in the Isle of Man under EU law; or</p> <p>(d) any criterion the party would have to meet in order to enter or reside in the UK or Channel Islands under the laws of the United Kingdom or the Channel Islands</p>
<p>continuous qualifying period</p>	<p>a period of residence in the UK and Islands—</p> <p>(a) which, unless the person is a joining family member of a relevant sponsor, is a <b>specified relevant person of Northern Ireland</b> (or is the dependent relative of such a person) or relies on sub-paragraph (b)(i)(cc), (b)(i)(dd) or (b)(i)(ee) below, began before the specified date; and</p> <p>(b) during which none of the following occurred—</p> <p>(i) absence from the UK and Islands which exceeded a total of 6 months in any 12-month period, except for—</p> <p>(aa) a single period of absence which did not exceed 12 months and was for an important reason (such as pregnancy, childbirth, serious illness, study, vocational training or an overseas posting, or because of COVID-19);</p> <p>(bb) a single period of absence which did not exceed 12 months and which, although the absence was not originally for an important reason, is to be treated as being for an important reason as it exceeded 6 months because of COVID-19;</p> <p>(cc) (following a period of absence under sub-paragraph (b)(i)(aa) above because of COVID-19 or under sub-paragraph (b)(i)(bb) above) a second period of absence which did not exceed 12 months and was for an important reason (such as described in sub-paragraph (b)(i)(aa) above) which, save for caring for someone with a serious illness, was not because of COVID-19; where this is the case, the period of absence under this sub-paragraph exceeding 6 months will not count towards any period of residence in the UK and Islands on which the person relies;</p> <p>(dd) (following a period of absence under sub-paragraph (b)(i)(aa) above which, save for caring for someone with a serious illness, was not because of COVID-19) either a second period of absence which did not exceed 12 months and was for an important reason, where that reason was because of COVID-19, or a period of absence under sub-paragraph (b)(i)(bb) above; where this is the case, the period of absence under this sub-paragraph exceeding 6 months will not count towards any period of residence in the UK and Islands on which the person relies;</p> <p>(ee) a period of absence under sub-paragraph (b)(i)(aa), (b)(i)(bb), (b)(i)(cc) or (b)(i)(dd) above which exceeded 12</p>

	<p>months because COVID-19 meant that the person was prevented from, or advised against, returning earlier; where this is the case, the period of absence under this sub-paragraph exceeding 12 months will not count towards any period of residence in the UK and Islands on which the person relies;</p> <p>(ff) any period of absence on compulsory military service;</p> <p>(gg) any period of absence on a posting on Crown service or (as a spouse, civil partner, durable partner or child) any period of absence accompanying a person on a posting on Crown service;</p> <p>(hh) any period spent working in the UK marine area (as defined in section 42 of the Marine and Coastal Access Act 2009) (of Parliament); or</p> <p>(ii) any period of absence due directly to an order or decision to which sub-paragraph (b)(iii) below refers, where that order or decision has been set aside or revoked; or</p> <p>(ii) the person served or is serving a sentence of imprisonment of any length in the UK and Islands, unless the conviction which led to it has been overturned; or</p> <p>(iii) any of the following in respect of a person, unless it has been set aside or revoked—</p> <p>(aa) any decision or order to exclude or remove under regulation 24 or 33 of the EEA Regulations (or under the equivalent provisions of the Immigration (European Economic Area) Regulations 2016 (of Parliament)); or</p> <p>(bb) a decision to which regulation 17(4) of the EEA Regulations otherwise refers, unless that decision arose from a previous decision under regulation 25(1) of the EEA Regulations (or the equivalent decision, subject to equivalent qualification, under the Immigration (European Economic Area) Regulations 2016 (of Parliament)); or</p> <p>(cc) an exclusion decision; or</p> <p>(dd) a deportation order, other than by virtue of the EEA Regulations; or</p> <p>(ee) a <b>UK or CI deportation order</b>; or</p> <p>(ff) a <b>UK or CI exclusion decision</b>; and</p> <p>(c) which continues at the date of application, unless—</p> <p>(i) the period is of at least 5 years' duration; or</p> <p>(ii) (aa) the person acquired the right of permanent residence in the Isle of Man under regulation 17 of the EEA Regulations (or, where there are reasonable grounds for the person's failure to meet the deadline applicable to them in the entry for "required date" in this table, would have acquired such a right had the EEA Regulations not been revoked), or the right of permanent residence in the UK or Channel Islands through the application there of the Immigration (European Economic Area) Regulations 2016</p>
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	<p>(of Parliament) or through the application there of section 7(1) of the Immigration Act 1988; or</p> <p>(bb) the period relates to—</p> <p>(aaa) a relevant EEA citizen, where, in relation to that EEA citizen, the applicant relies –</p> <p>(i) for all or part of the period to which sub-paragraph (b) of condition 3 in the table in paragraph EU11 of this Appendix refers (or, as the case may be, for part of the period to which sub-paragraph (b) of condition 3 in the table in paragraph EU12 refers) on having been a family member of a relevant EEA citizen; or</p> <p>(ii) on being or having been a family member who has retained the right of residence by virtue of a relationship with a relevant EEA citizen, provided (in any case) the period relating to that relevant EEA citizen continued (unless sub-paragraph (c)(i), (c)(ii)(aa), (c)(iii) or (c)(iv) of this entry applied to that relevant EEA citizen instead) either, as the case may be, throughout the period the applicant relies on in (i) as having been a family member of a relevant EEA citizen or, as relied on in (ii), until the applicant became a family member who has retained the right of residence by virtue of a relationship with a relevant EEA citizen; or</p> <p>(bbb) a relevant sponsor, where, in relation to that relevant sponsor, the applicant relies for all or part of the period to which sub-paragraph (b) of condition 1 in the table in paragraph EU11A of this Appendix refers on having been (or, as the case may be, relies for all or part of the period to which sub-paragraph (b)(ii) of the condition in the table in paragraph EU14A refers on being) a family member who has retained the right of residence by virtue of a relationship with a relevant sponsor, provided (in either case) the period relating to that relevant sponsor continued (unless sub-paragraph (c)(i), (c)(ii)(aa), (c)(iii) or (c)(iv) of this entry applied to that relevant sponsor instead) until the applicant became a family member who has retained the right of residence by virtue of a relationship with a relevant sponsor; or</p> <p>(iii) the person has valid indefinite leave to enter or remain granted under this Appendix (or under its equivalent in the UK or Channel Islands); or</p> <p>(iv) there is valid evidence of their indefinite leave to enter or remain; or</p> <p>(v) a relevant reference is concerned</p> <p>in addition, “relevant reference” in sub-paragraph (c)(v) above means the reference to continuous qualifying period in—</p> <ul style="list-style-type: none"> <li>- condition 6 in the table in paragraph EU11 of this Appendix;</li> <li>- condition 3 in the table in paragraph EU11A of this Appendix;</li> <li>- sub-paragraph (d)(iii)(aa) of the entry for “family member who has</li> </ul>
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	<p>retained the right of residence” in this table (as that reference applies to, as the case may be, the relevant EEA citizen, the qualifying British citizen or the relevant sponsor);</p> <ul style="list-style-type: none"> <li>- where the date of application is on or after 1 July 2021, sub-paragraph (b)(i) of the applicable entry for “relevant EEA citizen” in this table, where sub-paragraph (b)(ii)(aa) of that entry applies;</li> <li>- where the date of application is on or after 1 July 2021, sub-paragraph (c) of the applicable entry for “relevant EEA citizen” in this table (in so far as the reference in that sub-paragraph to sub-paragraph (a) of the entry for “relevant naturalised British citizen” in this table is concerned), where sub-paragraph (c)(i) of the applicable entry for “relevant EEA citizen” in this table applies;</li> <li>- where the date of application is on or after 1 July 2021, sub-paragraph (d)(ii)(aa) of the applicable entry for “relevant EEA citizen” in this table, where sub-paragraph (d)(ii)(bb)(ccc) of that entry applies;</li> <li>- where the date of application is on or after 1 July 2021, sub-paragraph (d)(ii)(aa) of the applicable entry for “relevant EEA citizen” in this table, where sub-paragraph (d)(ii)(bb)(aaa) of that entry applies;</li> <li>- where the date of application is on or after 1 July 2021, sub-paragraph (e)(i) of the applicable entry for “relevant EEA citizen” in this table, where sub-paragraph (e)(ii)(aa) of that entry applies;</li> <li>- sub-paragraph (b)(ii) of the entry for “relevant sponsor” in this table, where sub-paragraph (b)(ii)(aa) of that entry applies;</li> <li>- sub-paragraph (b)(iii) of the entry for “relevant sponsor” in this table (where the reference to sub-paragraph (a) of the entry for “relevant naturalised British citizen” in this table is concerned), where sub-paragraph (b)(iii)(aa) of the entry for “relevant sponsor” in this table applies;</li> <li>- sub-paragraph (b)(iv)(aa) of the entry for “relevant sponsor” in this table, where sub-paragraph (b)(iv)(bb)(bbb) of that entry applies;</li> <li>- sub-paragraph (b)(v)(aa) of the entry for “relevant sponsor” in this table, where sub-paragraph (b)(v)(bb)(aaa) of that entry applies;</li> <li>- sub-paragraph (b)(vi) of the entry for “relevant sponsor” in this table, where sub-paragraph (b)(vi)(aa) of the entry applies</li> </ul>
crown service	<p>service as—</p> <ul style="list-style-type: none"> <li>(a) a member of HM Forces (as defined in the Armed Forces Act 2006 (an Act of Parliament)); or</li> <li>(b) an employee of the UK Government, a Northern Ireland department, the Scottish Administration or the Welsh Government; or</li> <li>(c) a permanent member of the British Council</li> </ul>
date and time of withdrawal	23:00 GMT on 31 January 2020
date of application	<p>the date on which the application is submitted under the required application process, which means—</p> <ul style="list-style-type: none"> <li>(a) in the case of an application made outside of the UK and Islands, the date on which the relevant on-line application form is submitted</li> </ul>

	<p>online; or</p> <p>(b) in the case of an application made within the Isle of Man —</p> <p>(i) where it is submitted in person to the Immigration Service address specified on the form, the date on which it is delivered;</p> <p>(ii) where it is sent by pre-paid post, the date as shown on the tracking information provided by the carrier or, if not tracked, by the postmark date on the envelope; or</p> <p>(ii) where it is sent by courier, or other postal services provider, the date on which it is delivered to the Immigration Service address specified on the form</p>
dependent parent	<p>(a) the direct relative in the ascending line of a relevant EEA citizen (or, as the case may be, of a qualifying British citizen or of a relevant sponsor) or of their spouse or civil partner; and</p> <p>(b) (unless sub-paragraph (c) immediately below applies) dependent on (as the case may be)—</p> <p>(i) the relevant EEA citizen (or on their spouse or civil partner) at the date of application or, where the date of application is after the specified date, at the specified date, and (unless the relevant EEA citizen is under the age of 18 years at the date of application or, where the date of application is after the specified date, the relevant EEA citizen was under the age of 18 years at the specified date) that dependency is assumed; or</p> <p>(ii) on the qualifying British citizen (or on their spouse or civil partner) at the date of application or, where the date of application is after the specified date, at the specified date, and (unless the qualifying British citizen is under the age of 18 years at the date of application or, where the date of application is after the specified date, the qualifying British citizen was under the age of 18 years at the specified date) that dependency is assumed; or</p> <p>(iii) on the relevant sponsor (or on their spouse or civil partner) at the date of application and (unless the relevant sponsor is under the age of 18 years) that dependency is assumed where the date of application is before 1 July 2021; and</p> <p>(c) this sub-paragraph applies (and the applicant therefore has to meet no requirement as to dependency) where—</p> <p>(i) the applicant was previously granted limited leave to enter or remain under this Appendix as a dependent parent, and that leave has not lapsed or been cancelled, curtailed or invalidated; or</p> <p>(ii) the spouse, civil partner or durable partner of the applicant (and with whom they reside) has been granted indefinite leave to enter or remain or limited leave to enter or remain under this Appendix as a dependent parent of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen or of the relevant sponsor) or of their spouse or civil partner, and that indefinite or limited leave has not lapsed or been cancelled, curtailed, revoked or invalidated</p> <p>“dependent” means here that—</p>

	<p>(a) having regard to their financial and social conditions, or health, the applicant cannot, or (as the case may be) for the relevant period could not, meet their essential living needs (in whole or in part) without the financial or other material support of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen or of the relevant sponsor) or of their spouse or civil partner; and</p> <p>(b) such support is, or (as the case may be) was, being provided to the applicant by the relevant EEA citizen (or, as the case may be, by the qualifying British citizen or by the relevant sponsor) or by their spouse or civil partner; and</p> <p>(c) there is no need to determine the reason for that dependence or for the recourse to that support</p> <p>in addition—</p> <p>(a) 'direct relative in the ascending line' includes—</p> <p>(i) a grandparent or great-grandparent; and</p> <p>(ii) an adoptive parent of an adopted child; and</p> <p>(b) 'spouse or civil partner' means (as the case may be) the person described in sub-paragraph (a)(i) or (a)(ii) of the entry for 'family member of a qualifying British citizen' in this table, in sub-paragraph (a) of the entry for 'family member of a relevant EEA citizen' in this table or in the first sub-paragraph (a) (together with either the second sub-paragraph (a) or sub-paragraph (b)(i) or (b)(ii)) of the entry for "joining family member of a relevant sponsor" in this table; and</p> <p>(c) in respect of the reference in sub-paragraph (c)(ii) above to the spouse, civil partner or durable partner of the applicant, the entry for (as the case may be) "spouse, "civil partner" or "durable partner" in this table applies, except that in the applicable entry "applicant" is to be substituted for "relevant EEA citizen" and sub-paragraph (b) of the entry for "durable partner" in this table is to be disregarded</p>
dependent relative	<p>the person—</p> <p>(a) (i) (aa) is a relative (other than a spouse, civil partner, durable partner, child or dependent parent) of their sponsoring person; and</p> <p>(bb) is, or (as the case may be) for the relevant period was, a dependant of the sponsoring person, a member of their household or in strict need of their personal care on serious health grounds; or</p> <p>(ii) is a <b>person who is subject to a non-adoptive legal guardianship order</b> in favour (solely or jointly with another party) of their sponsoring person; or</p> <p>(iii) is a person under the age of 18 years who—</p> <p>(aa) is the direct descendant of the durable partner of their sponsoring person; or</p> <p>(bb) has been adopted by the durable partner of their sponsoring person, in accordance with a relevant adoption decision; and</p>

	<p>(b) holds a <b>relevant document</b> as the dependent relative of their sponsoring person for the period of residence relied upon (unless, in the case of a family member of a qualifying British citizen as described in sub-paragraph (a)(viii) of that entry in this table, the Minister is satisfied that there are reasonable grounds for the person's failure to meet the deadline to which that sub-paragraph refers); for the purposes of this provision, where the person applies for a relevant document (as described in sub-paragraph (a)(i)(aa) or (a)(ii) of that entry in this table) as the dependent relative of their sponsoring person before the specified date and their relevant document is issued on that basis after the specified date (or where the person relies as their relevant document, as described in sub-paragraph (a)(iv) of that entry in this table, on an EU Settlement Scheme Family Permit granted to them under Appendix EU (Family Permit) to these Rules as a "dependent relative of a specified relevant person of Northern Ireland", as defined in Annex 1 to that Appendix), they are deemed to have held the relevant document since immediately before the specified date</p> <p>in addition, 'sponsoring person' means—</p> <p>(a) (where sub-paragraphs (a)(i) and (b) above apply)—</p> <ul style="list-style-type: none"> <li>(i) a relevant EEA citizen (in accordance with the applicable entry in this table); or</li> <li>(ii) the spouse or civil partner (as described in sub-paragraph (a) of the entry for 'family member of a relevant EEA citizen' in this table) of a relevant EEA citizen (in accordance with the applicable entry in this table); or</li> <li>(iii) a qualifying British citizen; or</li> <li>(iv) the spouse or civil partner (as described in sub-paragraph (a)(i) or (a)(ii) of the entry for 'family member of a qualifying British citizen' in this table) of a qualifying British citizen; or</li> </ul> <p>(b) (where the first sub-paragraph (a)(ii) in this entry and sub-paragraph (b) above apply or the first sub-paragraph (a)(iii) in this entry and sub-paragraph (b) above apply)—</p> <ul style="list-style-type: none"> <li>(i) a relevant EEA citizen (in accordance with the applicable entry in this table); or</li> <li>(ii) a qualifying British citizen</li> </ul>
deportation order	<p>as the case may be—</p> <p>(a) an order made under section 5(1) of the Immigration Act 1971 by virtue of regulation 33(3) of the EEA Regulations; or</p> <p>(b) an order made under section 5(1) of the Immigration Act 1971 by virtue of section 3(5) or section 3(6) of that Act in respect of—</p> <ul style="list-style-type: none"> <li>(i) conduct committed by the person after the specified date; or</li> <li>(ii) conduct committed before the specified date, where the Minister has decided that the deportation order is justified on the grounds of public policy, public security or public health in accordance with regulation 28 of the EEA Regulations, irrespective of whether the EEA Regulations apply to the person (except that in regulation 28 for "with a right of permanent residence under regulation 17" and "has a right of permanent residence under</li> </ul>

	regulation 17” read “who meets the requirements of paragraph EU11, EU11A or EU12 of Appendix EU to the Immigration Rules”; and for “an EEA decision” read “a deportation decision”)
documented right of permanent residence	<p>the Minister is satisfied from the information available to him or her that—</p> <p>(a) (i) the person has been issued by the Minister with a document certifying a right of permanent residence under regulation 20 of the EEA Regulations; and</p> <p>(ii) this document is not invalid under regulation 20(3)(c); and</p> <p>(iii) this document has not been revoked, and its renewal has not been refused, under regulation 25 (except where the revocation or refusal occurred because the person had been absent from the UK and Islands for a period of more than 2, and no more than 5, consecutive years); and</p> <p>(iv) the person’s right to reside has not been cancelled under regulation 26; or</p> <p>(b) the person has been issued by the Secretary of State with a document certifying permanent residence or a permanent residence card (and that permanent residence card was issued or renewed within the last 10 years) under regulation 19 of the Immigration (European Economic Area) Regulations 2016 (of Parliament), or with a residence permit or residence document under the Immigration (European Economic Area) Order 1994 (of Parliament) endorsed to show permission to remain in the UK indefinitely, and this evidence has not been revoked, invalidated or cancelled; or</p> <p>(c) the person has been given notice in writing under paragraphs 256 to 257A of the Immigration Rules of the Bailiwick of Guernsey showing that they may remain indefinitely, and this notice has not been revoked or otherwise ceased to be effective; or</p> <p>(d) the person has been issued by the relevant Minister with a document in accordance with paragraphs 255 to 258 of the Immigration Rules of the Bailiwick of Jersey in an appropriate form certifying permanent residence or a permanent residence card, and this document or card has not been revoked or otherwise ceased to be effective</p>
durable partner	<p>(a) the person is, or (as the case may be) for the relevant period was, in a durable relationship with a relevant EEA citizen (or, as the case may be, with a qualifying British citizen or with a relevant sponsor), with the couple having lived together in a relationship akin to a marriage or civil partnership for at least 2 years (unless there is other significant evidence of the durable relationship); and</p> <p>(b) (i) the person holds a relevant document as the durable partner of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen or of the relevant sponsor) for the period of residence relied upon; for the purposes of this provision, where the person applies for a relevant document (as described in subparagraph (a)(i)(aa) or (a)(ii) of that entry in this table) as the durable partner of the relevant EEA citizen or, as the case may be, of the qualifying British citizen before the specified date and their relevant document is issued on that basis after the specified date,</p>

	<p>they are deemed to have held the relevant document since immediately before the specified date; or</p> <p>(ii) where the person is applying as the durable partner of a relevant sponsor (or, as the case may be, of a qualifying British citizen), or as the spouse or civil partner of a relevant sponsor (as described in sub-paragraph (a)(i)(bb) of the entry for “joining family member of a relevant sponsor” in this table), and does not hold a document of the type to which sub-paragraph (b)(i) above applies, and where—</p> <p>(aa) the date of application is after the specified date; and</p> <p>(bb) the person—</p> <p>(aaa) was not resident in the UK and Islands as the durable partner of a relevant EEA citizen (where that relevant EEA citizen is their relevant sponsor) on a basis which met the definition of “family member of a relevant EEA citizen” in this table, or, as the case may be, as the durable partner of the qualifying British citizen, at (in either case) any time before the specified date unless the reason why, in the former case, they were not so resident is that they did not hold a relevant document as the durable partner of a relevant EEA citizen for that period (where their relevant sponsor is that relevant EEA citizen) and they did not otherwise have a lawful basis of stay in the UK and Islands for that period; or</p> <p>(bbb) was resident in the UK and Islands before the specified date, and one of the events referred to in sub-paragraph (b)(i) or (b)(ii) in the definition of “continuous qualifying period” in this table has occurred and after that event occurred they were not resident in the UK and Islands again before the specified date; or</p> <p>(ccc) was resident in the UK and Islands before the specified date, and the event referred to in sub-paragraph (a) in the definition of “supervening event” in this table has occurred and after that event occurred they were not resident in the UK and Islands again before the specified date,</p> <p>the Minister is satisfied by evidence provided by the person that the partnership was formed and was durable before (in the case of a family member of a qualifying British citizen as described in sub-paragraph (a)(i)(bb) or (a)(iii) of that entry in this table) the date and time of withdrawal and otherwise before the specified date; and</p> <p>(c) it is, or (as the case may be) for the relevant period was, not a durable partnership of convenience; and</p> <p>(d) neither party has, or (as the case may be) for the relevant period had, another durable partner, a spouse or a civil partner with (in any of those circumstances) immigration status in the Isle of Man or the UK or Channel Islands based on that person’s relationship with that party</p> <p>in addition, to meet condition 6 in the table in paragraph EU11 of this Appendix (or condition 3 in the table in paragraph EU11A), the above</p>
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	requirements are to be met with reference to the period immediately before the death of the relevant EEA citizen (or, as the case may be, of the relevant sponsor) rather than to the date of application
educational course	a general educational course, apprenticeship or vocational training course, as provided by regulation 12(7) of the EEA Regulations
EEA citizen	<p>a person who is (and throughout any continuous qualifying period relied upon was)—</p> <p>(a) (i) a national of Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden or Switzerland; and</p> <p>(ii) not also a British citizen; or</p> <p>(b) a relevant naturalised British citizen; or</p> <p>(c) a <b>relevant person of Northern Ireland</b></p>
EEA Regulations	<p>(a) (where relevant to something done before the specified date) the Immigration (European Economic Area) Regulations 2019 (as they have effect immediately before that date); or</p> <p>(b) (where relevant to something done after the specified date and before 1 July 2021) the Immigration (European Economic Area) Regulations 2019 (as, despite the revocation of those Regulations, they continue to have effect, with specified modifications, by virtue of the Citizens' Rights (Application Deadline and Temporary Protection) (EU Exit) (Application) Regulations 2020<sup>29</sup>); or</p> <p>(c) (where relevant to something done on or after 1 July 2021) the Immigration (European Economic Area) Regulations 2019 (as they had effect immediately before they were revoked and, where the context requires it, on the basis that those Regulations had not been revoked)</p>
evidence of birth	<p>(a) (in the case of a child) the <b>full birth certificate</b>(s) or other document(s) which the Minister is satisfied evidences that the applicant is the direct descendant of (or otherwise a child of) the relevant EEA citizen (or, as the case may be, of the qualifying British citizen or of the relevant sponsor) or of their spouse or civil partner, as described (as the case may be) in sub-paragraph (a)(i) or (a)(ii) of the entry for 'family member of a qualifying British citizen' in this table, in sub-paragraph (a) of the entry for 'family member of a relevant EEA citizen' in this table or in the first sub-paragraph (a) (together with either the second sub-paragraph (a) or sub-paragraph (b)(i) or (b)(ii)) of the entry for "joining family member of a relevant sponsor" in this table; or</p> <p>(b) (in the case of a dependent parent) the full birth certificate(s) or other document(s) which the Minister is satisfied evidences that the applicant is the direct relative in the ascending line of the relevant EEA</p>

<sup>29</sup> SD 2020/0508.

	<p>citizen (or, as the case may be, of the qualifying British citizen or of the relevant sponsor) or of their spouse or civil partner, as described in sub-paragraph (a) above</p>
exclusion decision	<p>a direction given by the Minister that a person must be excluded from the Isle of Man—</p> <p>(a) in respect of conduct committed after the specified date; or</p> <p>(b) in respect of conduct committed by the person before the specified date, where the Minister is satisfied that the direction is justified on the grounds of public policy, public security or public health in accordance with regulation 28 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that in regulation 28 for “with a right of permanent residence under regulation 17” and “has a right of permanent residence under regulation 17” read “who meets the requirements of paragraph EU11 or EU12 of Appendix EU to the Immigration Rules”; and for “an EEA decision” read “an exclusion direction”)</p>
exclusion order	<p>an order made under regulation 24(5) of the EEA Regulations</p>
family member of a qualifying British citizen	<p>a person who has satisfied the Minister, including by the required evidence of family relationship, that—</p> <p>(a) they have (or, as the case may be, had) returned to the Isle of Man—</p> <p>(i) before 23:00 GMT on 29 March 2022 (or later where the Minister is satisfied that there are reasonable grounds for the person’s failure to meet that deadline), as the spouse or civil partner of a qualifying British citizen, and—</p> <p>(aa) the marriage was contracted or the civil partnership was formed before the date and time of withdrawal; or</p> <p>(bb) the applicant was the durable partner of the qualifying British citizen before the date and time of withdrawal (the definition of ‘durable partner’ in this table being met before then rather than at the date of application) and the partnership remained durable at the date and time of withdrawal; or</p> <p>(ii) (where sub-paragraph (a)(i)(bb) above does not apply) before the specified date (or later where the Minister is satisfied that there are reasonable grounds for the person’s failure to meet that deadline), as the spouse or civil partner of a qualifying British citizen, and the marriage was contracted or the civil partnership was formed after the date and time of withdrawal and before the specified date; or</p> <p>(iii) before the specified date (or later where the Minister is satisfied that there are reasonable grounds for the person’s failure to meet that deadline), as the durable partner of a qualifying British citizen, and—</p> <p>(aa) the partnership was formed and was durable before the date and time of withdrawal; and</p> <p>(bb) the partnership remains durable at the date of</p>



	<p>application; or</p> <p>(iv) before the specified date (or later where the Minister is satisfied that there are reasonable grounds for the person's failure to meet that deadline), as the durable partner of a qualifying British citizen, and—</p> <p>(aa) the partnership was formed and was durable after the date and time of withdrawal and before the specified date; and</p> <p>(bb) the partnership remains durable at the date of application; or</p> <p>(v) before 23:00 GMT on 29 March 2022 (or later where the Minister is satisfied that there are reasonable grounds for the person's failure to meet that deadline), as the child or dependent parent of a qualifying British citizen and the family relationship existed before the date and time of withdrawal (unless, in the case of a child, the person was born thereafter, was adopted thereafter in accordance with a relevant adoption decision or thereafter became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry); or</p> <p>(vi) before 23:00 GMT on 29 March 2022 (or later where the Minister is satisfied that there are reasonable grounds for the person's failure to meet that deadline), as the child or dependent parent of the spouse or civil partner of a qualifying British citizen (as described in sub-paragraph (a)(i) above), and all the family relationships existed before the date and time of withdrawal (unless, in the case of a child, the person was born after that date, was adopted after that date in accordance with a relevant adoption decision or after that date became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry); or</p> <p>(vii) before the specified date (or later where the Minister is satisfied that there are reasonable grounds for the person's failure to meet that deadline), as the child or dependent parent of the spouse or civil partner of a qualifying British citizen (as described in sub-paragraph (a)(ii) above), and the family relationship of the child or dependent parent to the spouse or civil partner existed before the date and time of withdrawal (unless, in the case of a child, the person was born thereafter, was adopted thereafter in accordance with a relevant adoption decision or thereafter became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry); or</p> <p>(viii) before the specified date (or later where the Minister is satisfied that there are reasonable grounds for the person's failure to meet that deadline), as the dependent relative of a qualifying British citizen, or (as the case may be) of their spouse or civil partner as described in sub-paragraph (a)(i) or (a)(ii) above, and that family relationship and (in sub-paragraph (a)(i)(bb) of the entry for 'dependent relative' in this table) the person's dependency (or, as the case may be, their membership of the household or their strict need for personal care on serious health grounds) existed before the applicant returned to the Isle of Man with the qualifying British citizen or (where the Minister is satisfied that there are reasonable grounds for the person's failure to meet</p>
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	<p>the deadline of the specified date for returning to the Isle of Man) before the specified date, and (in either case) and the person's dependency (or, as the case may be, their membership of the household or their strict need for personal care on serious health grounds) continues to exist at the date of application (or did so for the period of residence in the Isle of Man relied upon); and</p> <p>(b) they satisfied the conditions in regulation 10(2), (3) and (4)(a) of the EEA Regulations (as the family member ("F") to whom those provisions refer) or, as the case may be, the conditions in regulation 10(1A)(b), (2), (3) and (4)(a) of the EEA Regulations (as the extended family member ("EFM") to whom those provision refer), in either case doing so—</p> <p>(i) before the specified date; and</p> <p>(ii) (save where the date of application is after the specified date and where those conditions concern matters relevant to the dependency referred to in sub-paragraph (b)(ii)(bb) of the entry for "child" in this table or in sub-paragraph (b)(ii) of the entry for "dependent parent" in this table) immediately before returning to the Isle of Man with the qualifying British citizen (who is to be treated as the British citizen ("BC") to whom those provisions refer)</p> <p>(c) (where the applicant does not rely on having a documented right of permanent residence, on having completed a continuous qualifying period in the UK and Islands of 5 years, or on being a family member who has retained the right of residence by virtue of a relationship with a qualifying British citizen) the family relationship continues to exist at the date of application</p>
family member of a relevant EEA citizen	<p>a person who does not meet the definition of "joining family member of a relevant sponsor" in this table, and who has satisfied the Minister, including by the required evidence of family relationship, that they are (and for the relevant period have been), or (as the case may be) for the relevant period (or at the relevant time) they were—</p> <p>(a) the spouse or civil partner of a relevant EEA citizen, and—</p> <p>(i) the marriage was contracted or the civil partnership was formed before the specified date; or</p> <p>(ii) the applicant was the durable partner of the relevant EEA citizen before the specified date (the definition of 'durable partner' in this table being met before that date rather than at the date of application), and the partnership remained durable at the specified date; or</p> <p>(b) the durable partner of a relevant EEA citizen, and—</p> <p>(i) the partnership was formed and was durable before the specified date; and</p> <p>(ii) the partnership remains durable at the date of application (or it did so for the relevant period or immediately before the death of the relevant EEA citizen); or</p> <p>(c) the child or dependent parent of a relevant EEA citizen, and the family relationship existed before the specified date; or</p> <p>(d) the child or dependent parent of the spouse or civil partner of a relevant EEA citizen (as described in subparagraph (a) above), and the</p>

	<p>family relationship existed before the specified date; or</p> <p>(e) the dependent relative, before the specified date, of a relevant EEA citizen (or of their spouse or civil partner, as described in sub-paragraph (a) above) and the dependency (or, as the case may be, their membership of the household or their strict need for personal care on serious health grounds) continues to exist at the date of application (or did so for the period of residence relied upon)</p> <p>in addition, where the applicant does not rely on meeting condition 1, 3 or 6 of paragraph EU11 of this Appendix, or on being a family member who has retained the right of residence by virtue of a relationship with a relevant EEA citizen, the family relationship continues to exist at the date of application</p>
<p>family member who has retained the right of residence</p>	<p>a person who has satisfied the Minister, including by the required evidence of family relationship, that the requirements set out in one of sub-paragraphs (a) to (e) below are met and that since satisfying those requirements the required continuity of residence has been maintained—</p> <p>(a) the applicant is an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) or non-EEA citizen who—</p> <p>(i) was, as the case may be, the family member of a relevant EEA citizen (or of a qualifying British citizen), or the joining family member of a relevant sponsor and that person died; and</p> <p>(ii) was resident, as the case may be, as the family member of a relevant EEA citizen (or of a qualifying British citizen), or as the joining family member of a relevant sponsor, for a continuous qualifying period in the Isle of Man of at least a year immediately before the death of that person; or</p> <p>(b) the applicant is an EEA citizen or non-EEA citizen who—</p> <p>(i) is the child (including where they are a joining family member of a relevant sponsor) of—</p> <p>(aa) a relevant EEA citizen (or, as the case may be, of a qualifying British citizen or of a relevant sponsor) who has died or of their spouse or civil partner immediately before their death; or</p> <p>(bb) a person who ceased to be a relevant EEA citizen (or, as the case may be, a qualifying British citizen or a relevant sponsor) on ceasing to reside in the Isle of Man or of their spouse or civil partner at that point; and</p> <p>(ii) was attending an <b>educational course</b> in the Isle of Man immediately before the relevant EEA citizen (or, as the case may be, the qualifying British citizen or the relevant sponsor) died or ceased to be a relevant EEA citizen (or, as the case may be, a qualifying British citizen or a relevant sponsor), and continues to attend such a course; or</p> <p>(c) the applicant is an EEA citizen or non-EEA citizen who is the parent with <b>residence of a child</b> who meets the requirements of sub-paragraph (b) above and the child is not a joining family member of a</p>

	<p>relevant sponsor; or</p> <p>(d) the applicant ("A") is an EEA citizen or non-EEA citizen who—</p> <p>(i) ceased to be, as the case may be, a family member of a relevant EEA citizen (or of a qualifying British citizen), or a joining family member of a relevant sponsor, on the <b>termination of the marriage or civil partnership</b> of that relevant EEA citizen (or, as the case may be, of that qualifying British citizen or of that relevant sponsor); for the purposes of this provision, where, after the initiation of the proceedings for that termination, that relevant EEA citizen ceased to be a relevant EEA citizen (or, as the case may be, that qualifying British citizen ceased to be a qualifying British citizen, or that relevant sponsor ceased to be a relevant sponsor), they will be deemed to have remained a relevant EEA citizen (or, as the case may be, a qualifying British citizen or a relevant sponsor) until that termination; and</p> <p>(ii) was resident in the Isle of Man at the date of the termination of the marriage or civil partnership; and</p> <p>(iii) one of the following applies—</p> <p>(aa) prior to the initiation of the proceedings for the termination of the marriage or the civil partnership, the marriage or civil partnership had lasted for at least 3 years and the parties to the marriage or civil partnership had been resident for a continuous qualifying period in the Isle of Man of at least one year during its duration; or</p> <p>(bb) A has residence of a child of the relevant EEA citizen (or, as the case may be, the qualifying British citizen or of the relevant sponsor); or</p> <p>(cc) A has the right of access to a child of the relevant EEA citizen (or, as the case may be, the qualifying British citizen or of the relevant sponsor), where the child is under the age of 18 years and where a court has ordered that such access must take place in the Isle of Man; or</p> <p>(dd) the continued right of residence in the Isle of Man of A is warranted by particularly difficult circumstances, such as where A or another family member has been a victim of domestic violence or abuse whilst the marriage or civil partnership was subsisting; or</p> <p>(e) the applicant ("A") is an EEA citizen or non-EEA citizen who—</p> <p>(i) provides evidence that a relevant family relationship with a relevant EEA citizen (or, as the case may be, with a qualifying British citizen or with a relevant sponsor) has broken down permanently as a result of domestic violence or abuse; and</p> <p>(ii) was resident in the Isle of Man when the relevant family relationship broke down permanently as a result of domestic violence or abuse, and the continued right of residence in the Isle of Man of A is warranted where A or another family member has been a victim of domestic violence or abuse before the relevant family relationship broke down permanently</p> <p>in addition:—</p>
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	<p>(a) 'relevant family relationship' in sub-paragraph (e) above means a family relationship with a relevant EEA citizen (or, as the case may be, with a qualifying British citizen or with a relevant sponsor) such that the applicant is, or (immediately before the relevant family relationship broke down permanently as a result of domestic violence or abuse) was, as the case may be, a family member of a relevant EEA citizen (or of a qualifying British citizen), or a joining family member of a relevant sponsor; and</p> <p>(b) where sub-paragraph (e) above applies, then, where, following the permanent breakdown of the relevant family relationship as a result of domestic violence or abuse, the applicant remains, as the case may be, a family member of a relevant EEA citizen (or of a qualifying British citizen), or a joining family member of a relevant sponsor, they will be deemed to have ceased to be such a family member for the purposes of this Appendix once the permanent breakdown occurred; and</p> <p>(c) "required continuity of residence" means that, where the applicant has not completed a continuous qualifying period of 5 years (and does not have valid evidence of their indefinite leave to enter or remain, and has not acquired the right of permanent residence in the Isle of Man under regulation 17 of the EEA Regulations, or the right of permanent residence in the UK or Channel Islands under the Immigration (European Economic Area) Regulations 2016 (of Parliament) or through the application there of section 7(1) of the Immigration Act 1988, then, since the point at which they began to rely on being in the UK and Islands as a family member who has retained the right of residence and while they continued to do so, one of the events referred to in sub-paragraph (b)(i) or (b)(ii) in the definition of "continuous qualifying period" in this table has not occurred</p>
full birth certificate	a birth certificate recognised in the Isle of Man or in the UK or Channel Islands which records the name of the mother and (where registered) the father
GMT	Greenwich Mean Time
immigration status in the Isle of Man or the UK or Channel Islands	indefinite or limited leave to enter or remain in the Isle of Man or the UK or Channel Islands under or outside the relevant Immigration Rules; exemption from immigration control; the entitlement to reside in the Isle of Man or the right of permanent residence in the Isle of Man under regulations 15 to 17 of the EEA Regulations; or the entitlement to reside in the UK or Channel Islands, either under the Immigration (European Economic Area) Regulations 2016 (of Parliament) or through the application there of section 7(1) of the Immigration Act 1988
Irish citizen	a person who is an Irish citizen as a matter of Irish law
joining family member of a relevant sponsor	<p>a person who has satisfied the Minister, including by the required evidence of family relationship, that they are (and for the relevant period have been), or (as the case may be) for the relevant period (or at the relevant time) they were—</p> <p>(a) the spouse or civil partner of a relevant sponsor; and</p> <p>(i) (aa) the marriage was contracted or the civil partnership was formed before the specified date; or</p>

	<p>(bb) the applicant was the durable partner of the relevant sponsor before the specified date (the definition of “durable partner” in this table being met before that date rather than at the date of application), and the partnership remained durable at the specified date; and</p> <p>(ii) (aa) (unless the applicant relies on meeting condition 1 or condition 3 of paragraph EU11A of this Appendix, or on being a family member who has retained the right of residence by virtue of a relationship with a relevant sponsor) the marriage or civil partnership continues to exist at the date of application; or</p> <p>(bb) (where the applicant relies on meeting condition 1 of paragraph EU11A of this Appendix) the marriage or civil partnership existed for the relevant period; or</p> <p>(cc) (where the applicant relies on meeting condition 3 of paragraph EU11A of this Appendix) the marriage or civil partnership existed immediately before the death of the relevant sponsor; or</p> <p>(b) the <b>specified spouse or civil partner of a Swiss citizen</b>; or</p> <p>(c) the durable partner of a relevant sponsor; and</p> <p>(i) the partnership was formed and was durable before the specified date; and</p> <p>(ii) (aa) (unless the applicant relies on meeting condition 1 or condition 3 of paragraph EU11A of this Appendix, or on being a family member who has retained the right of residence by virtue of a relationship with a relevant sponsor) the partnership remains durable at the date of application; or</p> <p>(bb) (where the applicant relies on meeting condition 1 of paragraph EU11A of this Appendix) the partnership remained durable for the relevant period; or</p> <p>(cc) (where the applicant relies on meeting condition 3 of paragraph EU11A of this Appendix) the partnership remained durable immediately before the death of the relevant sponsor; or</p> <p>(d) the child or dependent parent of a relevant sponsor, and the family relationship—</p> <p>(i) existed before the specified date (unless, in the case of a child, the person was born after that date, was adopted after that date in accordance with a relevant adoption decision or after that date became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry); and</p> <p>(ii) continues to exist at the date of application (or did so for the period of residence relied upon); or</p> <p>(e) the child or dependent parent of the spouse or civil partner of a relevant sponsor, as described in sub-paragraph (a) above, and all the family relationships</p> <p>(i) existed before the specified date (unless, in the case of a child, the person was born after that date, was adopted after that date in accordance with a relevant adoption decision or after that date</p>
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	<p>became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry); and</p> <p>(ii) continue to exist at the date of application (or did so for the period of residence relied upon)</p> <p>in addition, the person meets one of the following requirements—</p> <p>(a) (where sub-paragraph (c) or (d) below does not apply) they were not resident in the UK and Islands on a basis which met the definition of “family member of a relevant EEA citizen” in this table (where that relevant EEA citizen is their relevant sponsor) at any time before the specified date; or</p> <p>(b) (where sub-paragraph (c) or (d) below does not apply) they were resident in the UK and Islands before the specified date, and—</p> <p>(i) one of the events referred to in sub-paragraph (b)(i) or (b)(ii) in the definition of “continuous qualifying period” in this table has occurred, and after that event occurred they were not resident in the UK and Islands again before the specified date; or</p> <p>(ii) the event referred to in sub-paragraph (a) in the definition of “supervening event” in this table has occurred, and after that event occurred they were not resident in the UK and Islands again before the specified date; or</p> <p>(iii) they are the specified spouse or civil partner of a Swiss citizen, and they do not rely on any period of residence in the UK and Islands before the marriage was contracted or the civil partnership was formed; or</p> <p>(c) (where sub-paragraph (d) below does not apply) where the person is a child born after the specified date or adopted after that date in accordance with a relevant adoption decision, or after the specified date became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry (with the references to “parents” in this sub-paragraph construed to include the guardian or other person to whom the order or other provision referred to in the relevant sub-paragraph of (a)(iii) to (a)(xi) of that entry relates), one of the following requirements is met—</p> <p>(i) both of their parents are a relevant sponsor; or</p> <p>(ii) one of their parents is a relevant sponsor and the other is a British citizen who is not a relevant sponsor; or</p> <p>(iii) one of their parents is a relevant sponsor who has sole or joint rights of custody of them, in accordance with the applicable rules of family law of the Isle of Man, of the UK or Channel Islands or of a country listed in sub-paragraph (a)(i) of the entry for “EEA citizen” in this table (including applicable rules of private international law under which rights of custody under the law of a third country are recognised by the Isle of Man or the UK or Channel Islands or in a country listed in sub-paragraph (a)(i) of the entry for “EEA citizen” in this table, in particular as regards the best interests of the child, and without prejudice to the normal operation of such applicable rules of private international law); or</p> <p>(d) where the person is a child born after the specified date to (or</p>
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	<p>adopted after that date in accordance with a relevant adoption decision by or after that date became, within the meaning of the entry for "child" in this table and on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry, a child of) a Swiss citizen or their spouse or civil partner (as described in the first sub-paragraph (a) in this entry), the Swiss citizen or their spouse or civil partner is a relevant sponsor</p>
non-EEA citizen	a person who is not an EEA citizen and is not a British citizen
person exempt from immigration control	<p>a person who—</p> <p>(a) is a national of: Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden or Switzerland; and</p> <p>(b) is not a British citizen; and</p> <p>(c) is exempt from immigration control in accordance with section 8(2), (3) or (4) of the Immigration Act 1971</p>
person who has ceased activity	<p>the person—</p> <p>(a) has terminated activity as a worker or self-employed person in the Isle of Man and either reached the age of entitlement to a state pension on terminating that activity or, in the case of a worker, ceased working to take early retirement; and immediately before that termination, was a worker or self-employed person in the Isle of Man for at least 12 months and resided in the UK and Islands for a continuous qualifying period of more than 3 years; or</p> <p>(b) stopped being a worker or self-employed person in the Isle of Man owing to permanent incapacity to work, having resided in the UK and Islands for a continuous qualifying period of more than the preceding 2 years or the incapacity having resulted from an accident at work or an occupational disease that entitles the person to a pension payable in full or in part by an institution in the Isle of Man; or</p> <p>(c) resided for a continuous qualifying period in the UK and Islands of at least 3 years as a worker or self-employed person, immediately before becoming a worker or self-employed person in a country listed in sub-paragraph (a)(i) of the entry for 'EEA citizen' in this table, while retaining a place of residence in the Isle of Man to which they return, as a rule, at least once a week</p> <p>in addition, the conditions as to length of residence and of employment in sub-paragraphs (a) and (b) above do not apply where the Minister is satisfied, including by the required evidence of family relationship, that the relevant EEA citizen (or, as the case may be, the relevant sponsor) is the spouse or civil partner of a British citizen (substituting 'British citizen' for 'relevant EEA citizen' in the entry for, as the case may be, 'spouse' or 'civil partner' in this table)</p>
person who had a derivative or Zambrano right to reside	a person who was a person with a derivative right to reside or, as the case may be, a person with a Zambrano right to reside, immediately before they became, as the case may be, a relevant EEA citizen, a family member of a relevant EEA citizen, a person with a derivative right to reside, a person with a Zambrano right to reside or a family member



	<p>of a qualifying British citizen, and they have since remained, to the date of application, in any (or any combination) of those categories or as a family member who has retained the right of residence by virtue of a relationship with a relevant EEA citizen or with a qualifying British citizen</p>
<p>person who is subject to a non-adoptive legal guardianship order</p>	<p>a person who has satisfied the Minister that, before the specified date, they—</p> <p>(a) are under the age of 18 years; and</p> <p>(b) are subject to a non-adoptive legal guardianship order in favour (solely or jointly with another party) of a relevant EEA citizen, or as the case may be, of a qualifying British citizen (who, in either case, is their 'sponsor' in accordance with the second sub-paragraph (b) in the entry for 'dependent relative' in this table) that—</p> <p>(i) is recognised under the national law of the state in which it was contracted; and</p> <p>(ii) places parental responsibility on a permanent basis on the relevant EEA citizen or, as the case may be, on the qualifying British citizen (in either case, solely or jointly with another party); and</p> <p>(c) have lived with the relevant EEA citizen (or, as the case may be, with the qualifying British citizen) since their placement under the guardianship order; and</p> <p>(d) have created family life with the relevant EEA citizen (or, as the case may be, with the qualifying British citizen); and</p> <p>(e) have a personal relationship with the relevant EEA citizen (or, of the case may be, with the qualifying British citizen) that involves dependency on the relevant EEA citizen (or, as the case may be, on the qualifying British citizen) and the assumption of parental responsibility, including legal and financial responsibilities, for that person by the relevant EEA citizen (or, as the case may be, by the qualifying British citizen)</p>
<p>person with a derivative right to reside</p>	<p>a person who has satisfied the Minister, including (where applicable) by the required evidence of family relationship, that, by the specified date, they are (and for the relevant period have been), or (as the case may be) for the relevant period in which they rely on having been a person with a derivative right to reside (before they became a person who had a derivative or Zambrano right to reside) they were, resident for a continuous qualifying period in the Isle of Man with a derivative right to reside by virtue of regulation 18(1) of the EEA Regulations—</p> <p>(a) regardless of whether, in respect of the criterion in regulation 18(2)(b)(ii) of the EEA Regulations, the EEA citizen meets, or (as the case may be) met, the requirement in regulation 5(1)(c)(ii) of the EEA Regulations for comprehensive sickness insurance cover in the Isle of Man; and</p> <p>(b) regardless (where the person was previously granted limited leave to enter or remain under paragraph EU3 of this Appendix as a person with a derivative right to reside and was under the age of 18 years at the date of application for that leave) of whether, in respect of the criterion in regulation 18(2)(b)(i) or regulation 18(6)(a) of the EEA</p>

	<p>Regulations, they are, or (as the case may be) were, under the age of 18 years; and</p> <p>(c) excluding a person satisfying the criteria in—</p> <ul style="list-style-type: none"> <li>(i) paragraph (5) of regulation 18(1) of the EEA Regulations; or</li> <li>(ii) paragraph (6) of that regulation where that person’s primary carer is, or (as the case may be) was, entitled to a derivative right to reside in the Isle of Man under paragraph (5)</li> </ul>
<p>person with a Zambrano right to reside</p>	<p>a person who has satisfied the Minister, including (where applicable) by the required evidence of family relationship, that, by the specified date, they are (and for the relevant period have been), or (as the case may be) for the relevant period in which they rely on having been a person with a Zambrano right to reside (before they then became a person who had a derivative or Zambrano right to reside) they were;</p> <p>(a) resident for a continuous qualifying period in the Isle of Man with a derivative right to reside by virtue of regulation 18(1) of the EEA Regulations, by satisfying—</p> <ul style="list-style-type: none"> <li>(i) the criterion in paragraph (1)(a) of regulations 18 of the EEA Regulations; and</li> <li>(ii) the criteria in— <ul style="list-style-type: none"> <li>(aa) paragraph (5) of that regulation; or</li> <li>(bb) paragraph (6) of that regulation where that person’s primary carer is, or (as the case may be) was, entitled to a derivative right to reside in the Isle of Man under paragraph (5), regardless (where the person was previously granted limited leave to enter or remain under paragraph EU3 of this Appendix as a person with a Zambrano right to reside and was under the age of 18 years at the date of application for that leave) of whether in respect of the criterion in regulation 18(6)(a) of the EEA Regulations, they are, or (as the case may be) were, under the age of 18 years; and</li> </ul> </li> </ul> <p>(b) without leave to enter or remain in the isle of Man, unless this was granted under this Appendix</p>
<p>qualifying British citizen</p>	<p>a British citizen who—</p> <p>(a) has (or, as the case may be, for the relevant period had) returned to the Isle of Man with the applicant—</p> <ul style="list-style-type: none"> <li>(i) (where sub-paragraph (a)(ii) below does not apply) before 23:00 GMT on 29 March 2022 (or later where the Minister is satisfied that there are reasonable grounds for the person’s failure to meet that deadline); or</li> <li>(ii) (in the case of a family member of a qualifying British citizen as described in sub-paragraph (a)(ii), (a)(iv), (a)(vii) or (a)(viii) of the entry for ‘family member of a qualifying British citizen’ in this table) before the specified date (or later where the Minister is satisfied that there are reasonable grounds for the person’s failure to meet that deadline); and</li> </ul> <p>(b) satisfied regulation 10(2), (3) and (4)(a) of the EEA Regulations (as the British citizen (“BC”) to whom those provisions refer)—</p>

	<p>(i) before the specified date; and</p> <p>(ii) immediately before returning to the Isle of Man with the applicant (who is to be treated as the family member ("F") or, as the case may be, as the extended family member ("EFM"), to whom those provisions refer); and</p> <p>(c) was continuously resident in the Isle of Man in accordance with regulation 4 of the EEA Regulations throughout any period on which the applicant relies as being present in the Isle of Man by virtue of being a family member of a qualifying British citizen</p>
relevant adoption decision	<p>an adoption decision taken—</p> <p>(a) by the competent administrative authority or court in the Isle of Man, the United Kingdom or Channel Islands; or</p> <p>(b) by the competent administrative authority or court in a country whose adoption orders are recognised by the Isle of Man, United Kingdom or Channel Islands; or</p> <p>(c) in a particular case in which that decision in another country has been recognised in the Isle of Man, United Kingdom or Channel Islands as an adoption</p>
relevant document	<p>(a) (i) (aa) a family permit (or a letter from the Minister, or relevant authority in the UK or Channel Islands issued after 30 June 2021, confirming their qualification for one), document certifying an extended right of residence, document certifying permanent residence or document certifying a derivative right of residence issued by the Isle of Man under the EEA Regulations on the basis of an application made under the EEA Regulations before (in the case, where the applicant is not a dependent relative, of a family permit) 1 July 2021 and otherwise before the specified date; or</p> <p>(bb) (where the applicant is a family member of a relevant person of Northern Ireland and is a dependent relative or durable partner) other evidence which satisfies the Minister of the same matters under this Appendix concerning the relationship and (where relevant) dependency as a document to which sub-paragraph (a)(i)(aa) above refers; for the purposes of this provision, where the Minister is so satisfied, such evidence is deemed to be the equivalent of a document to which sub-paragraph (a)(i)(aa) above refers; or</p> <p>(ii) a document or other evidence equivalent to a document to which sub-paragraph (a)(i)(aa) above refers, and issued by the UK or Channel Islands under the relevant legislation there evidencing the entitlement to enter or reside or a right of permanent residence, either under the Immigration (European Economic Area) Regulations 2016 (of Parliament) or through the application there of section 7(1) of the Immigration Act 1988; or</p> <p>(iii) a document issued by virtue of having been granted limited leave to enter or remain under this Appendix; or</p> <p>(iv) an entry clearance in the form of an EU Settlement Scheme Family Permit granted under Appendix EU (Family Permit) to these Rules; and</p>

	<p>(b) it was not subsequently revoked, or fell to be so, because the relationship or dependency had never existed or the relationship or (where relevant) dependency had ceased; and</p> <p>(c) (subject to sub-paragraphs (d) and (e) below) it has not expired or otherwise ceased to be effective, and it remained valid for the period of residence relied upon; and</p> <p>(d) for the purposes of the reference to 'relevant document' in the first sub-paragraph (b) of the entry for 'dependent relative' in this table, in sub-paragraph (b)(i) of the entry for 'durable partner' in this table and in sub-paragraphs (e) and (f) of the entry for 'required evidence of family relationship' in this table, the relevant document may have expired, where—</p> <p style="padding-left: 40px;">(i) before it expired, the applicant applied for a further relevant document (as described in sub-paragraph (a)(i)(aa) or (a)(iii) above) on the basis of the same family relationship as that on which that earlier relevant document was issued; and</p> <p style="padding-left: 40px;">(ii) the further relevant document to which sub-paragraph (d)(i) above refers was issued by the date of decision on the application under this Appendix; and</p> <p>(e) the relevant document may have expired, where—</p> <p style="padding-left: 40px;">(i) it is a family permit (as described in sub-paragraph (a)(i)(aa) above) or an equivalent document or other evidence issued by the Islands (as described in sub-paragraph (a)(ii) above); and</p> <p style="padding-left: 40px;">(ii) it expired after the specified date and before the required date; and</p> <p style="padding-left: 40px;">(iii) the applicant arrived in the Isle of Man before 1 July 2021 and (unless they are a durable partner or dependent relative) after the specified date</p>
<p>relevant EEA citizen (where, in respect of the application under consideration, the date of application by the relevant EEA citizen or their family member is before 1 July 2021)</p>	<p>(a) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) resident in the UK and Islands for a continuous qualifying period which began before the specified date; or</p> <p>(b) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) who, having been resident in the UK and Islands as described in sub-paragraph (a) above—</p> <p style="padding-left: 40px;">(i) has been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix (or under its equivalent in the Islands), which has not lapsed or been cancelled, revoked or invalidated (or is being granted that leave under that paragraph of this Appendix or under its equivalent in the Islands); or</p> <p style="padding-left: 40px;">(ii) would, if they had made a valid application under this Appendix before 1 July 2021, have been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or</p> <p>(c) where the applicant is a family member of a relevant naturalised British citizen, an EEA citizen in accordance with sub-paragraph (b) of that entry in this table; or</p> <p>(d) where the applicant is a family member of a relevant person of</p>

	<p>Northern Ireland, an EEA citizen (in accordance with sub-paragraph (d) of that entry in this table):</p> <p>(i) resident in the UK and Islands for a continuous qualifying period which, unless they are a specified relevant person of Northern Ireland, began before the specified date; or</p> <p>(ii) who, having been resident in the UK and Islands as described in sub-paragraph (d)(i) above (where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(ii) of that entry in this table):</p> <p>(aa) has been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix (or under its equivalent in the Islands), which has not lapsed or been cancelled, revoked or invalidated (or is being granted that leave under that paragraph of this Appendix or under its equivalent in the Islands); or</p> <p>(bb) would, if they had made a valid application under this Appendix before 1 July 2021, have been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or</p> <p>(iii) who, having been resident in the UK and Islands as described in sub-paragraph (d)(i) above and if they had made a valid application under this Appendix before 1 July 2021, would, but for the fact (where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(i) or (a)(iii) of that entry in this table) that they are a British citizen, have been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or</p> <p>(e) where the applicant is their family member, a person exempt from immigration control:</p> <p>(i) resident in the UK and Islands for a continuous qualifying period which began before the specified date; or</p> <p>(ii) who, having been resident in the UK and Islands as described in sub-paragraph (e)(i) above and if they had made a valid application under this Appendix before 1 July 2021, would have been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application</p>
<p>relevant EEA citizen (where, in respect of the application under consideration, the date of application by the relevant EEA citizen or their family member is on or after 1 July 2021)</p>	<p>(a) (i) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) resident in the UK and Islands for a continuous qualifying period which began before the specified date; and</p> <p>(ii) where the applicant is their family member, the EEA citizen, having been resident in the UK and Islands as described in sub-paragraph (a)(i) above, has been granted—</p> <p>(aa) indefinite leave to enter or remain under paragraph EU2 of this Appendix (or under its equivalent in the UK or Channel Islands), which has not lapsed or been cancelled, revoked or invalidated; or</p>

	<p>(bb) limited leave to enter or remain under paragraph EU3 of this Appendix (or under its equivalent in the UK or Channel Islands), which has not lapsed or been cancelled, curtailed or invalidated; or</p> <p>(b) (i) an an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) resident in the UK and Islands for a continuous qualifying period which began before the specified date; and</p> <p>(ii) where the applicant is their family member, the EEA citizen, having been resident in the UK and Islands as described in sub-paragraph (b)(i) above, would, if they had made a valid application under this Appendix before 1 July 2021, have been granted—</p> <p>(aa) indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or</p> <p>(bb) limited leave to enter or remain under paragraph EU3 of this Appendix, which would not have lapsed or been cancelled, curtailed or invalidated before the date of application; or</p> <p>(c) where the applicant is a family member of a person who falls within sub-paragraphs (a), (c) and (d) of the entry for “relevant naturalised British citizen” in this table, the person falling within those sub-paragraphs who, if they had made a valid application under this Appendix before 1 July 2021, would, but for the fact that they are a British citizen, have been granted—</p> <p>(i) indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or</p> <p>(ii) limited leave to enter or remain under paragraph EU3 of this Appendix, which would not have lapsed or been cancelled, curtailed or invalidated before the date of application; or</p> <p>(d) where the applicant is a family member of relevant person of Northern Ireland, an EEA citizen (in accordance with sub-paragraph (d) of that entry in this table)—</p> <p>(i) where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(ii) of that entry in this table—</p> <p>(aa) resident in the UK and Islands for a continuous qualifying period which began before the specified date; and</p> <p>(bb) who, having been resident in the UK and Islands as described in sub-paragraph (d)(i)(aa) above—</p> <p>(aaa) has been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix (or under its equivalent in the UK or Channel Islands), which has not lapsed or been cancelled, revoked or invalidated; or</p> <p>(bbb) has been granted limited leave to enter or remain under paragraph EU3 of this Appendix (or under its equivalent in the UK or Channel Islands), which has not lapsed or been cancelled, curtailed or invalidated; or</p> <p>(ccc) if they had made a valid application under this Appendix before 1 July 2021, would have been granted</p>
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	<p>indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or</p> <p>(ddd) if they had made a valid application under this Appendix before 1 July 2021, would have been granted limited leave to enter or remain under paragraph EU3 of this Appendix, which would not have lapsed or been cancelled, curtailed or invalidated before the date of application; or</p> <p>(ii) where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(i) or (a)(iii) of that entry in this table—</p> <p>(aa) resident in the UK and Islands for a continuous qualifying period which, unless they are a specified relevant person of Northern Ireland, began before the specified date; and</p> <p>(bb) who, having been resident in the UK and Islands as described in sub-paragraph (d)(ii)(aa) above and if they had made a valid application under this Appendix before 1 July 2021, would, but for the fact that they are a British citizen, have been granted—</p> <p>(aaa) indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or</p> <p>(bbb) limited leave to enter or remain under paragraph EU3 of this Appendix, which would not have lapsed or been cancelled, curtailed or invalidated before the date of application; or</p> <p>(e) where the applicant is their family member, a person exempt from immigration control—</p> <p>(i) resident in the UK and Islands for a continuous qualifying period which began before the specified date; and</p> <p>(ii) who, having been resident in the UK and Islands as described in sub-paragraph (e)(i) above and if they had made a valid application under this Appendix before 1 July 2021, would, have been granted—</p> <p>(aa) indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or</p> <p>(bb) limited leave to enter or remain under paragraph EU3 of the this Appendix, which would not have lapsed or been cancelled, curtailed or invalidated before the date of application</p> <p>in addition, notwithstanding what is said above, in relation to subparagraphs (a) to (e) above, it will suffice that the relevant EEA citizen is (or, as the case may be, for the relevant period was) resident in the UK and Islands for a continuous qualifying period which, unless they are a specified relevant person of Northern Ireland, began before</p>
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	<p>the specified date where the applicant—</p> <p>(a) (i) is (or, as the case may be, for the relevant period was) a family member of a relevant EEA citizen or a family member who has retained the right of residence by virtue of a relationship with a relevant EEA citizen; and</p> <p>(ii) has completed a continuous qualifying period of 5 years under condition 3 in the table in paragraph EU11 of this Appendix; or</p> <p>(b) (i) is a family member of a relevant EEA citizen or a family member who has retained the right of residence by virtue of a relationship with a relevant EEA citizen; and</p> <p>(ii) otherwise meets the eligibility requirements for limited leave to enter or remain under condition 1 in the table in paragraph EU14 of this Appendix; or</p> <p>(c) relies on meeting condition 1, 2 or 6 in the table in paragraph EU11 of this Appendix</p>
relevant naturalised British citizen	<p>(a) an EEA citizen (in accordance with sub-paragraph (a)(i) of that entry in this table) resident in the UK and Islands for a continuous qualifying period which began before the specified date; or</p> <p>(b) an EEA citizen (in accordance with sub-paragraph (a)(i) of that entry in this table) who, having been resident in the UK and Islands as described in sub-paragraph (a) above and if they had made a valid application under this Appendix before 1 July 2021, would, but for the fact that they are a British citizen, have been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; and in either case the person also—</p> <p>(c) comes within paragraph (b) of the definition of “EEA national” in regulation 3(3) of the EEA Regulations; and</p> <p>(d) meets the criteria contained in regulation 11(2) or (3) as the dual national (“DN”) to whom those provisions refer (regardless of whether, save in conditions 5 and 6 in the table in paragraph EU11 of this Appendix and in conditions 2 and 3 in the table in paragraph EU11A, they remained a qualified person under regulation 7 of the EEA Regulations after they acquired British citizenship)</p>
relevant person of Northern Ireland	<p>a person who—</p> <p>(a) is—</p> <p>(i) a British citizen; or</p> <p>(ii) an Irish citizen; or</p> <p>(iii) a British citizen and an Irish citizen; and</p> <p>(b) was born in Northern Ireland and, at the time of the person’s birth, at least one of their parents was—</p> <p>(i) a British citizen; or</p> <p>(ii) an Irish citizen; or</p> <p>(iii) a British citizen and an Irish citizen; or</p>



	(iv) otherwise entitled to reside in Northern Ireland without any restriction on their period of residence
relevant sponsor	<p>(a) where the date of application by a joining family member of a relevant sponsor is after the specified date and before 1 July 2021;</p> <p>(i) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) who, having been resident in the UK and Islands for a continuous qualifying period which began before the specified date, has been granted—</p> <p>(aa) indefinite leave to enter or remain under paragraph EU2 of this Appendix (or under its equivalent in the UK or Channel Islands), which has not lapsed or been cancelled, revoked or invalidated (or is being granted that leave under that paragraph of this Appendix or under its equivalent in the UK or Channel Islands); or</p> <p>(bb) limited leave to enter or remain under paragraph EU3 of this Appendix (or under its equivalent in the UK or Channel Islands), which has not lapsed or been cancelled, curtailed or invalidated (or is being granted that leave under that paragraph of this Appendix or under its equivalent in the UK or Channel Islands); or</p> <p>(ii) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table)—</p> <p>(aa) resident in the UK and Islands for a continuous qualifying period which began before the specified date; or</p> <p>(bb) who, having been resident in the UK and Islands as described in sub-paragraph (a)(ii)(aa) above and if they had made a valid application under this Appendix before 1 July 2021, would have been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or</p> <p>(iii) an EEA citizen in accordance with sub-paragraph (b) of that entry in this table (a relevant naturalised British citizen, in accordance with sub-paragraph (a) or (b), together with sub-paragraphs (c) and (d), of that entry in this table); or</p> <p>(iv) an EEA citizen (in accordance with sub-paragraph (c) of that entry in this table)—</p> <p>(aa) resident in the UK and Islands for a continuous qualifying period which, unless they are a specified relevant person of Northern Ireland, began before the specified date; or</p> <p>(bb) who, having been resident in the UK and Islands as described in sub-paragraph (a)(iv)(aa) above (where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(ii) of that entry in this table)—</p> <p>(aaa) has been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix (or under its equivalent in the UK or Channel Islands), which has not lapsed or been cancelled, revoked or invalidated (or is being granted that leave under that paragraph of this</p>

	<p>Appendix before 1 July 2021, have been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or</p> <p>(bbb) would, if they had made a valid application under this Appendix before 1 July 2021, have been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or</p> <p>(cc) who, having been resident in the UK and Islands as described in sub-paragraph (a)(iv)(aa) above and if they had made a valid application under this Appendix before 1 July 2021, would, but for the fact (where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(i) or (a)(iii) of that entry in this table) that they are a British citizen, have been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or</p> <p>(v) a person exempt from immigration control—</p> <p>(aa) resident in the UK and Islands for a continuous qualifying period which began before the specified date; or</p> <p>(bb) who, having been resident in the UK and Islands as described in sub-paragraph (a)(v)(aa) above, would, but for the fact that they are a person exempt from immigration control, be granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, if they made a valid application under this Appendix before 1 July 2021; or</p> <p>(b) where the date of application by a joining family member of a relevant sponsor is on or after 1 July 2021—</p> <p>(i) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) who, having been resident in the UK and Islands for a continuous qualifying period which began before the specified date, has been granted—</p> <p>(aa) indefinite leave to enter or remain under paragraph EU2 of this Appendix (or under its equivalent in the UK or Channel Islands), which has not lapsed or been cancelled, revoked or invalidated; or</p> <p>(bb) limited leave to enter or remain under paragraph EU3 of this Appendix (or under its equivalent in the UK or Channel Islands), which has not lapsed or been cancelled, curtailed or invalidated; or</p> <p>(ii) an Irish citizen who, having been resident in the UK and Islands for a continuous qualifying period which began before the specified date, would, if they had made a valid application under this Appendix before 1 July 2021, have been granted—</p> <p>(aa) indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of</p>
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	<p>application; or</p> <p>(bb) limited leave to enter or remain under paragraph EU3 of this Appendix, which would not have lapsed or been cancelled, curtailed or invalidated before the date of application; or</p> <p>(iii) a person who falls within sub-paragraphs (a), (c) and (d) of the entry for “relevant naturalised British citizen” in this table, who, if they had made a valid application under this Appendix before 1 July 2021, would, but for the fact that they are a British citizen, have been granted—</p> <p>(aa) indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or</p> <p>(bb) limited leave to enter or remain under paragraph EU3 of this Appendix, which would not have lapsed or been cancelled, curtailed or invalidated before the date of application; or</p> <p>(iv) an EEA citizen (in accordance with sub-paragraph (d) of that entry in this table) who is a relevant person of Northern Ireland in accordance with sub-paragraph (a)(ii) of that entry in this table—</p> <p>(aa) resident in the UK and Islands for a continuous qualifying period which began before the specified date; and</p> <p>(bb) who, having been resident in the UK and Islands as described in sub-paragraph (b)(iv)(aa) above—</p> <p>(aaa) has been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix (or under its equivalent in the UK or Channel Islands), which has not lapsed or been cancelled, revoked or invalidated; or</p> <p>(bbb) if they had made a valid application under this Appendix before 1 July 2021, would have been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or</p> <p>(ccc) has been granted limited leave to enter or remain under paragraph EU3 of this Appendix (or under its equivalent in the UK or Channel Islands), which has not lapsed or been cancelled, curtailed or invalidated; or</p> <p>(ddd) if they had made a valid application under this Appendix before 1 July 2021, would have been granted limited leave to enter or remain under paragraph EU3 of this Appendix, which would not have lapsed or been cancelled, curtailed or invalidated before the date of application; or</p> <p>(v) an EEA citizen (in accordance with sub-paragraph (c) of that entry in this table) who is a relevant person of Northern Ireland in accordance with sub-paragraph (a)(i) or (a)(iii) of that entry in this table—</p> <p>(aa) resident in the UK and Islands for a continuous qualifying period which, unless they are a specified relevant person of</p>
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	<p>Northern Ireland, began before the specified date; and</p> <p>(bb) who, having been resident in the UK and Islands as described in sub-paragraph (a)(v)(aa) above and if they had made a valid application under this Appendix before 1 July 2021, would have been granted indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or</p> <p>(aaa) indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or</p> <p>(bbb) limited leave to enter or remain under paragraph EU3 of this Appendix which would not have lapsed or been cancelled, curtailed or invalidated before the date of application; or</p> <p>(vi) a person exempt from immigration control who, having been resident in the UK and Islands for a continuous qualifying period which began before the specified date and if they had made a valid application under this Appendix before 1 July 2021, would have been granted—</p> <p>(aa) indefinite leave to enter or remain under paragraph EU2 of this Appendix, which would not have lapsed or been cancelled, revoked or invalidated before the date of application; or</p> <p>(bb) limited leave to enter or remain under paragraph EU3 of this Appendix, which would not have lapsed or been cancelled, curtailed or invalidated before the date of application</p> <p>in addition—</p> <p>(a) save for the purposes of condition 3 in the table in paragraph EU11A of this Appendix and of sub-paragraphs (a) and (b) of the entry for 'family member who has retained the right of residence' in this table, the relevant sponsor has not died; and</p> <p>(b) notwithstanding what is said above, where the date of application by a joining family member of a relevant sponsor is on or after 1 July 2021, it will suffice that the relevant sponsor is or (as the case may be) was resident in the UK and Islands for a continuous qualifying period which, unless they are a specified relevant person of Northern Ireland, began before the specified date where the applicant—</p> <p>(i) on the basis of events which occurred during the period to which sub-paragraph (a)(ii)(aa) or (a)(iii)(aa) of the entry for 'required date' in this table refers, relies on being a family member who has retained the right of residence by virtue of a relationship with a relevant sponsor, or has limited leave to enter or remain granted on that basis under paragraph EU3A of this Appendix; or</p> <p>(ii) relies on meeting condition 3 in the table in paragraph EU11A of this Appendix; or</p> <p>(iii) (aa) has limited leave to enter or remain granted under</p>
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	<p>paragraph EU3A of this Appendix; and</p> <p>(bb) would have been eligible for indefinite leave to enter or remain under condition 1, 2 or 3 in the table in paragraph EU11A of this Appendix, had they made a further valid application under this Appendix (subsequently to that which led to the grant of leave to which sub-paragraph (b)(iii)(aa) immediately above refers) before the indefinite or limited leave to enter or remain granted under paragraph EU2 or (as the case may be) EU3 to their relevant sponsor lapsed or was cancelled, curtailed, revoked or invalidated (or would have done so or been so, where the first sub-paragraph (b)(ii) above or subparagraph (b)(iii), (b)(iv)(bb)(bbb), (b)(iv)(bb)(ddd), (b)(v) or (b)(vi) above applies); for the purposes of this provision, the reference to continuous qualifying period in this sub-paragraph (b) will be treated as a relevant reference for the purposes of sub-paragraph (c)(v) of the entry for 'continuous qualifying period' in this table, where sub-paragraph (c)(i), (c)(ii), (c)(iii) or (c)(iv) of that entry does not apply</p>
required application process	<p>(a) for applications made within the Isle of Man the required paper application form posted on the Immigration Service webpage on the Isle of Man Government website <a href="https://www.gov.im/immigration">https://www.gov.im/immigration</a> and the relevant process set out in that form for—</p> <ul style="list-style-type: none"> <li>(i) providing the required proof of identity and nationality; and</li> <li>(ii) providing the required biometrics; or</li> </ul> <p>(b) for applications made from outside the UK and Islands, the relevant on-line application form found on the Gov.uk website and the relevant process set out in that form for—</p> <ul style="list-style-type: none"> <li>(i) providing the required proof of identity and nationality and (as the case may be) the required proof of entitlement to apply from outside the UK and Islands; and</li> <li>(ii) providing the required biometrics</li> </ul> <p>(c) for applications made from outside the UK and Islands where a paper application form has been issued individually to the applicant by the Secretary of State, via the relevant process for this set out on the gov.uk website, and a relevant process set out in that form for—</p> <ul style="list-style-type: none"> <li>(i) providing the required proof of identity and nationality or (as the case may be) the required proof of entitlement to apply from outside the UK and Islands; and</li> <li>(ii) providing the required biometrics</li> </ul>
required biometrics	a facial photograph of the applicant (within the meaning of "biometric information" in section 15 of the UK Borders Act 2007) provided in accordance with the required application process
required date	<p>(a) where the applicant does not have indefinite leave to enter or remain or limited leave to enter or remain granted under this Appendix)–</p> <ul style="list-style-type: none"> <li>(i) (where sub-paragraph (a)(ii), (a)(iii) or (a)(iv) below does not</li> </ul>

	<p>apply) the date of application is–</p> <p>(aa) before 1 July 2021; or</p> <p>(bb) (where the Minister is satisfied by information provided with the application that, at the date of application, there are reasonable grounds for the person’s failure to meet the deadline in sub-paragraph (a)(i)(aa) above) on or after 1 July 2021; or</p> <p>(ii) (in the case of a joining family member of a relevant sponsor and that joining family member arrived in the Isle of Man on or after 1 April 2021, and where sub-paragraph (a)(iii) below does not apply, or that joining family member is a child born in the Isle of Man on or after 1 April 2021 or adopted in the Isle of Man on or after that date in accordance with a relevant adoption decision, or on or after 1 April 2021 became a child in the Isle of Man within the meaning of the entry for “child” in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry) the date of application is–</p> <p>(aa) within 3 months of the date on which they arrived in the Isle of Man (or, as the case may be, of the date on which they were born in the Isle of Man, adopted in the Isle of Man or became a child in the Isle of Man within the meaning of the entry for “child” in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry); or</p> <p>(bb) (where the Minister is satisfied by information provided with the application that, at the date of application, there are reasonable grounds for the person’s failure to meet the deadline in sub-paragraph (a)(ii)(aa) above) after that deadline; or</p> <p>(iii) (in the case of a joining family member of a relevant sponsor as described in sub-paragraph (b) of that entry in this table and that joining family member arrived in the Isle of Man on or after 1 April 2021) the date of application is–</p> <p>(aa) within 3 months of the date on which they arrived in the Isle of Man, and before 1 January 2026; or</p> <p>(bb) (where the Minister is satisfied by information provided with the application that, at the date of application, there are reasonable grounds for the person’s failure to meet the deadline in sub-paragraph (a)(iii)(aa) above) after that deadline; or</p> <p>(iv) (in the case of a family member of a qualifying British citizen as described in sub-paragraph (a)(i), (a)(iii), (a)(v) or (a)(vi) of the entry for ‘family member of a qualifying British citizen’ in this table) the date of application is–</p> <p>(aa) before 2300 GMT on 29 March 2022; or</p> <p>(bb) (where the Minister is satisfied by information provided with the application that, at the date of application, there are reasonable grounds for the person’s failure to meet the deadline in sub-paragraph (a)(iv)(aa) above) after 2300 GMT on 29 March 2022; or</p> <p>(v) (in the case of an applicant who has limited leave to enter or</p>
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remain granted under another part of these Rules or outside the Immigration Rules, which has not lapsed or been cancelled, curtailed or invalidated, and the date of expiry of that leave is on or after 1 July 2021, which, notwithstanding the deadline in sub-paragraph (a)(i)(aa) above, the Minister will deem to be reasonable grounds for the person's failure to meet that deadline), the date of application is—

(aa) before the date of expiry of that leave; or

(bb) (where the Minister is satisfied by information provided with the application that, at the date of application, there are reasonable grounds for the person's failure to meet the deadline in sub-paragraph (a)(v)(aa) above) after the date of expiry of that leave; or

(vi) (in the case of an applicant who ceases to be exempt from immigration control in accordance with section 8(2), (3) or (4) of the Immigration Act 1971 on or after 1 July 2021, which, notwithstanding the deadline applicable under sub-paragraph (a)(i)(aa), (a)(ii)(aa) or (a)(iii)(aa) above, the Minister will deem to be reasonable grounds for the person's failure to meet that deadline), the date of application is—

(aa) within the period of 90 days beginning on the day on which they ceased to be exempt from immigration control; or

(bb) (where the Minister is satisfied by information provided with the application that, at the date of application, there are reasonable grounds for the person's failure to meet the deadline in sub-paragraph (a)(vi)(aa) above) after that deadline; or

(b) where the applicant has limited leave to enter or remain granted under this Appendix, which has not lapsed or been cancelled, curtailed or invalidated, the date of application is—

(i) before the date of expiry of that leave; or

(ii) (where the Minister is satisfied by information provided with the application that, at the date of application, there are reasonable grounds for the person's failure to meet the deadline in sub-paragraph (b)(i) above) after the date of expiry of that leave in addition, for the avoidance of doubt, paragraph 39E of these Rules does not apply to applications made under this Appendix

in addition—

(a) for the avoidance of doubt, paragraph 39E of these Rules does not apply to applications made under this Appendix; and

(b) the deadline in sub-paragraph (a)(i)(aa) above does not apply (and the applicant therefore has to meet no requirement under sub-paragraph (a) above) where the applicant—

(i) is a joining family member of a relevant sponsor; and

(ii) does not have indefinite leave to enter or remain or limited leave to enter or remain granted under this Appendix; and

	<p>(iii) is not caught by the deadline in sub-paragraph (a)(ii)(aa) or (a)(iii)(aa) above; and</p> <p>(iv) does not fall within sub-paragraph (a)(v) or (a)(vi) above</p>
<p>required evidence of being a relevant person of Northern Ireland</p>	<p>(a) the person's birth certificate showing that they were born in Northern Ireland, or their passport where this shows that they were born in Northern Ireland; and</p> <p>(b) evidence which satisfies the Minister that, at the time of the person's birth, at least one of their parents was—</p> <p>(i) a British citizen; or</p> <p>(ii) an Irish citizen; or</p> <p>(iii) a British citizen and an Irish citizen; or</p> <p>(iv) otherwise entitled to reside in Northern Ireland without any restriction on their period of residence</p> <p>in addition—</p> <p>(a) where, in order to meet the requirements of this entry, the applicant submits a copy (and not the original) of a document (including by uploading this as part of the required application process), the Minister can require the applicant to submit the original document where the Minister has reasonable doubt as to the authenticity of the copy submitted; and</p> <p>(b) where, in order to meet the requirements of this entry, the applicant submits a document which is not in English, the Minister can require the applicant to provide a certified English translation of the document, where this is necessary for the purposes of deciding whether the applicant meets the eligibility requirements for indefinite leave to enter or remain or for limited leave to enter or remain under this Appendix</p>
<p>required evidence of family relationship</p>	<p>in the case of—</p> <p>(a) a spouse without a documented right of permanent residence –</p> <p>(i) a relevant document as the spouse of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen or of the relevant sponsor), or a valid document of record of a marriage recognised under the law of the Isle of Man or under the laws of England and Wales, Scotland, Northern Ireland or the Channel Islands; and</p> <p>(ii) (aa) where the marriage to the relevant EEA citizen (or, as the case may be, the relevant sponsor) was contracted after the specified date and the applicant is not the specified spouse or civil partner of a Swiss citizen, a relevant document as the durable partner of the relevant EEA citizen or, where the applicant is the joining family member of a relevant sponsor or relies on the relevant EEA citizen being a relevant person of Northern Ireland, there is evidence which satisfies the Minister that the durable partnership was formed and was durable before the specified date; or</p> <p>(bb) where the marriage to the qualifying British citizen was</p>



	<p>contracted after the date and time of withdrawal, evidence which satisfies the Minister that the durable partnership was formed and was durable before the date and time of withdrawal; or</p> <p>(b) a civil partner without a documented right of permanent residence –</p> <p>(i) a relevant document as the civil partner of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen or of the relevant sponsor); a valid civil partnership certificate recognised under the law of the Isle of Man or under the laws of England and Wales, Scotland, Northern Ireland or the Channel Islands; or a valid overseas registration document for a relationship which is entitled to be treated as a civil partnership under the Civil Partnership Act 2011 or under any equivalent legislation in the UK or Channel Islands; and</p> <p>(ii) (aa) where the civil partnership with the relevant EEA citizen (or, as the case may be, the relevant sponsor) was formed after the specified date and the applicant is not the specified spouse or civil partner of a Swiss citizen, a relevant document as the durable partner of the relevant EEA citizen or, where the applicant is a joining family member of a relevant sponsor or relies on the relevant EEA citizen being a relevant person of Northern Ireland, there is evidence which satisfies the Minister that the durable partnership was formed and was durable before the specified date; or</p> <p>(bb) where the civil partnership with the qualifying British citizen was formed after the date and time of withdrawal, evidence which satisfies the Minister that the durable partnership was formed and was durable before the date and time of withdrawal; or</p> <p>(c) a child without a documented right of permanent residence – a relevant document issued on the basis of the relevant family relationship or their <b>evidence of birth</b>; and—</p> <p>(i) where the applicant is aged 21 years or over and was not previously granted limited leave to enter or remain under this Appendix (or under its equivalent in the UK or Channel Islands) as a child, evidence which satisfies the Minister that the requirements in sub-paragraph (b)(ii) of the entry for “child” in this table are met; and</p> <p>(ii) where, in the case of a joining family member of a relevant sponsor, the applicant is a child born after the specified date or adopted after that date in accordance with a relevant adoption decision, or after the specified date became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry, evidence which satisfies the Minister that the requirements in the second sub-paragraph (c) (as set out in sub-paragraph (i), (ii) or (iii) of that sub-paragraph) or in the second sub-paragraph (d) of the entry for “joining family member of a relevant sponsor” in this table are met; or</p> <p>(d) a dependent parent without a documented right of permanent residence – a relevant document issued on the basis of the relevant family relationship or their evidence of birth, and, where the first sub-</p>
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paragraph (b) of the entry for “dependent parent” in this table applies, evidence which satisfies the Minister that (where this is not assumed) the requirement as to dependency in that sub-paragraph is met; or

(e) a durable partner—

(i) a relevant document as the durable partner of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen or of the relevant sponsor) and, unless this confirms the right of permanent residence in the Isle of Man under regulation 17 of the EEA Regulations (or the right of permanent residence in the UK or Channel Islands under the Immigration (European Economic Area) Regulations 2016 of Parliament) or through the application there of section 7(1) of the Immigration Act 1988), evidence which satisfies the Minister that the partnership remains durable at the date of application (or did so for the period of residence relied upon); or

(ii) (where the person is applying as the durable partner of a relevant sponsor (or, as the case may be, of a qualifying British citizen) and sub-paragraph (b)(ii) of the entry for “durable partner” in this table applies) the evidence to which that sub-paragraph refers, and evidence which satisfies the Minister that the partnership remains durable at the date of application (or did so for the period of residence relied upon); or

(f) a dependent relative –

(i) (where sub-paragraph (f)(ii) below does not apply) a relevant document as the dependent relative of their sponsoring person (in the entry for ‘dependent relative’ in this table) and, unless this confirms the right of permanent residence in the Isle of Man under regulation 17 of the EEA Regulations (or the right of permanent residence in the UK or Channel Islands under the Immigration (European Economic Area) Regulations 2016 of Parliament) or through the application there of section 7(1) of the Immigration Act 1988), evidence which satisfies the Minister that the relationship and the dependency (or, as the case may be, their membership of the household or their strict need for personal care on serious health grounds) continue to exist at the date of application (or did so for the period of residence relied upon); or

(ii) (in the case of a family member of a qualifying British citizen as described in sub-paragraph (a)(viii) of that entry in this table, where the Minister is satisfied that there are reasonable grounds for the person’s failure to meet the deadline to which that sub-paragraph refers) evidence which satisfies the Minister that the relationship and the dependency (or, as the case may be, their membership of the household or their strict need for personal care on serious health grounds) existed before the specified date and continue to exist at the date of application (or did so for the period of residence relied upon)

in addition—

(a) where the eligibility requirements to be met for leave to be granted under this Appendix relate to the death of a person, the required evidence of family relationship must include their death certificate or other evidence which the Minister is satisfied evidences the death; and

(b) where the applicant is a non-EEA citizen without a documented right

of permanent residence, or is an EEA citizen without a documented right of permanent residence who relies on being (or, as the case may be, for the relevant period on having been) a family member of a qualifying British citizen (or, as the case may be, a family member of a relevant EEA citizen, a family member who has retained the right of residence or a joining family member of a relevant sponsor), the required evidence of family relationship must include—

(i) the following proof of identity and nationality of (as the case may be) the relevant EEA citizen, the qualifying British citizen or the relevant sponsor, of whom the applicant is (or, as the case may be, for the relevant period was) a family member or (as the case may be) a joining family member—

(aa) (in the case of a relevant EEA citizen who is neither a relevant naturalised British citizen nor a relevant EEA citizen as described in sub-paragraph (d) of the applicable entry in this table nor relied on by the applicant as being a relevant person of Northern Ireland, in the case of a qualifying British citizen, or in the case of a relevant sponsor who is neither a relevant naturalised British citizen nor relied on by the applicant as being a relevant person of Northern Ireland) their valid passport; or

(bb) (in the case of a relevant EEA citizen who is neither a relevant naturalised British citizen nor a relevant EEA citizen as described in sub-paragraph (d) of the applicable entry in this table nor relied on by the applicant as being a relevant person of Northern Ireland, or in the case of a relevant sponsor who is neither a relevant naturalised British citizen nor relied on by the applicant as being a relevant person of Northern Ireland) their valid national identity card or confirmation that they have been or are being granted indefinite leave to enter or remain under paragraph EU2 of this Appendix or limited leave to enter or remain under paragraph EU3; or

(cc) (in the case of a relevant EEA citizen who is a relevant naturalised British citizen or who is a relevant EEA citizen as described in sub-paragraph (d) of the applicable entry in this table, or in the case of a relevant sponsor who is a relevant naturalised British citizen) their valid passport or their valid national identity card as a national of a country listed in sub-paragraph (a)(i) in the entry for 'EEA citizen' in this table, and information or evidence which is provided by the applicant, or is otherwise available to the Minister, which satisfies the Minister that the person is a British citizen; or

(dd) (in the case of a relevant EEA citizen or a relevant sponsor who, in either case, is relied on by the applicant as being a relevant person of Northern Ireland) the **required evidence of being a relevant person of Northern Ireland**, and—

(aaa) (where they are a British citizen) information or evidence which is provided by the applicant, or is otherwise available to the Minister, which satisfies the Minister that the person is a British citizen; or

(bbb) (where they are an Irish citizen) their valid passport

or their valid national identity card as an Irish citizen, or confirmation that they have been or are being granted indefinite leave to enter or remain under paragraph EU2 of this Appendix or limited leave to enter or remain under paragraph EU3; or

(ccc) (where they are a British citizen and an Irish citizen, and are not relied on by the applicant as being a specified relevant person of Northern Ireland) the evidence required by sub-paragraph (b)(i)(dd)(aaa) or (b)(i)(dd)(bbb) above,

unless (in any case) the Minister agrees to accept alternative evidence of identity and nationality where the applicant is unable to obtain or produce the required document due to circumstances beyond their control or to compelling practical or compassionate reasons; and

(ii) evidence which satisfies the Minister that—

(aa) where the applicant is (or, as the case may be, for the relevant period was) a family member of a relevant EEA citizen, that EEA citizen is (or, as the case may be, for the relevant period was) a relevant EEA citizen as described in the applicable entry for “relevant EEA citizen” in this table, and is (or, as the case may be, was) such a relevant EEA citizen throughout any continuous qualifying period on which the applicant relies as being a family member of a relevant EEA citizen; or

(bb) where the applicant is (or, as the case may be, for the relevant period was) a family member of a qualifying British citizen, that British citizen is (or, as the case may be, for the relevant period was) a qualifying British citizen, and is (or, as the case may be, was) a qualifying British citizen throughout any continuous qualifying period on which the applicant relies as being a family member of a qualifying British citizen; or

(cc) where the applicant is (or, as the case may be, for the relevant period was) a joining family member of a relevant sponsor, that relevant sponsor is (or, as the case may be, for the relevant period was) a relevant sponsor, and is (or, as the case may be, was) a relevant sponsor throughout any continuous qualifying period on which the applicant relies as being a joining family member of a relevant sponsor; and

(c) ‘valid’ here means, in respect of a document, that it is genuine and has not expired or been cancelled or invalidated; and

(d) where, in order to meet the requirements of this entry, the applicant submits a copy (and not the original) of a document (including by uploading this as part of the required application process), the Minister can require the applicant to submit the original document where the Minister has reasonable doubt as to the authenticity of the copy submitted; and

(e) where, in order to meet the requirements of this entry, the applicant submits a document which is not in English, the Minister can require the applicant to provide a certified English translation of the document, where this is necessary for the purposes of deciding whether the applicant meets the eligibility requirements for indefinite leave to enter

	or remain or for limited leave to enter or remain under this Appendix
required proof of entitlement to apply from outside the UK and Islands	<p>(a) in the case of an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table)—</p> <p>(i) their valid passport; or</p> <p>(ii) their valid national identity card, where this contains an interoperable biometric chip;</p> <p>unless the Minister agrees to accept alternative evidence of entitlement to apply from outside the UK and Islands where the applicant is unable to obtain or produce the required document due to circumstances beyond their control or to compelling practical or compassionate reasons; or</p> <p>(b) in the case of a non-EEA citizen, their valid specified relevant document,</p> <p>unless the Minister agrees to accept alternative evidence of entitlement to apply from outside the UK and Islands where the applicant is unable to produce the required document due to circumstances beyond their control or to compelling practical or compassionate reasons</p> <p>in addition, 'valid' here means that the document is genuine and has not expired or been cancelled or invalidated</p>
required proof of identity and nationality	<p>(a) in the case of an EEA citizen making an application within the Isle of Man—</p> <p>(i) their valid passport; or</p> <p>(ii) their valid national identity card; or</p> <p>(b) in the case of a non-EEA citizen making an application within the Isle of Man—</p> <p>(i) their valid passport; or</p> <p>(ii) their valid specified relevant document; or</p> <p>(iii) their valid biometric immigration document (as defined in section 5 of the UK Borders Act 2007),</p> <p>unless (in the case of (a) or (b)) the Minister agrees to accept alternative evidence of identity and nationality where the applicant is unable to obtain or produce the required document due to circumstances beyond their control or to compelling practical or compassionate reasons</p> <p>unless (in the case of (a) or (b)) the Minister agrees to accept alternative evidence of identity and nationality where the applicant is unable to obtain or produce the required document due to circumstances beyond their control or to compelling practical or compassionate reasons</p> <p>in addition, "valid" here means that the document is genuine and has not expired or been cancelled or invalidated</p>
residence of a child	the child normally lives with the applicant or does so part of the time, and includes arrangements agreed informally and those which are subject to a court order for determining with whom the child is to live and when

self-employed person	<p>there is evidence which satisfies the Minister that the person is, or (as the case may be) for the relevant period was, either—</p> <p>(a) a self-employed person as defined in regulation 5(1) of the EEA Regulations; or</p> <p>(b) a person who is or was no longer in self-employment but who continues or continued to be treated as a self-employed person within the meaning of "qualified person" under regulation 7 of the EEA Regulations,</p> <p>irrespective, in either case, of whether the EEA Regulations apply, or (as the case may be) for the relevant period applied, to that person where the person is, or (as the case may be) was, a relevant person of Northern Ireland</p>
specified date	<p>(a) (where sub-paragraph (b) below does not apply) 23:00 GMT on 31 December 2020; or</p> <p>(b) (in the case of a family member of a qualifying British citizen as described in sub-paragraph (a)(i), (a)(iii), (a)(v) or (a)(vi) of the entry for 'family member of a qualifying British citizen' in this table) 23:00 on 29 March 2022 in the reference to specified date in sub-paragraph (a) of the entry for 'continuous qualifying period' in this table, for the purposes of the references to continuous qualifying period in—</p> <ul style="list-style-type: none"> <li>- condition 3 in the table in paragraph EU12 of this Appendix;</li> <li>- condition 2 in the table in paragraph EU14 of this Appendix;</li> <li>- sub-paragraphs (a) and (d) of the entry for 'family member who has retained the right of residence' in this table; and</li> <li>-sub-paragraph (a) of the entry for 'supervening event' in this table</li> </ul>
specified relevant document	<p>(a) within the meaning of sub-paragraph (a)(i)(aa) of the entry for 'relevant document' in this table, a document certifying an extended right of residence, a document certifying a permanent right of residence or a document certifying a derivative right of residence issued by the Isle of Man under the EEA Regulations; or</p> <p>(b) a document as described in paragraph (a)(iii) of the entry for 'relevant document' in this table</p>
specified relevant person of Northern Ireland	<p>(a) the person is a relevant person of Northern Ireland in accordance with sub-paragraph (a)(i) or (a)(iii) of that entry in this table;</p> <p>(b) the applicant is a non-EEA citizen; and</p> <p>(c) (i) (aa) the applicant is a joining family member of a relevant sponsor where the person is their relevant sponsor; and</p> <p>(bb) the applicant has satisfied the Minister by relevant information or evidence provided with the application that, due to compelling practical or compassionate reasons, it was not possible for the person to return to the Isle of Man before the specified date while the applicant remained outside the Isle of Man; or</p> <p>(ii) (aa) the applicant is a dependent relative and the person is their sponsoring person (in the entry for 'dependent relative' in</p>

	<p>this table); and</p> <p>(bb) the applicant relies, as their relevant document as the dependent relative of their sponsoring person (as described in sub-paragraph (a)(iv) of the entry for 'relevant document' in this table), on an EU Settlement Scheme Family Permit granted to them under Appendix EU (Family Permit) to these Rules as a "dependent relative of a specified relevant person of Northern Ireland", as defined in Annex 1 to that Appendix</p>
specified spouse or civil partner of a Swiss citizen	<p>(a) the person is the spouse or civil partner of a relevant sponsor; and</p> <p>(b) the relevant sponsor is a national of Switzerland and is not also a British citizen; and</p> <p>(c) the marriage was contracted or the civil partnership was formed after the specified date and before 1 January 2026; and</p> <p>(d) (i) (unless the applicant relies on meeting condition 1 or condition 3 of paragraph EU11A of this Appendix, or on being a family member who has retained the right of residence by virtue of a relationship with a relevant sponsor) the marriage or civil partnership continues to exist at the date of application; or</p> <p>(ii) (where the applicant relies on meeting condition 1 of paragraph EU11A of this Appendix) the marriage or civil partnership existed for the relevant period; or</p> <p>(iii) (where the applicant relies on meeting condition 3 of paragraph EU11A of this Appendix) the marriage or civil partnership existed immediately before the death of the relevant sponsor</p>
spouse	<p>(a) the person is, or (as the case may be) for the relevant period was, party to a marriage with a relevant EEA citizen (or, as the case may be, with a qualifying British citizen or with a relevant sponsor) and the marriage is recognised under the law of the Isle of Man or under the laws of England and Wales, Scotland, Northern Ireland or the Channel Islands; and</p> <p>(b) it is, or (as the case may be) for the relevant period was, not a marriage of convenience; and</p> <p>(c) neither party has, or (as the case may be) for the relevant period had, another spouse, a civil partner or an durable partner with (in any of those circumstances) immigration status in the Isle of Man or in the UK or Channel Islands based on that person's relationship with that party</p>
supervening event	<p>at the date of application—</p> <p>(a) the applicant has been absent from the UK and Islands for a period of more than 5 consecutive years (at any point since they last acquired the right of permanent residence in the Isle of Man under regulation 17 of the EEA Regulations, or the right of permanent residence in the UK or Channel Islands under the Immigration (European Economic Area) Regulations 2016 (of Parliament) or through the application there of section 7(1) of the Immigration Act 1988, or since they last completed a continuous qualifying period of 5 years); or</p> <p>(b) any of the following events has occurred in respect of the person,</p>

	<p>unless it has been set aside or revoked—</p> <p>(i) any decision or order to exclude or remove under regulation 24 or 33 of the EEA Regulations (or under the equivalent provisions of the Immigration (European Economic Area) Regulations 2016 (of Parliament)); or</p> <p>(ii) a decision to which regulation 17(4) of the EEA Regulations otherwise refers, unless that decision arose from a previous decision under regulation 25(1) of the EEA Regulations (or the equivalent decision, subject to the equivalent qualification, under the Immigration (European Economic Area) Regulations 2016 (of Parliament)); or</p> <p>(iii) an exclusion decision; or</p> <p>(iv) a deportation order, other than by virtue of the EEA Regulations; or</p> <p>(v) a UK or CI deportation order; or</p> <p>(vi) a UK or CI exclusion decision</p>
termination of the marriage or civil partnership	the date on which the order finally terminating the marriage or civil partnership is made by a court
UK and Islands	the United Kingdom, the Isle of Man and the Channel Islands taken together
UK or CI deportation order	<p>a deportation order as defined in paragraph 3(6) of Schedule 4 to the Immigration Act 1971 that was made—</p> <p>(a) in respect of conduct committed after the specified date; or</p> <p>(b) in respect of conduct committed by the person before the specified date, where the Minister is satisfied that the order is justified on the grounds of public policy, public security or public health in accordance with regulation 28 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that in regulation 28 for “with a right of permanent residence under regulation 17” and “has a right of permanent residence under regulations 17” read “who meets the requirements of paragraph EU11 or EU12 of Appendix EU to the Immigration Rules”; and for “an EEA decision” read “a deportation decision”)</p>
UK or CI exclusion decision	<p>a direction given by the relevant authority in the UK or Channel Islands that a person must be excluded from the jurisdiction concerned—</p> <p>(a) in respect of conduct committed after the specified date; or</p> <p>(b) in respect of conduct committed by the person before the specified date, where the Minister is satisfied that the order is justified on the grounds of public policy, public security or public health in accordance with regulation 28 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that in regulation 28 for “with a right of permanent residence under regulation 17” and “has a right of permanent residence under regulations 17” read “who meets the requirements of paragraph EU11 or EU12 of Appendix EU to the Immigration Rules”; and for “an EEA decision” read “an exclusion</p>



	direction")
UK or the Channel Islands	the United Kingdom or the Bailiwick of Jersey or the Bailiwick of Guernsey
valid evidence of their indefinite leave to enter or remain	<p>(a) a valid biometric immigration document (as defined in section 5 of the UK Borders Act 2007), a valid stamp or endorsement in a passport (whether or not the passport has expired) or other valid document issued by the Minister, Home Office or relevant Channel Island Authority, confirming that the applicant has indefinite leave to enter or remain in the Isle of Man or in the UK or Channel Islands, which has not lapsed or been revoked or invalidated; or</p> <p>(b) the Minister is otherwise satisfied from the evidence or information available to him or her that the applicant has indefinite leave to enter or remain in the Isle of Man or in the UK or Channel Islands, which has not lapsed or been revoked or invalidated</p>
worker	<p>there is evidence which satisfies the Minister that the person is, or (as the case may be) for the relevant period was, either—</p> <p>(a) a worker as defined in regulation 5(1) of the EEA Regulations; or</p> <p>(b) a person who is or was no longer working but who continues or continued to be treated as a worker within the meaning of "qualified person" under regulation 7 of the EEA Regulations,</p> <p>irrespective, in either case, of whether the EEA Regulations apply, or (as the case may be) for the relevant period applied, to that person where the person is, or (as the case may be) was, a relevant person of Northern Ireland</p>

## **Annex 2 – Consideration of a valid application**

A2.1. A valid application made under this Appendix will be decided on the basis of—

- (a) the information and evidence provided by the applicant, including in response to any request for further information or evidence made by the Minister; and
- (b) any other information or evidence made available to the Minister (including from other government departments) at the date of decision.

A2.2. (a) For the purposes of deciding whether the applicant meets the eligibility requirements for indefinite leave to enter or remain or for limited leave to enter or remain, the Minister request that the applicant—

- (i) provide further information or evidence that he or she meet those requirements; or
  - (ii) be interviewed by the Minister in person, or by telephone.
- (b) If the applicant purports to meet the eligibility requirements for indefinite leave to enter or remain or for limited leave to enter or remain on the basis of a relationship with another person ("P"), including where P is a qualifying British citizen or a relevant sponsor, the Minister may request that P—
- (i) provide information or evidence about their relationship with the applicant, their residence in the Isle of Man or, where P is a qualifying British citizen, their residence in a country listed in the entry for "EEA citizen" in the table at Annex 1 to this Appendix; or
  - (ii) be interviewed by the Minister in person, by telephone.
- (c) If the applicant or (as the case may be) P—

- (i) fails within a reasonable timeframe specified in the request to provide the information or evidence requested; or
- (ii) on at least 2 occasions, fails to comply with a request to attend an interview in person or with other arrangements to be interviewed,

the Minister may draw any factual inferences about whether the applicant meets the eligibility requirements for indefinite leave to enter or remain or for limited leave to enter or remain as appear appropriate in the circumstances.

- (d) The Minister may decide following the drawing of a factual inference under sub-paragraph (3), that the applicant does not meet the eligibility requirements for indefinite leave to enter or remain or for limited leave to enter or remain.
- (e) The Minister must not decide that the applicant does not meet the eligibility requirements for indefinite leave to enter or remain or for limited leave to enter or remain on the sole basis that the applicant or (as the case may be) P failed on at least 2 occasions to comply with an invitation to be interviewed.

### **Annex 3 – Cancellation, curtailment and revocation of leave to enter or remain**

A3.1. A person's indefinite leave to enter or remain or limited leave to enter or remain granted under this Appendix must be cancelled on or before their arrival in the Isle of Man where the person's presence in the Isle of Man is not conducive to the public good because of conduct committed after the specified date.

A3.2. A person's indefinite leave to enter or remain or limited leave to enter or remain granted under this Appendix may be cancelled on or before their arrival in the Isle of Man where the Minister or an Immigration Officer is satisfied that it is proportionate to cancel that leave where–

- (a) the cancellation is justified on grounds of public policy, public security or public health in accordance with regulation 28 of the Immigration (European Economic Area) Regulations 2019, irrespective of whether the EEA Regulations apply to that person (except that for "a right of permanent residence under regulation 17" read "indefinite leave to enter or remain or who would be granted indefinite leave to enter or remain if they made a valid application under this Appendix"; and for "an EEA decision" read "a decision under paragraph A3.2.(a) of Annex 3 to Appendix EU to the Immigration Rules"); or
- (b) the cancellation is justified on grounds that, in relation to the relevant application under this Appendix, and whether or not to the applicant's knowledge, false or misleading information, representations or documents were submitted (including false or misleading information submitted to any person to obtain a document used in support of the application); and the information, representation or documentation was material to the decision to grant the applicant leave to enter or remain under this Appendix.

A3.3. A person's limited leave to enter or remain granted under this Appendix may be cancelled on or before their arrival in the Isle of Man where the Minister or an Immigration Officer is satisfied that it is proportionate to cancel that leave where they cease to meet the requirements of this Appendix.

A3.4. A person's limited leave to enter or remain granted under this Appendix may be curtailed where the Minister is satisfied that it is proportionate to curtail that leave where–

- (a) curtailment is justified on grounds that, in relation to the relevant application under this Appendix, and whether or not to the applicant's knowledge, false or misleading information, representations or documents were submitted (including false or misleading information submitted to any person to obtain a document used in support of the application); and the information, representation or documentation was material to the decision to grant the applicant leave to enter or remain under this Appendix;
- (b) curtailment is justified on grounds that it is more likely than not that, after the specified date, the person has entered, attempted to enter or assisted another person to enter or to attempt to enter, a marriage, civil partnership or durable partnership of convenience; or

(c) the person ceases to meet the requirements of this Appendix.

A3.5. A person's indefinite leave to enter or remain granted under this Appendix may be revoked where the Minister is satisfied that it is proportionate to revoke that leave where—

- (a) the person is liable to deportation, but cannot be deported for legal reasons; or
- (b) the indefinite leave to enter or remain was obtained by deception.

**Appendix EU (Family Permit)****Purpose**

FP1. This Appendix sets out the basis on which a person will, if they apply under it, be granted an entry clearance—

- (a) in the form of an EU Settlement Scheme Family Permit – to join a **relevant EEA citizen** or a **qualifying British citizen** in the Isle of Man or to accompany them to the Isle of Man; or
- (b) in the form of an EU Settlement Scheme Travel Permit – to travel to the Isle of Man.

FP2. This Appendix has effect in connection with the granting of entry clearance for the purposes of acquiring leave to enter or remain in the Isle of Man by virtue of Appendix EU to these Rules.

**Requirements and procedure**

FP3. The applicant will be granted an entry clearance under this Appendix, valid for the **relevant period**, by an immigration officer or entry clearance officer where—

- (a) a valid application has been made in accordance with paragraph FP4;
- (b) the applicant meets the eligibility requirements in paragraph FP6(1), (2) or (3); and
- (c) the application is not to be refused on grounds of suitability in accordance with paragraph FP7.

FP4. A valid application has been made under this Appendix where—

- (a) it has been made using the **required application process**;
- (b) the **required proof of identity and nationality** has been provided; and
- (c) the **required biometrics** have been provided.

FP5. An application will be rejected as invalid where it does not meet the requirements in paragraph FP4(a) and (b), and will not be considered where it does not meet the requirement in paragraph FP4(c).

FP6. (1) The applicant meets the eligibility requirements for an entry clearance to be granted under this Appendix in the form of an EU Settlement Scheme Family Permit, where the immigration officer or entry clearance officer is satisfied that at the **date of application**—

- (a) the applicant is a **specified EEA citizen** or a **non-EEA citizen**;
- (b) the applicant is a **family member of a relevant EEA citizen**;
- (c) the relevant EEA citizen is resident in the Isle of Man or will be travelling to the Isle of Man with the applicant within 6 months of the date of application;
- (d) the applicant will be accompanying the relevant EEA citizen to the Isle of Man (or joining them in the Isle of Man) within 6 months of the date of application; and
- (e) the applicant (“A”) is not the **spouse, civil partner or durable partner** of a relevant EEA citizen (“B”) where a spouse, civil partner or durable partner of A or B has been granted an entry clearance under this Appendix, holds a valid EEA family permit issued under regulation 14 of the **EEA Regulations** or has been granted leave to enter or remain in the Isle of Man in that capacity under or outside the Immigration Rules.

(2) The applicant meets the eligibility requirements for an entry clearance to be granted under this Appendix in the form of an EU Settlement Scheme Family Permit, where the immigration officer or entry clearance officer is satisfied that at the date of application—

- (a) the applicant is a specified EEA citizen or a non-EEA citizen;
- (b) the applicant is a **family member of a qualifying British citizen**;

- (c) the qualifying British citizen is resident in the Isle of Man or will be travelling to the Isle of Man with the applicant within 6 months of the date of application;
  - (d) the applicant will be accompanying the qualifying British citizen to the Isle of Man (or joining them in the Isle of Man) within 6 months of the date of application; and
  - (e) the applicant ("A") is not the spouse, civil partner or durable partner of a qualifying British citizen ("B") where a spouse, civil partner or durable partner of A or B has been granted an entry clearance under this Appendix, holds a valid EEA family permit issued under regulation 14 of the EEA Regulations or has been granted leave to enter or remain in the Isle of Man in that capacity under or outside the Immigration Rules;
- (3) The applicant meets the eligibility requirements for an entry clearance to be granted under this Appendix in the form of an EU Settlement Scheme Travel Permit, where the entry clearance officer is satisfied that at the date of application—
- (a) the applicant is a non-EEA citizen;
  - (b) the applicant has been granted indefinite leave to enter or remain or limited leave to enter or remain under Appendix EU to these Rules, which has not lapsed or been cancelled, curtailed, revoked or invalidated and which is evidenced by the Isle of Man reference number for that grant of leave;
  - (c) the applicant—
    - (i) has been issued with a **relevant document** by the Isle of Man under the EEA Regulations by virtue of having been granted leave under Appendix EU to these Rules; and
    - (ii) has reported to the Isle of Man Immigration Service that that document has been lost or stolen or has expired; and
  - (d) the applicant will be travelling to the Isle of Man within 6 months of the date of application.
- FP7. (1) An application made under this Appendix will be refused on grounds of suitability where any of the following apply at the date of decision –
- (a) the applicant is subject to a deportation order or to a decision to make a deportation order; or
  - (b) the applicant is subject to an exclusion order or exclusion decision.
- (2) An application made under this Appendix will be refused on grounds of suitability where the applicant's presence in the Isle of Man is not conducive to the public good because of conduct committed after the specified date.
- (3) An application made under this Appendix may be refused on grounds of suitability where any of the following apply at the date of decision—
- (a) the applicant is subject to a UK or CI deportation order; or
  - (b) the applicant is subject to a UK or CI exclusion decision.
- (4) An application made under this Appendix may be refused on grounds of suitability where, at the date of decision, the immigration officer or entry clearance officer is satisfied that—
- (a) it is proportionate to refuse the application where, in relation to the application and whether or not to the applicant's knowledge, false or misleading information, representations or documents have been submitted (including false or misleading information submitted to any person to obtain a document used in support of the application); and the information, representation or documentation is material to the decision whether or not to grant the applicant an entry clearance under this Appendix; or
  - (b) (i) the applicant—

- (aa) has previously been refused admission to the Isle of Man in accordance with regulation 24(1) of the EEA Regulations; or
  - (bb) had indefinite leave to enter or remain or limited leave to enter or remain granted under Appendix EU to these Rules (or limited leave to enter granted by virtue of having arrived in the Isle of Man with an entry clearance that was granted under this Appendix) which was cancelled under paragraph 321B(b)(i) or 321B(b)(ii) of these Rules, under paragraph A3.3. or A3.4.(a) of Annex 3 to this Appendix or under paragraph A3.1. or A3.2.(a) of Annex 3 to Appendix EU; and
- (ii) the refusal of the application is justified either–
- (aa) in respect of the applicant’s conduct committed before the specified date, on grounds of public policy, public security or public health in accordance with regulation 28 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that in regulation 28 for “with a right of permanent residence under regulation 17” and “has a right of permanent residence under regulation 17” read “who has indefinite leave to enter or remain or who meets the requirements of paragraph EU11, EU11A or EU12 of Appendix EU to the Immigration Rules”; and for “an EEA decision” read “a decision under paragraph FP7(4)(b) of Appendix EU (Family Permit) to the Immigration Rules”), and it is proportionate to refuse the application; or
  - (bb) in respect of conduct committed after the specified date, on the ground that the decision is conducive to the public good.
- (5) The references in this paragraph to an order or decision to which the applicant is subject do not include an order or decision which, at the date of decision on their application under this Appendix, has been set aside or revoked.

FP8. A valid application made under this Appendix which does not meet the requirements for an entry clearance to be granted will be refused.

FP9. (1) Annex 1 sets out definitions which apply to this Appendix. Any provision made elsewhere in the Immigration Rules for those terms, or for other matters for which this Appendix makes provision, does not apply to an application made under this Appendix.

(2) Where this Appendix requires that a document, card or other evidence is valid (or that it remained valid for the period of residence relied upon), or has not been cancelled or invalidated or has not ceased to be effective, it does not matter that the person concerned no longer has the right to enter or reside under the EEA Regulations (or under the equivalent provision in the UK or Channel Islands), on which basis the document, card or other evidence was issued, by virtue of the revocation of those Regulations (or equivalent provision in the UK or Channel Islands).

FP10. Annex 2 applies to the consideration by the immigration officer or entry clearance officer of a valid application made under this Appendix.

FP11. Annex 3 applies in respect of the cancellation and curtailment of leave to enter granted by virtue of having arrived in the Isle of Man with an entry clearance that was granted under this Appendix.

### **Annex 1 – Definitions**

<b>Term</b>	<b>Definition</b>
adopted child	a <b>child</b> adopted in accordance with a <b>relevant adoption decision</b>
child	(a) the direct descendant under the age of 21 years of a relevant EEA citizen (or, as the case may be, of a qualifying British citizen) or of their spouse or civil partner; or  (b) (i) the direct descendant aged 21 years or over of a relevant EEA citizen (or, as the case may be, of a qualifying British citizen) or of

	<p>their spouse or civil partner; and</p> <p>(ii) (aa) dependent on the relevant EEA citizen or on their spouse or civil partner—</p> <p style="padding-left: 40px;">(aaa) (where sub-paragraph (b)(ii)(aa)(bbb) below does not apply) at the date of application; or</p> <p style="padding-left: 40px;">(bbb) (where the date of application is after the specified date and where the applicant is not a <b>joining family member</b>) at the specified date; or</p> <p>(bb) dependent on the qualifying British citizen (or on their spouse or civil partner) at the date of application or, where the date of application is after the specified date, at the specified date</p> <p>“dependent” here means that—</p> <p>(a) having regard to their financial and social conditions, or health, the applicant cannot meet their essential living needs (in whole or in part) without the financial or other material support of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen) or of their spouse or civil partner; and</p> <p>(b) such support is being provided to the applicant by the relevant EEA citizen (or, as the case may be, by the qualifying British citizen) or by their spouse or civil partner; and</p> <p>(c) there is no need to determine the reasons for that dependence or for the recourse to that support</p> <p>in addition—</p> <p>(a) ‘child’ includes—</p> <p style="padding-left: 40px;">(i) an <b>adopted child</b> of; or</p> <p style="padding-left: 40px;">(ii) a child born through surrogacy (where recognised under the law of the Isle of Man or in the UK or Channel Islands) for; or</p> <p style="padding-left: 40px;">(iii) a child in respect of whom a special guardianship order (within the meaning of section 17A of the Children and Young Persons Act 2001) has been made appointing as his or her special guardian; or</p> <p style="padding-left: 40px;">(iv) a child in respect of whom an order has been made under sections 6 or 7 of the Children and Young Persons Act 2001 appointing as his or her guardian; or</p> <p style="padding-left: 40px;">(v) a child in respect of whom a special guardianship order (within the meaning of section 14A(1) of the Children Act 1989 (of Parliament)) is in force appointing as his or her special guardian; or</p> <p style="padding-left: 40px;">(vi) a child in respect of whom an order has been made under section 5 of the Children Act 1989 (of Parliament) appointing as his or her guardian; or</p> <p style="padding-left: 40px;">(vii) a child subject to a permanence order made under section 80 of the Adoption and Children (Scotland) Act 2007 (of Parliament) vesting parental responsibilities and parental rights in a person who is; or</p> <p style="padding-left: 40px;">(viii) a child who has a guardian appointed under section 7 of the Children (Scotland) Act 1995 (of Parliament), or who is living with</p>
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	<p>a person pursuant to an order made under section 11 of that Act, and that guardian or other person is; or</p> <p>(ix) a child in respect of whom an order has been made under Article 159 of the Children (Northern Ireland) Order 1995 (of Parliament), or in respect of whom an appointment has been made under Article 160 of that Order, appointing as their guardian a person who is; or</p> <p>(x) a child who has a guardian appointed under section 12 or 14 of the Children (Guernsey and Alderney) Law 2008 or section 12 or 13 of the Children (Sark) Law 2016, or who is living in the care of a person pursuant to an order made under section 14 of the 2008 Law or section 13 of the 2016 Law, and that guardian or other person is; or</p> <p>(xi) a child in respect of whom an order under Article 7 of the Children (Jersey) Law 2002 is in force appointing as their guardian, a relevant EEA citizen (or, as the case may be, a qualifying British citizen) or their spouse or civil partner, but 'child' does not include a child cared for by a relevant EEA citizen (or, as the case may be, by a qualifying British citizen) or their spouse or civil partner solely by virtue of a formal or informal fostering arrangement; and</p> <p>(b) 'direct descendant' also includes a grandchild or great-grandchild; and</p> <p>(c) 'spouse or civil partner' means (as the case may be) the person described in sub-paragraph (a)(i) or (a)(ii) of the entry for "family member of a qualifying British citizen" in this table or in sub-paragraph (a) of the entry for 'family member of a relevant EEA citizen' in this table</p>
civil partner	<p>(a) the person is in a valid civil partnership (which exists under or by virtue of the Civil Partnership Act 2011 or under any equivalent legislation in the UK or Channel Islands) or is in a relationship registered overseas which is entitled to be treated as a civil partnership under that Act or under any equivalent legislation in the UK or Channel Islands, with a relevant EEA citizen (or, as the case may be, with a qualifying British citizen); and</p> <p>(b) it is not a <b>civil partnership of convenience</b>; and</p> <p>(c) neither party has another civil partner, a spouse or a durable partner with (in any of those circumstances) <b>immigration status in the Isle of Man or the UK or Channel Islands</b> based on that person's relationship with that party</p>
civil partnership of convenience  durable partnership of convenience	<p>a marriage, civil partnership or durable partnership entered into as a means to circumvent—</p> <p>(a) any criterion the party would have to meet in order to enjoy a right to enter or reside in the Isle of Man under the EEA Regulations; or</p> <p>(b) any other provision of the immigration law of the Isle of Man or any requirement of the Immigration Rules; or</p> <p>(c) any criterion the party would otherwise have to meet in order to enjoy a right to enter or reside in the Isle of Man under EU law; or</p> <p>(d) any criterion the party would have to meet in order to enjoy a right</p>



marriage of convenience	to enter or reside in the UK or Channel Islands under the relevant laws
date and time of withdrawal	23:00 GMT on 31 January 2020
date of application	the date on which the relevant on-line application form is submitted on-line under the required application process
dependent parent	<p>(a) the direct relative in the ascending line of a relevant EEA citizen (or, as the case may be, of a qualifying British citizen) or of their spouse or civil partner; and</p> <p>(b) (unless sub-paragraph (c) immediately below applies)—</p> <p>(i) dependent on the relevant EEA citizen or on their spouse or civil partner—</p> <p>(aa) (where sub-paragraph (b)(i)(bb) or (b)(i)(cc) below does not apply) at the date of application and (unless the relevant EEA citizen is under the age of 18 years at the date of application) that dependency is assumed; or</p> <p>(bb) (where the date of application is after the specified date and where the applicant is not a joining family member) at the specified date, and (unless the relevant EEA citizen was under the age of 18 years at the specified date) that dependency is assumed; or</p> <p>(cc) (where the date of application is after the specified date and where the applicant is a joining family member) at the date of application and (unless the relevant EEA citizen is under the age of 18 years at the date of application) that dependency is assumed where the date of application is before 1 July 2021; or</p> <p>(ii) dependent on the qualifying British citizen (or on their spouse or civil partner) at the date of application or, where the date of application is after the specified date, at the specified date, and (unless the qualifying British citizen is under the age of 18 years at the date of application or, where the date of application is after the specified date, the qualifying British citizen was under the age of 18 years at the specified date) that dependency is assumed; and</p> <p>(c) this sub-paragraph applies (and the applicant therefore has to meet no requirement as to dependency) where the spouse, civil partner or durable partner of the applicant (and with whom they reside) has been granted—</p> <p>(i) an entry clearance under this Appendix in the form of an EU Settlement Scheme Family Permit as a dependent parent of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen) or of their spouse or civil partner, and that entry clearance has not been revoked or otherwise ceased to be valid; or</p> <p>(ii) indefinite leave to enter or remain or limited leave to enter or remain under Appendix EU to these Rules as a dependent parent of the relevant EEA citizen (or, as the case may be, of the</p>

	<p>qualifying British citizen or of the relevant sponsor) or of their spouse or civil partner, and that indefinite or limited leave has not lapsed or been cancelled, curtailed, revoked or invalidated</p> <p>“dependent” means here that—</p> <p>(a) having regard to their financial and social conditions, or health, the applicant cannot meet their essential living needs (in whole or in part) without the financial or other material support of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen) or of their spouse or civil partner; and</p> <p>(b) such support is being provided to the applicant by the relevant EEA citizen (or, as the case may be, by the qualifying British citizen) or by their spouse or civil partner; and</p> <p>(c) there is no need to determine the reasons for that dependence or for the recourse to that support</p> <p>in addition—</p> <p>(a) ‘direct relative in the ascending line’ includes—</p> <p>(i) grandparent or great-grandparent; and</p> <p>(ii) an adoptive parent of an adopted child; and</p> <p>(b) ‘spouse or civil partner’ means (as the case may be) the person described in sub-paragraph (a)(i) or (a)(ii) of the entry for ‘family member of a qualifying British citizen’ in this table or in sub-paragraph (a) of the entry for ‘family member of a relevant EEA citizen’ in this table; and</p> <p>(c) in respect of the reference in the first sub-paragraph (c) in this entry to the spouse, civil partner or durable partner of the applicant, the entry for (as the case may be) “spouse”, “civil partner” or “durable partner” in this table applies, except that in the applicable entry “applicant” is to be substituted for “relevant EEA citizen”</p>
dependent relative of a qualifying British citizen	<p>the person—</p> <p>(a) (i) is a relative (other than a spouse, civil partner, durable partner, child or dependent parent) of a qualifying British citizen or of their spouse or civil partner; and</p> <p>(ii) is a dependant of a qualifying British citizen or of their spouse or civil partner, a member of their household or in strict need of their personal care on serious health grounds; or</p> <p>(b) is a <b>person who is subject to a non-adoptive legal guardianship order</b> in favour (solely or jointly with another party) of a qualifying British citizen; or</p> <p>(c) is a person under the age of 18 years who—</p> <p>(i) is the direct descendant of the durable partner of a qualifying British citizen; or</p> <p>(ii) has been adopted by the durable partner of a qualifying British citizen, in accordance with a relevant adoption decision</p>

	<p>in addition, "spouse or civil partner" means the person described in sub-paragraph (a)(i) or (a)(ii) of the entry for "family member of a qualifying British citizen" in this table</p>
dependent relative of a specified relevant person of Northern Ireland	<p>the person—</p> <p>(a) (i) is a relative (other than a spouse, civil partner, durable partner, child or dependent parent) of a specified relevant person of Northern Ireland or of their spouse or civil partner; and</p> <p>(ii) is a dependant of a specified relevant person of Northern Ireland or of their spouse or civil partner, a member of their household or in strict need of their personal care on serious health grounds; or</p> <p>(b) is a person who is subject to a non-adoptive legal guardianship order in favour (solely or jointly with another party) of a specified relevant person of Northern Ireland (substituting "specified relevant person of Northern Ireland" for "qualifying British citizen" in the entry for "person who is subject to a nonadoptive legal guardianship order" in this table); or</p> <p>(c) is a person under the age of 18 years who—</p> <p>(i) is the direct descendant of the durable partner of a specified relevant person of Northern Ireland; or</p> <p>(ii) has been adopted by the durable partner of a specified relevant person of Northern Ireland, in accordance with a relevant adoption decision</p> <p>in addition, "spouse or civil partner" means the person described in sub-paragraph (a) of the entry for "family member of a relevant EEA citizen" in this table</p>
deportation order	<p>as the case may be—</p> <p>(a) an order made under section 5(1) of the Immigration Act 1971 by virtue of regulation 33(3) of the EEA Regulations; or</p> <p>(b) an order made under section 5(1) of the Immigration Act 1971 by virtue of section 3(5) or section 3(6) of that Act in respect of—</p> <p>(i) conduct committed after the <b>specified date</b>; or</p> <p>(ii) conduct committed before the specified date where the Minister has decided that the deportation order is justified on the grounds of public policy, public security or public health in accordance with regulation 28 of the EEA Regulations, irrespective of whether the EA Regulations apply to the person (except that in regulation 28 for "with a right of permanent residence under regulation 17" and "has a right of permanent residence under regulation 17" read "who has indefinite leave to enter or remain or who meets the requirements of paragraph EU11, EU11A or EU12 of Appendix EU to the Immigration Rules"; and for "an EEA decision" read "a deportation decision")</p>
durable partner	<p>(a) the person is, or (as the case may be) was, in a durable relationship with the relevant EEA citizen (or, as the case may be, with the</p>

	<p>qualifying British citizen), with the couple having lived together in a relationship akin to a marriage or civil partnership for at least 2 years (unless there is other significant evidence of the durable relationship); and</p> <p>(b) where the applicant was resident in the UK and Islands as the durable partner of a relevant EEA citizen before the specified date, the person held a relevant document as the durable partner of the relevant EEA citizen or, where there is evidence which satisfies the immigration officer or entry clearance officer that the applicant was otherwise lawfully resident in the UK and Islands for the relevant period before the specified date (or where the applicant is a joining family member) or where the applicant relies on the relevant EEA citizen being a relevant person of Northern Ireland, there is evidence which satisfies the immigration officer or entry clearance officer that the durable partnership was formed and was durable before the specified date; and</p> <p>(c) it is, or (as the case may be) was, not a durable partnership of convenience; and</p> <p>(d) neither party has, or (as the case may be) had, another durable partner, a spouse or a civil partner with (in any of those circumstances) immigration status in the Isle of Man or in the UK or Channel Islands based on that person's relationship with that party</p>
EEA citizen	<p>a person who is—</p> <p>(a) a national of: Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden or Switzerland, and who (unless they are a <b>relevant naturalised British citizen</b>) is not also a British citizen; or</p> <p>(b) a <b>relevant person of Northern Ireland</b></p>
EEA Regulations	<p>(a) (where relevant to something done before the specified date) the Immigration (European Economic Area) Regulations 2019 (as they have effect immediately before that date); or</p> <p>(b) (where relevant to something done after the specified date and before 1 July 2021) the Immigration (European Economic Area) Regulations 2019 (as, despite the revocation of those Regulations, they continue to have effect, with specified modifications, by virtue of the Citizens' Rights (Application Deadline and Temporary Protection) (EU Exit) (Application) Regulations 2020<sup>30</sup>); or</p> <p>(c) (where relevant to something done on or after 1 July 2021) the Immigration (European Economic Area) Regulations 2019 (as they had effect immediately before they were revoked and, where the context requires it, on the basis that those Regulations had not been revoked)</p>
evidence of birth	<p>(a) (in the case of a child) the <b>full birth certificate(s)</b> or other</p>

<sup>30</sup> SD No. 2020/0508.

	<p>document(s) which the immigration officer or entry clearance officer is satisfied evidences that the applicant is the direct descendant of (or otherwise a child of) the relevant EEA citizen (or, as the case may be, of the qualifying British citizen) or of their spouse or civil partner, as described (as the case may be) in sub-paragraph (a)(i) or (a)(ii) of the entry for "family member of a qualifying British citizen" in this table or in sub-paragraph (a) of the entry for "family member of a relevant EEA citizen" in this table; or</p> <p>(b) (in the case of a <b>dependent parent</b>) the full birth certificate(s) or other document(s) which the immigration officer or entry clearance officer is satisfied evidences that the applicant is the direct relative in the ascending line of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen) or of their spouse or civil partner, as described in sub-paragraph (a) above</p>
exclusion decision	<p>a direction given by the Minister that a person must be excluded from the Isle of Man—</p> <p>(a) in respect of conduct committed after the specified date; or</p> <p>(b) in respect of conduct committed by the person before the specified date, where the Minister is satisfied that the direction is justified on the grounds of public policy, public security or public health in accordance with regulation 28 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that in regulation 28 for "with a right of permanent residence under regulation 17" and "has a right of permanent residence under regulation 17" read "who has indefinite leave to enter or remain or who meets the requirements of paragraph EU11, EU11A or EU12 of Appendix EU to the Immigration Rules"; and for "an EEA decision" read "an exclusion direction")</p>
exclusion order	an order made under regulation 24(5) of the EEA Regulations
family member of a qualifying British citizen	<p>a person who has satisfied the immigration officer or entry clearance officer, including by the <b>required evidence of family relationship</b>, that—</p> <p>(a) they will be returning to the Isle of Man—</p> <p>(i) before 23:00 GMT on 29 March 2022 (or later where the immigration officer or entry clearance officer is satisfied that there are reasonable grounds for the person's failure to meet that deadline), as the spouse or civil partner of a qualifying British citizen; and—</p> <p>(aa)(aaa) the marriage was contracted or the civil partnership was formed before the date and time of withdrawal; or</p> <p>(bbb) the applicant was the durable partner of the qualifying British citizen before the date and time of withdrawal (the definition of "durable partner" in this table being met before then rather than at the date of application) and the partnership remained durable at the date and time of withdrawal; and</p> <p>(bb)(aaa) the marriage or civil partnership continues to exist at the date of application; or</p> <p>(bbb) the immigration officer or entry clearance officer is</p>

	<p>satisfied that the marriage will be contracted or the civil partnership will be formed before the couple return to the Isle of Man; or</p> <p>(ii) (where sub-paragraph (a)(i)(aa)(bbb) above does not apply) as the spouse or civil partner of a qualifying British citizen; and</p> <p>(aa) the marriage was contracted or the civil partnership was formed after the date and time of withdrawal and before the specified date; and</p> <p>(bb) the marriage or civil partnership continues to exist at the date of application; and</p> <p>(cc) the immigration officer or entry clearance officer is satisfied that there are reasonable grounds why they did not return to the Isle of Man with the qualifying British citizen before the specified date; or</p> <p>(iii) before 23:00 GMT on 29 March 2022 (or later where the immigration officer or entry clearance officer is satisfied that there are reasonable grounds for the person's failure to meet that deadline), as the durable partner of a qualifying British citizen; and—</p> <p>(aa) the partnership was formed and was durable before the date and time of withdrawal; and</p> <p>(bb) the partnership remains durable at the date of application;</p> <p>(iv) as the durable partner of a qualifying British citizen; and</p> <p>(aa) the partnership was formed and was durable after the date and time of withdrawal and before the specified date; and</p> <p>(bb) the partnership remains durable at the date of application; and</p> <p>(cc) the immigration officer or entry clearance officer is satisfied that there are reasonable grounds why they did not return to the Isle of Man with the qualifying British citizen before the specified date; or</p> <p>(v) before 23:00 GMT on 29 March 2022 (or later where the immigration officer or entry clearance officer is satisfied that there are reasonable grounds for the person's failure to meet that deadline), as the child or dependent parent of a qualifying British citizen, and the family relationship—</p> <p>(aa) existed before the date and time of withdrawal (unless, in the case of a child, the person was born thereafter, was adopted thereafter in accordance with a relevant adoption decision or thereafter became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry); and</p> <p>(bb) continues to exist at the date of application; or</p> <p>(vi) before 23:00 GMT on 29 March 2022 (or later where the immigration officer or entry clearance officer is satisfied that there are reasonable grounds for the person's failure to meet that</p>
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deadline), as the child or dependent parent of the spouse or civil partner of a qualifying British citizen (as described in sub-paragraph (a)(i) above), and all the family relationships—

(aa) existed before the date and time of withdrawal (unless, in the case of a child, the person was born thereafter, was adopted thereafter in accordance with a relevant adoption decision or thereafter became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry); and—

(bb) continue to exist at the date of application; or

(vii) as the child or dependent parent of the spouse or civil partner of a qualifying British citizen (as described in sub-paragraph (a)(ii) above); and

(aa) the family relationship of the child or dependent parent to the spouse or civil partner existed before the date and time of withdrawal (unless, in the case of a child, the person was born thereafter, was adopted thereafter in accordance with a relevant adoption decision or thereafter became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry); and

(bb) all the family relationships continue to exist at the date of application; and

(cc) the immigration officer or entry clearance officer is satisfied that there are reasonable grounds why the person did not return to the Isle of Man with the qualifying British citizen before the specified date; or

(viii) as the **dependent relative of a qualifying British citizen**, or (as the case may be) of their spouse or civil partner (as described in sub-paragraph (a)(i) or (a)(ii) above), and—

(aa) the family relationship and (in sub-paragraph (a)(ii) for the entry for “dependent relative of a qualifying British citizen” in this table) the person’s dependency (or, as the case may be, their membership of the household or their strict need for personal care on serious health grounds) existed before the specified date and continue to exist at the date of application; and

(bb) the immigration officer or entry clearance officer is satisfied that there are reasonable grounds why the person did not return to the Isle of Man with the qualifying British citizen before the specified date; and

(b) they satisfied the conditions in regulation 10(2), (3) and (4)(a) of the EEA Regulations (as the family member (“F”) to whom those provisions refer) or, as the case may be, the conditions in regulation 10(1A)(b), (2), (3) and (4)(a) of the EEA Regulations (as the extended family member (“EFM”) to whom those provisions refer), in either case doing so (with the qualifying British citizen being treated as the British citizen (“BC”) to whom those provisions refer)—

(i) before the specified date; and

(ii) (save where the date of application is after the specified date and where those conditions concern matters relevant to the

	dependency referred to in sub-paragraph (b)(ii)(bb) of the entry for "child" in this table or in sub-paragraph (b)(ii) of the entry for "dependent parent" in this table) at the date of application
family member of a relevant EEA citizen	<p>a person who has satisfied the immigration officer or entry clearance officer, including by the <b>required evidence of family relationship</b>, that they are—</p> <p>(a) the spouse or civil partner of a relevant EEA citizen, and—</p> <p>(i) (aa) the marriage was contracted or the civil partnership was formed before the specified date; or</p> <p>(b) the applicant was the durable partner of the relevant EEA citizen before the specified date (the definition of "durable partner" in this table being met before that date rather than at the date of application) and the partnership remained durable at the specified date; and</p> <p>(ii) the marriage or civil partnership continues to exist at the date of application; or</p> <p>(b) the <b>specified spouse or civil partner of a Swiss citizen</b>; or</p> <p>(c) the durable partner of a relevant EEA citizen, and—</p> <p>(i) the partnership was formed and was durable before the specified date; and</p> <p>(ii) the partnership remains durable at the date of application; and</p> <p>(iii) the date of application is after the specified date; and</p> <p>(iv) where they were resident in the UK and Islands as the durable partner of the relevant EEA citizen before the specified date, the definition of "durable partner" in this table was met before that date as well as at the date of application, and the partnership remained durable at the specified date; or</p> <p>(d) the child or dependent parent of a relevant EEA citizen, and the family relationship—</p> <p>(i) existed before the specified date (unless, in the case of a child, the person was born after that date, was adopted after that date in accordance with a relevant adoption decision or after that date became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry); and</p> <p>(ii) continues to exist at the date of application; or</p> <p>(e) the child or dependent parent of the spouse or civil partner of a relevant EEA citizen, as described in sub-paragraph (a) above; and</p> <p>(i) the family relationship of the child or dependent parent to the spouse or civil partner existed before the specified date (unless, in the case of a child, the person was born after that date, was adopted after that date in accordance with a relevant adoption decision or after that date became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry); and</p> <p>(ii) all the family relationships continue to exist at the date of</p>



	<p>application; or</p> <p>(f) a person who the immigration officer or entry clearance officer is satisfied by evidence provided by the person that they would, if they had made a valid application under Appendix EU to these Rules before 1 July 2021, have been granted (as the case may be) indefinite leave to enter under paragraph EU2 of that Appendix or limited leave to enter under paragraph EU3 and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix—</p> <p>(i) as a family member who has retained the right of residence by virtue of a relationship with a relevant EEA citizen (as defined in Annex 1 to Appendix EU); or</p> <p>(ii) on the basis that condition 6 of paragraph EU11 of Appendix EU is met; or</p> <p>(g) the dependent relative of a specified relevant person of Northern Ireland</p> <p>in addition, where the person is a child born after the specified date or adopted after that date in accordance with a relevant adoption decision, or after the specified date they became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry (and with the references to “parents” in sub-paragraph (a) below construed to include the guardian or other person to whom the order or other provision referred to in the relevant sub-paragraph of (a)(iii) to (a)(xi) of that entry relates), they meet one of the following requirements—</p> <p>(a) (where sub-paragraph (b) below does not apply), one of the following requirements is met—</p> <p>(i) both of their parents are a relevant EEA citizen; or</p> <p>(ii) one of their parents is a relevant EEA citizen and the other is a British citizen who is not a relevant EEA citizen; or</p> <p>(iii) one of their parents is a relevant EEA citizen who has sole or joint rights of custody of them, in accordance with the applicable rules of family law of the Isle of Man, UK or Channel Islands or of a country listed in sub-paragraph (a) of the entry for “specified EEA citizen” in this table (including applicable rules of private international law under which rights of custody under the law of a third country are recognized in the Isle of Man, UK or Channel Islands or in a country listed in sub-paragraph (a) of the entry for “specified EEA citizen” in this table, in particular as regards the best interests of the child, and without prejudice to the normal operation of such applicable rules of private international law); or</p> <p>(b) where they were born after the specified date to (or adopted after that date in accordance with a relevant adoption decision by or after that date became, within the meaning of the entry for “child” in this table and on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry, a child of) a Swiss citizen or their spouse or civil partner (as described in the first sub-paragraph (a) in this entry), the Swiss citizen or their spouse or civil partner is a relevant EEA citizen</p>
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full birth certificates	a birth certificate recognised in the Isle of Man or in the UK or Channel Islands which records the name of the mother and (where registered) the father
GMT	Greenwich Mean Time
immigration status in the Isle of Man or the UK or Channel Islands	indefinite or limited leave to enter or remain in the Isle of Man or in the UK or Channel Islands under or outside the relevant Immigration Rules; exemption from immigration control; the entitlement to reside in the Isle of Man or the right of permanent residence in the Isle of Man under regulations 15 to 17 of the EEA Regulations; or the entitlement to reside in the UK or Channel Islands or the right of permanent residence in the UK or Channel Islands, either under the Immigration (European Economic Area) Regulations 2016 of Parliament or through the application there of section 7(1) of the Immigration Act 1988
Irish citizen	a person who is an Irish citizen as a matter of Irish law
joining family member	<p>a person who is a family member of a relevant EEA citizen (in accordance with sub-paragraph (a)(i)(bb), (c), (d) or (e) – together, where applicable, with the second sub-paragraph (a) or the second sub-paragraph (b) – of that entry in this table) and who (save, in the case of a child, where the person was born after the specified date, was adopted after that date in accordance with a relevant adoption decision or after that date became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry)—</p> <p>(a) was not resident in the UK and Islands at any time before the specified date; or</p> <p>(b) was resident in the UK and Islands before the specified date; and—</p> <p>(i) one of the events referred to in sub-paragraph (b)(i) or (b)(ii) in the entry for “continuous qualifying period” in the table at Annex 1 to Appendix EU to these Rules has occurred, and after that event occurred they were not resident in the UK and Islands again before the specified date; or</p> <p>(ii) the event referred to in sub-paragraph (a) in the entry for “supervening event” in the table at Annex 1 to Appendix EU to these Rules has occurred, and after that event occurred they were not resident in the UK and Islands again before the specified date</p>
non-EEA citizen	a person who is not an <b>EEA citizen</b> and is not a British citizen
person exempt from immigration control	<p>a person who—</p> <p>(a) is a national of: Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden or Switzerland; and</p> <p>(b) is not a British citizen; and</p> <p>(c) is exempt from immigration control in accordance with section 8(2), (3) or (4) of the Immigration Act 1971; and</p>

	<p>(d) the immigration officer or entry clearance officer is satisfied, including by the <b>required evidence of qualification</b> would have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix</p>
<p>person who is subject to a non-adoptive legal guardianship order</p>	<p>a person who has satisfied the immigration officer or entry clearance officer that, immediately before the specified date, they—</p> <p>(a) are under the age of 18 years; and</p> <p>(b) are subject to a non-adoptive legal guardianship order in favour (solely or jointly with another party) of a qualifying British citizen that—</p> <p>(i) is recognised under the national law of the state in which it was contracted; and</p> <p>(ii) places parental responsibility on a permanent basis on the qualifying British citizen (solely or jointly with another party); and</p> <p>(c) have lived with the qualifying British citizen since their placement under the guardianship order; and</p> <p>(d) have created family life with the qualifying British citizen; and</p> <p>(e) have a personal relationship with the qualifying British citizen that involves dependency on the qualifying British citizen and the assumption of parental responsibility, including legal and financial responsibilities, for that person by the qualifying British citizen</p>
<p>qualifying British citizen</p>	<p>a British citizen who—</p> <p>(a) (i) (where sub-paragraph (a)(ii) below does not apply) will be returning to the Isle of Man with the applicant before 23:00 GMT on 29 March 2022 (or later where the Minister is satisfied that there are reasonable grounds for the British citizen's failure to meet that deadline); or</p> <p>(ii) (in the case of a family member of a qualifying British citizen as described in sub-paragraph (a)(ii), (a)(iv), (a)(vii) or (a)(viii) of the entry for "family member of a qualifying British citizen" in this table) will be returning to the Isle of Man with the applicant and the Minister is satisfied that there are reasonable grounds why the British citizen did not do so before the specified date; and</p> <p>(b) satisfied regulation 10(2), (3) and (4)(a) of the EEA Regulations (as the British citizen ("BC") to whom those provisions refer, with the applicant being treated as the family member ("F") or, as the case may be, as the extended family member ("EFM"), to whom those provisions refer)—</p> <p>(i) before the specified date; and</p> <p>(ii) at the date of application</p>
<p>relevant adoption decision</p>	<p>a decision taken—</p> <p>(a) by the competent administrative authority or court in the Isle of Man or the UK or Channel Islands; or</p>

	<p>(b) by the competent administrative authority or court in a country whose adoption orders are recognised by the Isle of Man or the UK or Channel Islands; or</p> <p>(c) in a particular case in which that decision in another country has been recognised in the Isle of Man or the UK or Channel Islands as an adoption</p>
relevant document	<p>(a) a family permit, (or a letter from the Minister, or relevant authority in the UK or Channel Islands, issued after 30 June 2021, confirming their qualification for one) document certifying an extended right of residence or document certifying permanent residence issued by the Isle of Man under the EEA Regulations (or the equivalent document or other evidence issued by the UK or Channel Islands under the relevant legislation there evidencing the entitlement to enter or reside or a right of permanent residence in the UK or Channel Islands, either under the Immigration (European Economic Area) Regulations 2016 (of Parliament or through the application there of section 7(1) of the Immigration Act 1988); and</p> <p>(b) it was not subsequently revoked, or fell to be so, because the relationship or dependency had never existed or the relationship or (where relevant) dependency had ceased; and</p> <p>(c) (in relation to an application for an EU Settlement Scheme Family Permit) it has not expired or otherwise ceased to be effective, or it remained valid for the period of residence relied upon</p>
relevant EEA citizen (where the date of application under this Appendix is before 1 July 2021)	<p>(a) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) who—</p> <p>(i) has been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules (or under its equivalent in the UK or Channel Islands), which has not lapsed or been cancelled, curtailed, revoked or invalidated and which is evidenced by the Isle of Man reference number for that grant of leave (or by the equivalent evidence in the UK or Channel Islands); or</p> <p>(ii) at the date of decision on the application under this Appendix, the immigration officer or entry clearance officer is satisfied from the information available to them has been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, which has not lapsed or been cancelled, curtailed, revoked or invalidated; or</p> <p>(iii) the immigration officer entry clearance officer is satisfied, including by the required evidence of qualification, would have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix; or</p> <p>(b) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) who is a relevant naturalised British citizen; or</p>

	<p>(c) an EEA citizen (in accordance with sub-paragraph (c) of that entry in this table) who—</p> <p>(i) where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(ii) of that entry in this table—</p> <p>(aa) has been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules (or under its equivalent in the UK or Channel Islands), which has not lapsed or been cancelled, curtailed, revoked or invalidated and which is evidenced by the Isle of Man reference number for that grant of leave (or by the equivalent evidence in the UK or Channel Islands); or</p> <p>(bb) at the date of decision on the application under this Appendix, the immigration officer or entry clearance officer is satisfied from the information available to them has been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, which has not lapsed or been cancelled, curtailed, revoked or invalidated; or</p> <p>(cc) the immigration officer or entry clearance officer is satisfied, including by the required evidence of qualification, would have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix; or</p> <p>(ii) where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(i) or (a)(iii) of that entry in this table, the immigration officer or entry clearance officer is satisfied, including by the required evidence of qualification, would (but for the fact that they are a British citizen) have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix; or</p> <p>(e) a <b>person exempt from immigration control</b></p>
<p>relevant EEA citizen (where the date of application under this Appendix is on or after 1 July 2021)</p>	<p>(a) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) who—</p> <p>(i) has been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules (or under its equivalent in the UK or Channel Islands), which has not lapsed or been cancelled, curtailed, revoked or invalidated and which is evidenced by the Isle of Man reference number for that grant of leave (or by the equivalent evidence in the UK or Channel Islands); or</p> <p>(ii) at the date of decision on the application under this Appendix,</p>

	<p>the immigration officer or entry clearance officer is satisfied from the information available to them has been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, which has not lapsed or been cancelled, curtailed, revoked or invalidated; or</p> <p>(iii) (in the case of an Irish citizen who has not been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules or under its equivalent in the UK or Channel Islands, where the applicant does not rely on that person being a relevant person of Northern Ireland) the immigration officer or entry clearance officer is satisfied, including by the required evidence of qualification, would have been granted such leave under that Appendix, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix; or</p> <p>(iv) the applicant satisfies the immigration officer or entry clearance officer by relevant information and evidence provided with the application (including their valid passport or valid national identity card as an EEA citizen, which is the original document and not a copy) meets subparagraph (a)(i) of the definition of "relevant EEA citizen (where the date of application under this Appendix is on or after 1 July 2021)" in Annex 1 to Appendix EU to these Rules, such that the applicant is a "family member of a relevant EEA citizen" (as defined in Annex 1 to Appendix EU); or</p> <p>(b) an EEA citizen (in accordance with sub-paragraph (a) of that entry in this table) who is a relevant naturalised British citizen; or</p> <p>(c) an EEA citizen (in accordance with sub-paragraph (b) of that entry in this table) who—</p> <p>(i) where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(ii) of that entry in this table—</p> <p>(aa) has been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules (or under its equivalent in the UK or Channel Islands), which has not lapsed or been cancelled, curtailed, revoked or invalidated and which is evidence by the Isle of Man reference number for that grant of leave (or by the equivalent evidence in the UK or Channel Islands); or</p> <p>(bb) at the date of decision on the application under this Appendix, the immigration officer or entry clearance officer is satisfied from the information available to them has been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules which has not lapsed or been cancelled, curtailed, revoked or invalidated; or</p> <p>(cc) the immigration officer or entry clearance officer is satisfied, including by the required evidence of qualification, would have been granted indefinite leave to enter or remain or</p>
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	<p>limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix; or</p> <p>(ii) where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(i) or (a)(iii) of that entry in this table, the immigration officer or entry clearance officer is satisfied, including by the required evidence of qualification, would (but for the fact that they are a British citizen and, where they are a specified relevant person of Northern Ireland in accordance with that entry in this table, but, where applicable, for that fact) have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix; or</p> <p>(d) a person exempt from immigration control</p>
relevant naturalised British citizen	<p>a person who is a national of: Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden or Switzerland, and who—</p> <p>(a) comes within paragraph (b) of the definition of “EEA national” in regulation 3(1) of the EEA Regulations; and</p> <p>(b) meets the criteria contained in regulation 11(2) or (3) as the dual national (“DN”) to whom those provisions refer (regardless of whether they remained a qualified person under regulation 7 of the EEA Regulations after the acquired British citizenship); and</p> <p>(c) the immigration officer or entry clearance officer is satisfied, including by the required evidence of qualification would (but for the fact that they are a British citizen) have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix—</p>
relevant period	<p>(a) (where sub-paragraph (b) below does not apply) a period of 6 months from the date of decision; or</p> <p>(b) (where, in the case of an application for an EU Settlement Scheme Family Permit, the applicant indicates as part of the required application process that their intended date of arrival in the Isle of Man is on or after 1 April 2021 and that date is more than 3 months from the date of decision) a period of 4 months from their intended date of arrival in the Isle of Man</p>
relevant person of	a person who—

Northern Ireland	<p>(a) is—</p> <ul style="list-style-type: none"> <li>(i) a British citizen; or</li> <li>(ii) an Irish citizen; or</li> <li>(iii) a British citizen and an Irish citizen; and</li> </ul> <p>(b) was born in Northern Ireland and, at the time of the person’s birth, at least one of their parents was—</p> <ul style="list-style-type: none"> <li>(i) a British citizen; or</li> <li>(ii) an Irish citizen; or</li> <li>(iii) a British citizen and an Irish citizen; or</li> <li>(iv) otherwise entitled to reside in Northern Ireland without any restriction on their period of residence</li> </ul>
required application process	the relevant on-line application form found on the gov.uk website and the relevant process set out in that form for providing the required proof of identity and nationality and for providing the required biometrics
required biometrics	<p>(a) a facial photograph of the applicant (within the meaning of “biometric information” in section 15 of the UK Borders Act 2007); and</p> <p>(b) the fingerprints of the applicant (also within that meaning of “biometric information”, unless, in accordance with guidance published by the Secretary of State and in force at the date of application, they are not required to provide these),</p> <p>in both cases provided in accordance with the required application process</p>
required evidence of being a relevant person of Northern Ireland	<p>(a) the person’s birth certificate showing that they were born in Northern Ireland, or their passport where this shows that they were born in Northern Ireland; and</p> <p>(b) evidence which satisfies the immigration officer or entry clearance officer that, at the time of the person’s birth, at least one of their parents was—</p> <ul style="list-style-type: none"> <li>(i) a British citizen; or</li> <li>(ii) an Irish citizen; or</li> <li>(iii) a British citizen and an Irish citizen; or</li> <li>(iv) otherwise entitled to reside in Northern Ireland without any restriction on their period of residence</li> </ul> <p>in addition—</p> <p>(a) where, in order to meet the requirements of this entry, the applicant submits a copy (and not the original) of a document (including by uploading this as part of the required application process), the immigration officer or entry clearance officer can require the applicant to submit the original document where the immigration officer or entry clearance officer has reasonable doubt as to the authenticity of the copy submitted; and</p> <p>(b) where, in order to meet the requirements of this entry, the</p>



	<p>applicant submits a document which is not in English, the immigration officer or entry clearance officer can require the applicant to provide a certified English translation of (or a Multilingual Standard Form to accompany) the document, where this is necessary for the purposes of deciding whether the applicant meets the eligibility requirements for an entry clearance to be granted under this Appendix</p>
<p>required evidence of family relationship</p>	<p>in the case of—</p> <p>(a) a spouse –</p> <p>(i) a relevant document as the spouse of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen), or a valid document of record of a marriage recognised under the law of the Isle of Man or under the equivalent laws of England and Wales, Scotland, Northern Ireland or of the Channel Islands; and</p> <p>(ii) (aa) where the marriage to the relevant EEA citizen was contracted after the specified date and the applicant is not the specified spouse or civil partner of a Swiss citizen, a relevant document as the durable partner of the relevant EEA citizen or, where the applicant was not resident in the UK and Islands as the durable partner of the relevant EEA citizen before the specified date (or there is evidence which satisfies the immigration officer or entry clearance officer that the applicant was otherwise lawfully resident in the UK and Islands for the relevant period before the specified date, or the applicant is a joining family member) or where the applicant relies on the relevant EEA citizen being a relevant person of Northern Ireland, there is evidence which satisfies the immigration officer or entry clearance officer that the durable partnership was formed and was durable before the specified date; or</p> <p>(bb) where the marriage to the qualifying British citizen was contracted after the date and time of withdrawal, evidence which satisfies the immigration officer or entry clearance officer that the durable partnership was formed and was durable before the date and time of withdrawal; or</p> <p>(b) civil partner –</p> <p>(i) a relevant document as the civil partner of the relevant EEA citizen (or, as the case may be, of the qualifying British citizen); a valid civil partnership certificate recognised under the law of the Isle of Man or under the equivalent laws of England and Wales, Scotland, Northern Ireland or the Channel Islands; or the valid overseas registration document for a relationship which is entitled to be treated as a civil partnership under the Civil Partnership Act 2011 or under the equivalent laws of England and Wales, Scotland, Northern Ireland or the Channel Islands; and</p> <p>(ii) (aa) where the civil partnership with the relevant EEA citizen was formed after the specified date and the applicant is not the specified spouse or civil partner of a Swiss citizen, a relevant document as the durable partner of the relevant EEA citizen or, where the applicant was not resident in the UK and Islands as the durable partner of the relevant EEA citizen before the specified date (or there is evidence which satisfies the immigration officer or entry clearance officer that the</p>

	<p>applicant was otherwise lawfully resident in the UK and Islands for the relevant period before the specified date, or the applicant is a joining family member) or where the applicant relies on the relevant EEA citizen being a relevant person of Northern Ireland, there is evidence which satisfies the immigration officer or entry clearance officer that the durable partnership was formed and was durable before the specified date; or</p> <p>(bb) where the civil partnership with the qualifying British citizen was formed after the date and time of withdrawal, evidence which satisfies the immigration officer or entry clearance officer that the durable partnership was formed and was durable before the date and time of withdrawal; or</p> <p>(c) a child – a relevant document issued on the basis of the relevant family relationship or their <b>evidence of birth</b>; and—</p> <p>(i) where the applicant is aged 21 years or over, evidence which satisfies the immigration officer or the entry clearance officer that the requirements in sub-paragraph (b)(ii) of the entry for “child” in this table are met; and</p> <p>(ii) where, in the case of a family member of a relevant EEA citizen, the applicant is a child born after the specified date or adopted after that date in accordance with a relevant adoption decision, or after the specified date became a child within the meaning of that entry in this table on the basis of one of sub-paragraphs (a)(iii) to (a)(xi) of that entry, evidence which satisfies the immigration officer or entry clearance officer that the requirements in the second sub-paragraph (a) or the second sub-paragraph (b) of the entry for “family member of a relevant EEA citizen” in this table are met; or</p> <p>(d) a dependent parent – a relevant document issued on the basis of the relevant family relationship or their evidence of birth and, where the first sub-paragraph (b) of the entry for “dependent parent” in this table applies, evidence which satisfies the immigration officer or entry clearance officer that (where this is not assumed) the requirement as to dependency in that sub-paragraph is met; or</p> <p>(e) a durable partner;</p> <p>(i) (aa) (where the applicant was resident in the UK and Islands as the durable partner of a relevant EEA citizen before the specified date and is not a joining family member) a relevant document as the durable partner of the relevant EEA citizen or, where there is evidence which satisfies the immigration officer or entry clearance officer that the applicant was otherwise lawfully resident in the UK and Islands for the relevant period before the specified date or where the applicant relies on the relevant EEA citizen being a relevant person of Northern Ireland, evidence which satisfies the immigration officer or entry clearance officer that the durable partnership was formed and was durable before the specified date; or</p> <p>(bb) (where the applicant was not resident in the UK and Islands as the durable partner of a relevant EEA citizen before</p>
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	<p>the specified date, or where the applicant is a joining family member, and where sub-paragraph (e)(i)(cc) below does not apply) evidence which satisfies the immigration officer or entry clearance officer that the durable partnership with the relevant EEA citizen was formed and was durable before the specified date; or</p> <p>(cc) evidence which satisfies the immigration officer or the entry clearance officer that the durable partnership with the qualifying British citizen was formed and was durable (in the case of a family member of a qualifying British citizen as described in sub-paragraph (a)(iii) of that entry in this table) before the date and time of withdrawal or (in the case of a family member of a qualifying British citizen as described in sub-paragraph (a)(iv) of that entry in this table) before the specified date; and</p> <p>(ii) evidence which satisfies the immigration officer or entry clearance officer that the partnership remains durable at the date of application; or</p> <p>(f) a dependent relative of a qualifying British citizen— evidence which satisfies the immigration officer or entry clearance officer that the family relationship and (in sub-paragraph (a)(ii) of the entry for “dependent relative of a qualifying British citizen” in this table) the person’s dependency (or, as the case may be, their membership of the household or their strict need for personal care on serious health grounds) existed before the specified date and continue to exist at the date of application; or</p> <p>(g) a dependent relative of a specified relevant person of Northern Ireland – evidence which satisfies the immigration officer or entry clearance officer that the family relationship and (in sub-paragraph (a)(ii) of the entry for “dependent relative of a specified relevant person of Northern Ireland” in this table) the person’s dependency (or, as the case may be, their membership of the household or their strict need for personal care on serious health grounds) existed before the specified date and continue to exist at the date of application</p> <p>in addition—</p> <p>(a) where, in order to meet the requirements of this entry, the applicant submits a copy (and not the original) of a document (including by uploading this as part of the required application process), the immigration officer or entry clearance officer can require the applicant to submit the original document where the immigration officer or entry clearance officer has reasonable doubt as to the authenticity of the copy submitted; and</p> <p>(b) where, in order to meet the requirements of this entry, the applicant submits a document which is not in English, the immigration officer or entry clearance officer can require the applicant to provide a certified English translation of (or Multilingual Standard Form to accompany) the document, where this is necessary for the purposes of deciding whether the applicant meets the eligibility requirements for an entry clearance to be granted under this Appendix</p>
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<p>required evidence of qualification</p>	<p>(a) (in the case of a relevant EEA citizen (or, where the date of application under this Appendix is on or after 1 July 2021, an Irish citizen) who has not been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules or under its equivalent in the UK or Channel Islands, where the applicant does not rely on the relevant EEA citizen (where they are an Irish citizen) being a relevant person of Northern Ireland)—</p> <p>(i) their passport or national identity card as an EEA citizen or, where the date of application under this Appendix is on or after 1 July 2021, as an Irish citizen, which is—</p> <p>(aa) valid; and</p> <p>(bb) the original document and not a copy; and</p> <p>(ii) information or evidence which satisfies the immigration officer or entry clearance officer that the person would have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix; or</p> <p>(b) (in the case of a relevant EEA citizen who is a relevant naturalised British citizen or who is a relevant EEA citizen as described in sub-paragraph (c) of the applicable entry for “relevant EEA citizen” in this table)—</p> <p>(i) their passport or national identity card as an EEA citizen, which is—</p> <p>(aa) valid; and</p> <p>(bb) the original document and not a copy; and</p> <p>(ii) information or evidence which is provided by the applicant, or is otherwise available to the immigration officer or entry clearance officer, which satisfies the immigration officer or entry clearance officer that the relevant EEA citizen is a British citizen; and</p> <p>(iii) information or evidence which satisfies the immigration officer or entry clearance officer that the person would (but for the fact that they are a British citizen) have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix; or</p> <p>(c) (in the case of a relevant EEA citizen who is relied on by the applicant as being a relevant person of Northern Ireland, and who, where they are a relevant person of Northern Ireland in accordance with sub-paragraph (a)(ii) of that entry in this table, has not been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules or under its equivalent in the UK or Channel Islands) the <b>required evidence of being a relevant person of Northern</b></p>
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**Ireland** and (where the relevant EEA citizen is relied on by the applicant as being a specified relevant person of Northern Ireland) information or evidence which satisfies the immigration officer or entry clearance officer that the requirements of that entry in this table are met, and (in all cases)—

(i) (aa) (where they are a British citizen) information or evidence which is provided by the applicant, or is otherwise available to the immigration officer or entry clearance officer, which satisfies the immigration officer or entry clearance officer that the person is a British citizen; or

(bb) (where they are an Irish citizen) their passport or national identity card as an Irish citizen, which is—

(aaa) valid; and

(bbb) the original document and not a copy; or

(cc) (where they are a British citizen and an Irish citizen, and are not relied on by the applicant as being a specified relevant person of Northern Ireland) the evidence required by sub-paragraph (c)(i)(aa) or (c)(i)(bb) above; and

(ii) information or evidence which satisfies the immigration officer or entry clearance officer that the person would (but for the fact that they are a British citizen, where they are a British citizen in accordance with sub-paragraph (a)(i) or (a)(iii) of the entry for “relevant person of Northern Ireland” in this table) have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix; or

(d) (in the case of a relevant EEA citizen who is a person exempt from immigration control)—

(i) their passport or national identity card as an EEA citizen, which is—

(aa) valid; and

(bb) the original document and not a copy; and

(ii) information or evidence which is provided by the applicant, or is otherwise available to the entry clearance officer, which satisfies the immigration officer or entry clearance officer that the relevant EEA citizen is exempt from immigration control in accordance with section 8(2), (3) or (4) of the Immigration Act 1971; and

(iii) information or evidence which satisfies the immigration officer or entry clearance officer that the person would have been granted indefinite leave to enter or remain or limited leave to enter or remain under (as the case may be) paragraph EU2 or EU3 of Appendix EU to these Rules, if they had made a valid application under it before 1 July 2021, and that leave would not have lapsed or been cancelled, curtailed, revoked or invalidated before the date of application under this Appendix

	<p>in addition—</p> <p>(a) “valid” here means, in respect of a document, that it is genuine and has not expired or been cancelled or invalidated; and</p> <p>(b) where, in order to meet the requirements of sub-paragraph (a)(ii), (b)(ii), (b)(iii), (c)(i)(aa), (c)(ii), (d)(ii) or (d)(iii) above, the applicant submits a copy (and not the original) of a document, the immigration officer or entry clearance officer can require the applicant to submit the original document where the immigration officer or entry clearance officer has reasonable doubt as to the authenticity of the copy submitted; and</p> <p>(c) where, in order to meet the requirements of sub-paragraph (a)(ii), (b)(ii), (b)(iii), (c)(i)(aa), (c)(ii), (d)(ii) or (d)(iii) above, the applicant submits a document which is not in English, the entry clearance officer can require the applicant to provide a certified English translation of (or a Multilingual Standard Form to accompany) the document, where this is necessary for the purposes of deciding whether the applicant meets the eligibility requirements for an entry clearance to be granted under this Appendix</p>
required proof of identity and nationality	<p>(a) in the case of a specified EEA citizen—</p> <p>(i) their valid passport; or</p> <p>(ii) their valid national identity card; or</p> <p>(b) in the case of a non-EEA citizen, their valid passport</p> <p>in addition, ‘valid’ here means that, at the date of application, the document is genuine and has not expired or been cancelled or invalidated;</p> <p>unless (in the case of (a) or (b)) the immigration officer or entry clearance officer agrees to accept alternative evidence of identity and nationality where the applicant is unable to obtain or produce the required document due to circumstances beyond their control or to compelling practical or compassionate reasons</p>
specified date	23:00 Greenwich Mean Time on 31 December 2020
specified EEA citizen	<p>a person who is—</p> <p>(a) a national of: Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden or Switzerland; and</p> <p>(b) not also a British citizen</p>
specified relevant person of Northern Ireland	<p>(a) the person is a relevant person of Northern Ireland in accordance with sub-paragraph (a)(i) or (a)(iii) of that entry in this table; and</p> <p>(b) the applicant is a non-EEA citizen; and</p> <p>(c) (i) (aa) the applicant meets the definition of “joining family</p>

	<p>member of a relevant sponsor” in Annex 1 to Appendix EU to these Rules where the person is their relevant sponsor; and</p> <p>(bb) the applicant has satisfied the immigration officer or entry clearance officer by relevant information or evidence provided with the application that, due to compelling practical or compassionate reasons, it was not possible for the person to return to the Isle of Man before the specified date while the applicant remained outside the Isle of Man; or</p> <p>(ii) (aa) the applicant is a dependent relative of a specified relevant person of Northern Ireland; and</p> <p>(bb) the person—</p> <p>(i) is outside the Isle of Man; or</p> <p>(ii) is in the Isle of Man and has been so for a period not exceeding 3 months; or</p> <p>(iii) is in the Isle of Man and (were they an “EEA national” in accordance with regulation 3(3) of the EEA Regulations) they were residing in the Isle of Man in accordance with the EEA Regulation on 30 June 2021</p>
specified spouse or civil partner of a Swiss citizen	<p>(a) the person is the spouse or civil partner of a relevant EEA citizen (in accordance, where the date of application is before 1 July 2021, with sub-paragraph (a) of the applicable entry for “relevant EEA citizen” in this table or, where the date of application is on or after 1 July 2021, with sub-paragraph (a)(i) or (a)(ii) of the applicable entry for “relevant EEA citizen” in this table), who is a national of Switzerland and who is not also a British citizen; and</p> <p>(b) the marriage was contracted or the civil partnership was formed after the specified date and before 1 January 2026; and</p> <p>(c) the marriage or civil partnership continues to exist at the date of application</p>
spouse	<p>(a) the person is party to a marriage with a relevant EEA citizen (or, as the case may be, with a qualifying British citizen) and the marriage is recognised under the law of the Isle of Man or under the equivalent laws of England and Wales, Scotland, Northern Ireland or the Channel Islands; and</p> <p>(b) it is not a <b>marriage of convenience</b>; and</p> <p>(c) neither party has another spouse, a civil partner or a durable partner with (in any of those circumstances) immigration status in the Isle of Man or England and Wales, Scotland, Northern Ireland or the Channel Islands based on that person’s relationship with that party</p>
UK or CI deportation order	<p>a deportation order as defined in paragraph 3(6) of Schedule 4 to the Immigration Act 1971 that was made—</p> <p>(a) in respect of conduct committed after the specified date; or</p> <p>(b) in respect of conduct committed by the person before the specified date, where the Minister is satisfied that the order is justified on the grounds of public policy, public security or public health in accordance with regulation 28 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that in regulation 28 for</p>

	"with a right of permanent residence under regulation 17" and "has a right of permanent residence under regulations 17" read "who meets the requirements of paragraph EU11, EU11A or EU12 of Appendix EU to the Immigration Rules"; and for "an EEA decision" read "a deportation decision")
UK or CI exclusion decision	a direction given by the relevant authority in the UK or Channel Islands that a person must be excluded from the jurisdiction concerned— (a) in respect of conduct committed after the specified date; or (b) in respect of conduct committed by the person before the specified date, where the Minister is satisfied that the order is justified on the grounds of public policy, public security or public health in accordance with regulation 28 of the EEA Regulations, irrespective of whether the EEA Regulations apply to that person (except that in regulation 28 for "with a right of permanent residence under regulation 17" and "has a right of permanent residence under regulations 17" read "who meets the requirements of paragraph EU11, EU11A or EU12 of Appendix EU to the Immigration Rules"; and for "an EEA decision" read "an exclusion direction")
UK or the Channel Islands	the United Kingdom or the Bailiwick of Jersey or the Bailiwick of Guernsey

## **Annex 2 – consideration of a valid application**

A2.1 A valid application made under this Appendix will be decided on the basis of—

- (a) the information and evidence provided by the applicant, including in response to any request for further information or evidence made by the immigration officer or the entry clearance officer; and
- (b) any other information or evidence made available to the immigration officer or the entry clearance officer (including from other government departments) at the date of decision.

A2.2 (1) For the purposes of deciding whether the applicant meets the eligibility requirements for entry clearance, the immigration officer, or entry clearance officer may—

- (a) request that the applicant provide further information or evidence that they meet those requirements; or
- (b) invite the applicant to be interviewed by the immigration officer or entry clearance officer, by telephone, by video-telecommunications link or over the internet.

(2) For the purposes of deciding whether the applicant meets the eligibility requirements for entry clearance, the immigration officer or the entry clearance officer may—

- (a) request that the person ("P") on whom the applicant relies as being the relevant EEA citizen (or, as the case may be, the qualifying British citizen) with whom the applicant is in a family relationship provide information or evidence about their relationship with the applicant, their current or planned residence in the Isle of Man or (where P is a qualifying British citizen) their residence in a country listed in sub-paragraph (a) of the entry for "specified EEA citizen" in the table at Annex 1 to this Appendix; or

- (b) invite P to be interviewed by the immigration officer or the entry clearance officer in person, by telephone, by video-telecommunications link or over the internet.

(3) If the applicant or (as the case may be) P—



- (a) fails within a reasonable timeframe specified in the request to provide the information or evidence requested; or
- (b) on at least 2 occasions, fails to comply with an invitation to attend an interview in person or with other arrangements to be interviewed,

the immigration officer or the entry clearance officer may draw any factual inferences about whether the applicant meets the eligibility requirements for entry clearance as appear appropriate in the circumstances.

- (4) The immigration officer or the entry clearance officer may decide, following the drawing of a factual inference under sub-paragraph (3), that the applicant does not meet the eligibility requirements for entry clearance.
- (5) The immigration officer or the entry clearance officer must not decide that the applicant does not meet the eligibility requirements for entry clearance on the sole basis that the applicant or (as the case may be) P failed on at least 2 occasions to comply with an invitation to be interviewed.

### **Annex 3 — Revocation of entry clearance and cancellation and curtailment of leave to enter**

A3.1. A person's entry clearance granted under this Appendix must be revoked where the person's presence in the Isle of Man is not conducive to the public good because of conduct committed after the specified date.

A3.2. A person's entry clearance granted under this Appendix may be revoked where the Immigration officer or entry clearance officer is satisfied that it is proportionate to revoke that entry clearance where—

- (a) in respect of their conduct committed before the specified date, the person is subject to an exclusion decision, an exclusion order or a UK or CI exclusion decision;
- (b) the revocation is justified on grounds that, in relation to the relevant application under this Appendix, and whether or not to the applicant's knowledge, false or misleading information, representations or documents were submitted (including false or misleading information submitted to any person to obtain a document used in support of the application); and the information, representation or documentation was material to the decision to grant the applicant an entry clearance under this Appendix; or
- (c) since it was granted, there has been a change in circumstances that is, or would have been, relevant to that person's eligibility for that entry clearance, such that their entry clearance ought to be revoked.

A3.3. A person's leave to enter granted by virtue of having arrived in the Isle of Man with an entry clearance that was granted under this Appendix must be cancelled where, because of conduct committed after the specified date, the person's presence in the Isle of Man is not conducive to the public good.

A3.4. A person's leave to enter granted by virtue of having arrived in the Isle of Man with an entry clearance that was granted under this Appendix may be cancelled where the Minister or an Immigration Officer is satisfied that it is proportionate to cancel that leave where—

- (a) the cancellation is justified on grounds of public policy, public security or public health in accordance with regulation 28 of the Immigration (European Economic Area) Regulations 2019, irrespective of whether the EEA Regulations apply to that person (except that for "a right of permanent residence under regulation 17" read "indefinite leave to enter or remain or who would be granted indefinite leave to enter or remain if they made a valid application under Appendix EU to the Immigration Rules"; and for "an EEA decision" read "a decision under paragraph A3.4.(a) of Annex 3 to Appendix EU (Family Permit) to the Immigration Rules");

- (b) the cancellation is justified on grounds that, in relation to the relevant application under this Appendix, and whether or not to the applicant's knowledge, false or misleading information, representations or documents were submitted (including false or misleading information submitted to any person to obtain a document used in support of the application); and the information, representation or documentation was material to the decision to grant the applicant an entry clearance under this Appendix; or
- (c) since the entry clearance under this Appendix was granted, there has been a change in circumstances that is, or would have been, relevant to that person's eligibility for that entry clearance, such that their leave to enter ought to be cancelled.

A3.5. A person's leave to enter granted by virtue of having arrived in the Isle of Man with an entry clearance that was granted under this Appendix may be curtailed where the Minister is satisfied that it is proportionate to curtail that leave where—

- (a) curtailment is justified on grounds that, in relation to the relevant application under this Appendix, and whether or not to the applicant's knowledge, false or misleading information, representations or documents were submitted (including false or misleading information submitted to any person to obtain a document used in support of the application); and the information, representation or documentation was material to the decision to grant the applicant an entry clearance under this Appendix; or
- (b) curtailment is justified on grounds that it is more likely than not that, after the specified date, the person has entered, attempted to enter or assisted another person to enter or to attempt to enter, a marriage, civil partnership or durable partnership of convenience.

## **Appendix F - Immigration rules relating to Businesspersons, Investors and Writers, Composers and Artists as at 1 December 2009**

### **Persons intending to establish themselves in business**

#### **Requirements for leave to enter the Isle of Man as a person intending to establish himself in business**

200. For the purpose of paragraphs 201-210 a business means an enterprise as:

- a sole trader; or
- a partnership; or
- a company registered in the Isle of Man.

201. The requirements to be met by a person seeking leave to enter the Isle of Man to establish himself in business are:

- (i) that he satisfies the requirements of either paragraph 202 or paragraph 203; and
- (ii) that he has not less than £200,000 of his own money under his control and disposable in the Isle of Man which is held in his own name and not by a trust or other investment vehicle and which he will be investing in the business in the Isle of Man; and
- (iii) that until his business provides him with an income he will have sufficient additional funds to maintain and accommodate himself and any dependants without recourse to employment (other than his work for the business) or to public funds; and
- (iv) that he will be actively involved full time in trading or providing services on his own account or in partnership, or in the promotion and management of the company as a director; and
- (v) that his level of financial investment will be proportional to his interest in the business; and
- (vi) that he will have either a controlling or equal interest in the business and that any partnership or directorship does not amount to disguised employment; and
- (vii) that he will be able to bear his share of liabilities; and
- (viii) that there is a genuine need for his investment and services in the Isle of Man; and
- (ix) that his share of the profits of the business will be sufficient to maintain and accommodate himself and any dependants without recourse to employment (other than his work for the business) or to public funds; and
- (x) that he does not intend to supplement his business activities by taking or seeking employment in the Isle of Man other than his work for the business; and
- (xi) that he holds a valid Isle of Man entry clearance for entry in this capacity.

202. Where a person intends to take over or join as a partner or director of an existing business in the Isle of Man he will need, in addition to meeting the requirements at paragraph 201 above, to produce:

- (i) a written statement of the terms on which he is to take over or join the business; and
- (ii) audited accounts for the business for previous years; and
- (iii) evidence that his services and investment will result in a net increase in the employment provided by the business to persons settled in the Isle of Man to the extent of creating at least 2 new full time jobs.

203. Where a person intends to establish a new business in the Isle of Man he will need, in addition to meeting the requirements at paragraph 201 above, to produce evidence:

- (i) that he will be bringing into the country sufficient funds of his own to establish a business; and
- (ii) that the business will create full time paid employment for at least 2 persons already settled in the Isle of Man.

### **Leave to enter the Isle of Man as a person seeking to establish himself in business**

204. A person seeking leave to enter the Isle of Man to establish himself in business may be admitted for a period not exceeding 2 years, with a condition restricting his freedom to take employment provided he is able to produce to the Immigration Officer, on arrival, a valid Isle of Man entry clearance for entry in this capacity.

### **Refusal of leave to enter the Isle of Man as a person seeking to establish himself in business**

205. Leave to enter the Isle of Man as a person seeking to establish himself in business is to be refused if a valid Isle of Man entry clearance for entry in this capacity is not produced to the Immigration Officer on arrival.

### **Requirements for an extension of stay in order to remain in business**

206. The requirements for an extension of stay in order to remain in business in the Isle of Man are that the applicant can show:

- (i) that he entered the Isle of Man with a valid Isle of Man entry clearance as a businessman; and
- (ii) audited accounts which show the precise financial position of the business and which confirm that he has invested not less than £200,000 of his own money directly into the business in the Isle of Man; and
- (iii) that he is actively involved on a full time basis in trading or providing services on his own account or in partnership or in the promotion and management of the company as a director; and
- (iv) that his level of financial investment is proportional to his interest in the business;

And

- (v) that he has either a controlling or equal interest in the business and that any partnership or directorship does not amount to disguised employment; and
- (vi) that he is able to bear his share of any liability the business may incur; and
- (vii) that there is a genuine need for his investment and services in the Isle of Man; and
- (viii) (a) that where he has established a new business, new full time paid employment has been created in the business for at least 2 persons settled in the Isle of Man; or
  - (b) that where he has taken over or joined an existing business, his services and investment have resulted in a net increase in the employment provided by the business to persons settled in the Isle of Man to the extent of creating at least 2 new full time jobs; and
- (ix) that his share of the profits of the business is sufficient to maintain and accommodate him and any dependants without recourse to employment (other than his work for the business) or to public funds; and
- (x) that he does not and will not have to supplement his business activities by taking or seeking employment in the Isle of Man other than his work for the business; and
- (xi) that he has the permission of the Department for Economic Development under the Control of Employment Act to take up self-employment.

206A. The requirements for an extension of stay as a person intending to establish himself in business in the Isle of Man for a person who has leave to enter or remain for work permit employment are that the applicant:

- (i) entered the Isle of Man or was given leave to remain as a work permit holder in accordance with paragraphs 128 to 133 of these Rules; and
- (ii) meets each of the requirements of paragraph 201 (i)-(x).

206B. The requirements for an extension of stay as a person intending to establish himself in business in the Isle of Man for a highly skilled migrant are that the applicant:

- (i) entered the Isle of Man or was given leave to remain as a highly skilled migrant in accordance with paragraphs 135A to 135F of these Rules; and

(ii) meets each of the requirements of paragraph 201 (i)-(x).

206D. The requirements for an extension of stay as a person intending to establish himself in business in the Isle of Man for an innovator are that the applicant:

(i) entered the Isle of Man or was given leave to remain as an innovator in accordance with the United Kingdom Rules; and

(ii) meets each of the requirements of paragraph 201 (i)-(x).

206E. The requirements for an extension of stay as a person intending to establish himself in business in the Isle of Man for a student are that the applicant:

(i) entered the Isle of Man or was given leave to remain as a student in accordance with paragraphs 57 to 62 of these Rules; and

(ii) has obtained a degree qualification on a recognised degree course at either a Isle of Man publicly funded further or higher education institution or a bona fide Isle of Man or United Kingdom private education institution which maintains satisfactory records of enrolment and attendance; and

(iii) 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

(iv) meets each of the requirements of paragraph 201 (i)-(x).

206F. The requirements for an extension of stay as a person intending to establish himself in business in the Isle of Man for a working holidaymaker are that the applicant:

entered the Isle of Man or was given leave to remain as a working holidaymaker in accordance with paragraphs 95 to 100 of these Rules; and

(i) has spent more than 12 months in total in the Isle of Man in this capacity; and

(iii) meets each of the requirements of paragraph 201 (i)-(x).

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 paragraph 201(i)-(x).

### **Extension of stay in order to remain in business**

207. An extension of stay in order to remain in business with a condition restricting his freedom to take employment may be granted for a period not exceeding 3 years at a time provided the Minister is satisfied that each of the requirements of paragraph 206, 206A, 206B, 206C, 206D, 206E or 206F is met.

### **Refusal of extension of stay in order to remain in business**

208. An extension of stay in order to remain in business is to be refused if the Minister is not satisfied that each of the requirements of paragraph 206, 206A, 206B, 206C, 206D, 206E or 206F is met.

## **INVESTORS**

### **Requirements for leave to enter the Isle of Man as an investor**

224. The requirements to be met by a person seeking leave to enter the Isle of Man as an investor are that he:

(i) (a) has money of his own under his control in the Isle of Man amounting to no less than £1 million;  
or

(b) (A) owns personal assets which, taking into account any liabilities to which he is subject, have a value exceeding £2 million; and

(B) has money under his control in the Isle of Man amounting to no less than £1 million, which may include money loaned to him provided that it was loaned by a financial institution regulated by the Financial Supervision Commission; and

(ii) intends to invest not less than £750,000 of his capital in the Isle of Man by way of Isle of Man Government or local authority bonds, share capital or loan capital in active and trading Isle of Man registered companies (other than those principally engaged in property investment), or deposits for a fixed term of at least one year with banks, building societies or similar organisations established on the Isle of Man which are licensed by the Financial Supervision Commission to take deposits; and

(iii) intends to make the Isle of Man his main home; and

(iv) is able to maintain and accommodate himself and any dependants without taking employment (other than self employment or business) or recourse to public funds; and

(v) holds a valid Isle of Man entry clearance for entry in this capacity.

### **Leave to enter as an investor**

225. A person seeking leave to enter the Isle of Man as an investor may be admitted for a period not exceeding 2 years with a restriction on his right to take employment, provided he is able to produce to the Immigration Officer, on arrival, a valid Isle of Man entry clearance for entry in this capacity.

### **Refusal of leave to enter as an investor**

226. Leave to enter as an investor is to be refused if a valid Isle of Man entry clearance for entry in this capacity is not produced to the Immigration Officer on arrival.

### **Requirements for an extension of stay as an investor**

227. The requirements for an extension of stay as an investor are that the applicant:

(i) entered the Isle of Man with a valid Isle of Man entry clearance as an investor; and

(ii) (a) has money of his own under his control in the Isle of Man amounting to no less than £1 million; or

(b) (A) owns personal assets which, taking into account any liabilities to which he is subject, have a value exceeding £2 million; and

(B) has money under his control in the Isle of Man amounting to no less than £1 million, which may include money loaned to him provided that it was loaned by a financial institution regulated by the Financial Supervision Commission; and

(iii) has invested not less than £750,000 of his capital in the Isle of Man on the terms set out in paragraph 224 (ii) above and intends to maintain that investment on the terms set out in paragraph 224 (ii); and

(iv) has made the United Kingdom his main home; and

(v) is able to maintain and accommodate himself and any dependants without taking employment (other than his self employment or business) or recourse to public funds.

227A. The requirements to be met for an extension of stay as an investor, for a person who has leave to enter or remain in the Isle of Man as a work permit holder are that the applicant:

(i) entered the Isle of Man or was granted leave to remain as a work permit holder in accordance with paragraphs 128 to 133 of these Rules; and

(ii) meets the requirements of paragraph 224 (i)-(iv).

227B. The requirements to be met for an extension of stay as an investor, for a person in the Isle of Man as a highly skilled migrant are that the applicant:

(i) entered the Isle of Man or was granted leave to remain as a highly skilled migrant in accordance with paragraphs 135A to 135F of these Rules; and

(ii) meets the requirements of paragraph 224 (i)-(iv).

227C. The requirements to be met for an extension of stay as an investor, for a person in the Isle of Man to establish themselves or remain in business are that the applicant:

(i) entered the Isle of Man or was granted leave to remain as a person intending to establish themselves or remain in business in accordance with paragraphs 201 to 208 of these Rules; and

(ii) meets the requirements of paragraph 224 (i)-(iv).

227D. The requirements to be met for an extension of stay as an investor, for a person in the United Kingdom as an innovator are that the applicant:

(i) entered the United Kingdom or was granted leave to remain as an innovator in accordance with paragraphs 210A to 210F of these Rules; and

(ii) meets the requirements of paragraph 224 (i)-(iv).]

228. An extension of stay as an investor, with a restriction on the taking of employment, may be granted for a period not exceeding 3 years, provided the Minister is satisfied that each of the requirements of paragraph 227, 227A, 227B, 227C or 227D is met.

### **Refusal of extension of stay as an investor**

229. An extension of stay as an investor is to be refused if the Minister is not satisfied that each of the requirements of paragraph 227, 227A, 227B, 227C or 227D is met.

### **Writers, Composers and Artists**

#### **Requirements for leave to enter the Isle of Man as a writer, composer or artist**

232. The requirements to be met by a person seeking leave to enter the Isle of Man as a writer, composer or artist are that he:

(i) has established himself outside the Isle of Man as a writer, composer or artist primarily engaged in producing original work which has been published (other than exclusively in newspapers or magazines), performed or exhibited for its literary, musical or artistic merit; and

(ii) does not intend to work except as related to his self employment as a writer, composer or artist; and

(iii) has for the preceding year been able to maintain and accommodate himself and any dependants from his own resources without working except as a writer, composer or artist; and

(iv) has for the preceding year been able to maintain and accommodate himself and any dependants from his own resources without working except as a writer, composer or artist; and

(v) will be able to maintain and accommodate himself and any dependants from his own resources without working except as a writer, composer or artist and without recourse to public funds; and

(vi) has the permission of the Department for Economic Development under the Control of Employment Act to take up self-employment as a writer, composer or artist; and

(v) holds a valid Isle of Man entry clearance for entry in this capacity.

#### **Leave to enter as a writer, composer or artist**

233. A person seeking leave to enter the Isle of Man as a writer, composer or artist may be admitted for a period not exceeding 2 years, subject to a condition restricting his freedom to take employment, provided he is able to produce to the Immigration Officer, on arrival, a valid Isle of Man entry clearance for entry in this capacity.

#### **Refusal of leave to enter as a writer, composer or artist**

234. Leave to enter as a writer, composer or artist is to be refused if a valid Isle of Man entry clearance for entry in this capacity is not produced to the Immigration Officer on arrival.

**Requirements for an extension of stay as a writer, composer or artist**

235. The requirements for an extension of stay as a writer, composer or artist are that the applicant:

- (i) entered the Isle of Man with a valid Isle of Man entry clearance as a writer, composer or artist; and
- (ii) meets the requirements of paragraph 232 (ii)-(v).

**Extension of stay as a writer, composer or artist**

236. An extension of stay as a writer, composer or artist, may be granted for a period not exceeding 3 years with a restriction on his freedom to take employment, provided the Minister is satisfied that each of the requirements of paragraph 235 is met.

**Refusal of extension of stay as a writer, composer or artist**

237. An extension of stay as a writer, composer or artist is to be refused if the Minister is not satisfied that each of the requirements of paragraph 235 is met.

**Immigration Rules as at 1<sup>st</sup> October 2012 relating to overseas qualified nurses of midwives, work permit employment and Tier 1 (Post Study Work) Migrants****Overseas qualified nurse or midwife****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) [DELETED]
- (iii) [DELETED]
- (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) - (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-69R of these Rules, or
  - (b) to undertake an adaptation course as a student nurse under paragraphs 63 - 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 Minister is satisfied that each of the requirements of paragraph 69P is met.

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

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

**Work permit employment****Requirements for leave to enter the Isle of Man for work permit employment**



128. The requirements to be met by a person coming to the Isle of Man to seek or take employment (unless he is otherwise eligible for admission for employment under these Rules or is eligible for admission as a seaman under contract to join a ship due to leave British waters) are that he;

- (i) holds a valid Department of Economic Development work permit; and
- (ii) is not of an age which puts him outside the limits for employment; and
- (iii) is capable of undertaking the employment specified in the work permit; and
- (iv) does not intend to take employment except as specified in his work permit; and
- (v) is able to maintain and accommodate himself and any dependants adequately without recourse to public funds; and
- (vi) in the case of a person in possession of a work permit which is valid for a period of 12 months or less intends to leave the Isle of Man at the end of his approved employment; and
- (vii) holds a valid Isle of Man entry clearance for entry in this capacity except where he holds a work permit valid for six months or less or 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 for work permit employment**

129. A person seeking leave to enter the Isle of Man for the purpose of work permit employment may be admitted for a period not exceeding the period of employment approved by the Department of Economic Development (as specified in his work permit), subject to a condition restricting him to that approved employment, provided he is able to produce to the Immigration Officer, on arrival, a valid Isle of Man entry clearance for entry in this capacity or, where entry clearance is not required, provided that the Immigration Officer is satisfied that each of the requirements of paragraph 128(i) - (vi) are met.

### **Refusal of leave to enter as a work permit holder**

130. Leave to enter for the purpose of work permit employment is to be refused if a valid Isle of Man entry clearance for entry in this capacity is not produced to the Immigration Officer on arrival or, where entry clearance is not required, if the Immigration Officer is not satisfied that each of the requirements of paragraph 128(i) – (vi) are met.

## **Tier 1 (Post-Study Work) migrants**

### **245F. Purpose**

The purpose of this route is to encourage international graduates who have studied in the Isle of Man to stay on and do skilled or highly skilled work.

### **245FA. Entry to the Isle of Man**

All migrants arriving in the Isle of Man and wishing to enter as a Tier 1 (Post-Study Work) Migrant must have a valid entry clearance for entry under this route. If they do not have a valid entry clearance, entry will be refused.

### **245FB. Requirements for entry clearance**

To qualify for entry clearance as a Tier 1 (Post-Study Work) Migrant, an applicant must meet the requirements listed below. If the applicant meets these requirements, entry clearance will be granted. If the applicant does not meet these requirements, the application will be refused.

#### **Requirements:**

- (a) The applicant must not fall for refusal under the general grounds for refusal.
- (b) The applicant must not previously have been granted entry clearance or leave to remain as a Tier 1 (Post-Study Work) Migrant as a Participant in the International Graduates Scheme (or its predecessor, the Science and Engineering Graduates Scheme), or as a Participant in the Fresh Talent: Working in Scotland Scheme.

- (c) The applicant must have a minimum of 75 points under paragraphs 66 to 72 of Appendix A.
- (d) The applicant must have a minimum of 10 points under paragraphs 1 to 3 of Appendix B.
- (e) The applicant must have a minimum of 10 points under paragraphs 1 to 2 of Appendix C.
- (f) If:
  - (i) the studies that led to the qualification for which the applicant obtains points under paragraphs 66 to 72 of Appendix A were sponsored by a Government or international scholarship agency, and
  - (ii) those studies came to an end 12 months ago or less the applicant must provide the unconditional written consent of the sponsoring Government or agency to the application and must provide the specified documents to show that this requirement has been met.

#### **245FC. Period and conditions of grant**

Entry clearance will be granted for a period of 2 years and will be subject to the following conditions:

- (a) no recourse to public funds,
- (b) registration with the police, if this is required by paragraph 326 of these Rules, and
- (c) no Employment as a Doctor or Dentist in Training, unless the applicant has obtained a degree in medicine or dentistry at bachelor's level or above from a UK institution that is a UK recognised or listed body, or which holds a sponsor licence under Tier 4 of the Points Based System.

#### **245FD. Requirements for leave to remain**

To qualify for leave to remain as a Tier 1 (Post-Study Work) Migrant, an applicant must meet the requirements listed below. Subject to paragraph 245FE(a)(i), if the applicant meets these requirements, leave to remain will be granted. If the applicant does not meet these requirements, the application will be refused.

#### **Requirements:**

- (a) The applicant must not fall for refusal under the general grounds for refusal, and must not be an illegal entrant.
- (b) The applicant must not previously have been granted entry clearance or leave to remain as a Tier 1 (Post-Study Work) migrant.
- (c) The applicant must have a minimum of 75 points under paragraphs 66 to 72 of Appendix A.
- (d) The applicant must have a minimum of 10 points under paragraphs 1 to 3 of Appendix B.
- (e) The applicant must have a minimum of 10 points under paragraphs 1 to 2 of Appendix C.
- (f) The applicant must have, or have last been granted, entry clearance, leave to enter or leave to remain:
  - (i) as a Participant in the Fresh Talent: Working in Scotland Scheme (under UK Immigration Rules),
  - (ii) as a Participant in the International Graduates Scheme (or its predecessor, the Science and Engineering Graduates Scheme) (under UK Immigration Rules),
  - (iii) as a Student, provided the applicant has not previously been granted leave in any of the categories referred to in paragraphs (i) and (ii) above,
  - (iv) as a Student Nurse, provided the applicant has not previously been granted leave in any of the categories referred to in paragraphs (i) and (ii) above,
  - (v) as a Student Re-Sitting an Examination, provided the applicant has not previously been granted leave in any of the categories referred to in paragraphs (i) and (ii) above,
  - (vi) as a Student Writing Up a Thesis, provided the applicant has not previously been granted leave as a Tier 1 Migrant or in any of the categories referred to in paragraphs (i) and (ii) above,
  - (vii) as a Tier 4 Migrant, provided the applicant has not previously been granted leave as a Tier 1 (Post-Study Work) Migrant or in any of the categories referred to in paragraphs (i) and (ii) above, or

(viii) as a Postgraduate Doctor or Dentist, provided the applicant has not previously been granted leave as a Tier 1 (Post-Study Work) Migrant or in any of the categories referred to in paragraphs (i) and (ii) above.

(g) An applicant who has, or was last granted leave as a Participant in the Fresh Talent: Working in Scotland Scheme must be a British National (Overseas), British Overseas Territories citizen, British Overseas citizen, British protected person or a British subject as defined in the British Nationality Act 1981

(h) If:

(i) the studies that led to the qualification for which the applicant obtains points under paragraphs 66 to 72 of Appendix A were sponsored by Government or international scholarship agency, and

(ii) those studies came to an end 12 months ago or less the applicant must provide the unconditional written consent of the sponsoring Government or agency to the application and must provide the specified documents to show that this requirement has been met.

#### **245FE. Period and conditions of grant**

(a) Leave to remain will be granted:

(i) for a period of the difference between 2 years and the period of the last grant of entry clearance, leave to enter or remain, to an applicant who has or was last granted leave as a Participant in the Fresh Talent: Working in Scotland Scheme, as a Participant in the International Graduates Scheme (or its predecessor the Science and Engineering Graduates Scheme). If this calculation results in no grant of leave then leave to remain is to be refused;

(ii) for a period of 2 years, to any other applicant.

(b) Leave to remain under this route will be subject to the following conditions:

(i) no access to public funds,

(ii) registration with the police, if this is required by paragraph 326 of these Rules, and

(iii) no Employment as a Doctor or Dentist in Training, unless the applicant:

(1) has obtained a primary degree in medicine or dentistry at bachelor's level or above from a UK institution that is a UK recognised or listed body, or which holds a sponsor licence under Tier 4 of the Points Based System; or

(2) as, or has last been granted, entry clearance, leave to enter or leave to remain that was not subject to any condition restricting him from taking employment as a Doctor in Training, and has been employed during that leave as a Doctor in Training; or

(3) has, or has last been granted, entry clearance, leave to enter or leave to remain that was not subject to any condition restricting him from taking employment as a Dentist in Training, and has been employed during that leave as a Dentist in Training.

#### **Appendix A – Attributes for Tier 1 (Post-Study Work) Migrants**

66. An applicant applying for entry clearance or leave to remain as a Tier 1 (Post-Study Work) Migrant must score 75 points for attributes.

67. Available points are shown in Table 9.

68. Notes to accompany the table appear below the table.

**Table 10**

<b>Qualifications</b>	<b>Points</b>
The applicant has been awarded: (a) a UK recognised bachelor or postgraduate degree, or (b) a UK postgraduate certificate in education or Professional Graduate Diploma of Education, or	20

(c) a Higher National Diploma ('HND') from a Scottish institution.	
(a) The applicant studied for his award at a UK or Isle of Man institution that is a UK recognised or listed body, or which holds a sponsor licence under Tier 4 of the Points Based System, or (b) If the applicant is claiming points for having been awarded a Higher National Diploma from a Scottish Institution, he studied for that diploma at a Scottish publicly funded institution of further or higher education, or a Scottish bona fide private education institution which maintains satisfactory records of enrolment and attendance.	20
The applicant's periods of UK study and/or research towards his eligible award were undertaken whilst he had entry clearance, leave to enter or leave to remain in the UK that was not subject to a restriction preventing him from undertaking a course of study and/or research.	20
The applicant made the application for entry clearance or leave to remain as a Tier 1 (Post-Study Work) Migrant within 12 months of obtaining the relevant qualification or within 12 months of completing a United Kingdom Foundation Programme Office affiliated Foundation Programme as a postgraduate doctor or dentist.	15
The applicant is applying for leave to remain and has, or was last granted, leave as a Participant in the International Graduates Scheme (or its predecessor, the Science and Engineering Graduates Scheme) or as a Participant in the Fresh Talent: Working in Scotland Scheme.	75

**Qualification: notes**

69. Specified documents must be provided as evidence of the qualification and, where relevant, completion of the United Kingdom Foundation Programme Office affiliated Foundation Programme as a postgraduate doctor or dentist.

70. A qualification will have been deemed to have been 'obtained' on the date on which the applicant was first notified in writing, by the awarding institution, that the qualification had been awarded.

71. If the institution studied at is removed from one of the relevant lists referred to in Table 10, or from the Tier 4 sponsor register, no points will be awarded for a qualification obtained on or after the date the institution was removed from the relevant list or from the Tier 4 sponsor register.

72. To qualify as an HND from a Scottish institution, a qualification must be at level 8 on the Scottish Credit and Qualifications Framework.

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## Appendix Finance

*This Appendix sets out how the financial requirement must be met.*

*The routes set out the requirements for the amount of funds and length of time they must be held.*

*This Appendix applies to applications under Appendix Hong Kong British Nationals (Overseas).*

### Currency

FIN 1.1. Where money is held in one or more foreign currencies, this will be converted into pound sterling (£) using the spot exchange rate which appears on [www.oanda.com](http://www.oanda.com) for the date of the application.

### Financial institutions

FIN 2.1. Funds will not be considered if they are held in a financial institution where any of the following apply—

- (a) the decision maker is unable to make satisfactory verification checks;
- (b) the financial institution is not regulated by the appropriate regulatory body for the country in which that institution is operating; or
- (c) the financial institution does not use electronic record keeping.

### Overdrafts

FIN 3.1. Overdraft facilities will not be counted towards meeting financial requirements.

### Requirement to have legally earned or acquired funds, savings, or income

FIN 4.1. If funds, savings or income were earned or acquired when the applicant was in the Isle of Man, they must have been earned or acquired lawfully and while the applicant had permission and was not in breach of any conditions attached to that permission.

### Account holders

FIN 5.1. Accounts relied on must be in the name of the applicant (either alone or as a joint account holder), unless one of the following applies—

- (a) the account is in the name of the applicant's partner who is applying for entry clearance or permission to stay at the same time or has been granted permission;
- (b) the applicant is applying as a dependant child, and the account is in the name of their parent, or their legal guardian; or
- (c) the requirements for the route under which the applicant is applying state that an account in the name of a third party may be relied upon and the account is in the name of that third party.

FIN 5.2. The applicant, or account holder in FIN 5.1., must have control of the funds.

### **Third party support**

FIN 6.1. Promises of future third-party support will not be accepted as evidence of funds, except where this is specified in the route under which the applicant is applying.

### **Dates of financial evidence**

FIN 7.1. The most recently dated piece of financial evidence must be dated within 31 days before the date of application.

FIN 7.2. The length of time for which funds are held will be calculated by counting back from the date of the closing balance on the most recently dated piece of financial evidence.

FIN 7.3. The financial evidence provided must cover the whole period of time for which the funds must be held.

### **Accounts**

FIN 8.1. Funds may be held in any form of personal bank or building society account (including current, deposit, savings, pension from which the funds can be withdrawn or investment account) provided the account allows the funds to be accessed immediately.

FIN 8.2. Funds held in other accounts or financial instruments such as shares, bonds, credit cards, pensions from which the funds cannot be withdrawn immediately, regardless of notice period, will not be accepted as evidence of funds.

## **APPENDIX FM - FAMILY MEMBERS**

This Appendix applies to applications under this route made on or after 19 November 2012 and to applications under Part 8 as set out in the Statement of Changes laid on 20 November 2012 SD 0657/12, except as otherwise set out at paragraphs A277-A280.

The sections of this Appendix are set out in the following order –

### **General**

Section GEN: General

### **Family life as a partner**

Section EC-P: Entry clearance as a partner

Section S-EC: Suitability-entry clearance

Section E-ECP: Eligibility for entry clearance as a partner

Section D-ECP: Decision on application for entry clearance as a partner

Section R-LTRP: Requirements for limited leave to remain as a partner

Section S-LTR: Suitability-leave to remain

Section E-LTRP: Eligibility for limited leave to remain as a partner

Section D-LTRP: Decision on application for limited leave to remain as a partner

Section R-ILRP: Requirements for indefinite leave to remain (settlement) as a partner

Section S-ILR: Suitability-indefinite leave to remain

Section E-ILRP: Eligibility for indefinite leave to remain as a partner

Section D-ILRP: Decision on application for indefinite leave to remain as a partner

### **Exception**

Section EX: Exception

### **Bereaved partner**

Section BPILR: Indefinite leave to remain (settlement) as a bereaved partner

Section E-BPILR: Eligibility for indefinite leave to remain as a bereaved partner

Section D-BPILR: Decision on application for indefinite leave to remain as a bereaved partner

### **Victim of domestic violence**

Section DVILR: Indefinite leave to remain (settlement) as a victim of domestic violence

Section E-DVILR: Eligibility for indefinite leave to remain as a victim of domestic violence

Section D-DVILR: Decision on application for indefinite leave to remain as a victim of domestic violence

### **Family life as a child of a parent with limited leave as a partner or parent**

Section EC-C: Entry clearance as a child

Section E-ECC: Eligibility for entry clearance as a child

Section D-ECC: Decision on application for entry clearance as a child

Section R-LTRC: Requirements for leave to remain as a child

Section E-LTRC: Eligibility for leave to remain as a child

Section D-LTRC: Decision on application for leave to remain as a child

### **Family life as a parent**

Section EC-PT: Entry clearance as a parent

Section E-ECPT: Eligibility for entry clearance as a parent

Section D-ECPT: Decision on application for entry clearance as a parent

Section R-LTRPT: Requirements for limited leave to remain as a parent

Section E-LTRPT: Eligibility for limited leave to remain as a parent

Section D-LTRPT: Decision on application for limited leave to remain as a parent

Section R-ILRPT: Requirements for indefinite leave to remain (settlement) as a parent

Section E-ILRPT: Eligibility for indefinite leave to remain as a parent

Section D-ILRPT: Decision on application for indefinite leave to remain as a parent

### **Adult dependent relatives**

Section EC-DR: Entry clearance as an adult dependent relative

Section E-ECDR: Eligibility for entry clearance as an adult dependent relative

Section D-ECDR: Decision on application for entry clearance as an adult dependent relative

Section R-ILRDR: Requirements for indefinite leave to remain as an adult dependent relative

Section E-ILRDR: Eligibility for indefinite leave to remain as an adult dependent relative

Section D-ILRDR: Decision on application for indefinite leave to remain as an adult dependent relative

### **General**

#### **Section GEN: General**

##### **Purpose**

GEN.1.1. This route is for those seeking to enter or remain in the Isle of Man on the basis of their family life with a person who is a British Citizen is settled in the Isle of Man or, is in the Isle of Man with limited leave under Appendix EU, or is in the Isle of Man with limited leave as a worker or business person by virtue of either Appendix ECAA Extension of Stay or under the provisions of the relevant 1973 Immigration Rules [or Decision 1/80] that under pinned the European Community Association Agreement (ECAA) prior to 1 January 2021. It sets out the requirements to be met and, in considering applications under this route, it reflects how, under Article 8 of the Human Rights Convention, the balance will be struck between the right to respect for private and family life and the legitimate aims of protecting national security, public safety and the economic well-being of the Isle of Man; the prevention of disorder and crime; the protection of health or morals; and the protection of the rights and freedoms of others. It also takes into account the need to safeguard and promote the welfare of children in the Isle of Man.

##### **Definitions**

GEN.1.2. For the purposes of this Appendix "partner" means-

- (i) the applicant's spouse;
- (ii) the applicant's civil partner;
- (iii) the applicant's fiancé(e) or proposed civil partner; or
- (iv) a person who has been living together with the applicant in a relationship akin to a marriage or civil partnership for at least two years prior to the date of application, unless a different meaning of partner applies elsewhere in this Appendix.

GEN.1.3. For the purposes of this Appendix

- (a) "application for leave to remain" also includes an application for variation of leave to enter or remain by a person in the Isle of Man;
- (b) references to a person being present and settled in the Isle of Man also include a person who is being admitted for settlement on the same occasion as the applicant;



- (c) references to a British citizen in the Isle of Man also include a British citizen who is coming to the Isle of Man with the applicant as their partner or parent;
- (d) references to a person being in “in the Isle of Man with limited leave under Appendix EU” mean an EEA national in the Isle of Man who holds valid limited leave to enter or remain granted under paragraph EU3. of Appendix EU to these Rules (or under the equivalent provisions in the UK or Channel Islands) on the basis of meeting condition 1 in paragraph EU14. of that Appendix; and
- (e) references to a person being “in the Isle of Man with limited leave as a worker or business person under the ECAA” mean a person granted such leave by virtue of either Appendix ECAA Extension of Stay or under the provisions of the relevant 1973 Immigration Rules [or Decision 1/80] that underpinned the European Community Association Agreement (ECAA) prior to 1 January 2021.

GEN.1.4. In this Appendix “specified” means specified in Appendix FM-SE, unless otherwise stated.

GEN.1.5. If the Entry Clearance Officer, or Minister, has reasonable cause to doubt the genuineness of any document submitted in support of an application, and having taken reasonable steps to verify the document, is unable to verify that it is genuine, the document will be discounted for the purposes of the application.

GEN.1.6. For the purposes of paragraph E-ECP.4.1.(a); E-LTRP.4.1.(a); E-LTRP.4.1A.(a); E-ECPT.4.1.(a); E-LTRPT.5.1.(a); and E-LTRPT.5.1A.(a) the applicant must be a national of Antigua and Barbuda; Australia; the Bahamas; Barbados; Belize; Canada; Dominica; Grenada; Guyana; Ireland; Jamaica; Malta; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and the Grenadines; Trinidad and Tobago; or the United States of America.

GEN.1.7. In this Appendix references to paragraphs are to paragraphs of this Appendix unless the context otherwise requires.

GEN.1.8. Paragraphs 277-280, 289AA, 295AA and 296 of Part 8 of these Rules shall apply to this Appendix.

GEN 1.9 Not used

GEN 1.10 Where paragraph GEN.3.1.(2) or GEN.3.2.(3) applies, and the applicant is granted entry clearance or leave to enter or remain under, as appropriate, paragraph D-ECP.1.2., D-LTRP.1.2., D-ECC.1.1., D-LTRC.1.1., D-ECPT.1.2. or D-LTRPT.1.2., that grant of entry clearance or leave to enter or remain will be subject to a condition of no recourse to public funds unless the decision-maker considers, with reference to paragraph GEN.1.11A., that the applicant should not be subject to such a condition.

GEN.1.11. Where entry clearance or leave to enter or remain is granted under this Appendix (and without prejudice to the specific provision that is made in this Appendix in respect of a no recourse to public funds condition), that leave may be subject to such conditions as the decision-maker considers appropriate in a particular case.

GEN.1.11A. Where entry clearance or leave to remain as a partner, child or parent is granted under paragraph D-ECP.1.2., D-LTRP.1.2., D-ECC.1.1., D-LTRC.1.1., D-ECPT.1.2. or D-LTRPT.1.2., it will normally be granted subject to a condition of no recourse to public funds, unless the applicant has provided the decision-maker with—

- (a) satisfactory evidence that the applicant is destitute; or
- (b) satisfactory evidence that there are particularly compelling reasons relating to the welfare of a child of a parent in receipt of a very low income.

For the purposes of this paragraph, a person is destitute if he does not have adequate accommodation or any means of obtaining it (whether or not his other essential living needs are met) or he has adequate accommodation or the means of obtaining it, but cannot meet his other essential living needs.

GEN.1.12. In paragraphs GEN.1.10. and GEN.1.11. “Decision-maker” refers to the Minister or an Entry Clearance Officer.

GEN.1.13. For the purposes of paragraphs D-LTRP.1.1., D-LTRP.1.2., D-ILRP.1.2., D-LTRPT.1.1., D-LTRPT.1.2., and D-ILRPT.1.2. (excluding a grant of limited leave to remain as a fiancé(e) or proposed civil partner), where at the date of application the applicant has extant leave as a partner or parent (as

applicable) granted under this Appendix, the remaining period of that extant leave up to a maximum of 28 days will be added to the period of limited leave to remain granted under that paragraph (which may therefore exceed 30 months).

GEN.1.14. Where a person aged 18 or over is granted entry clearance or limited leave to enter or remain under this Appendix, or where a person granted such entry clearance or limited leave to enter or remain will be aged 18 before that period of entry clearance or limited leave expires, the entry clearance or leave will, in addition to any other conditions which may apply, be granted subject to the conditions in Part 15 of these rules.

GEN.1.15. Where, pursuant to paragraph D-ILRP.1.2., D-ILRP.1.3., D-ILRPT.1.2. or D-ILRPT.1.3., a person who has made an application for indefinite leave to remain under this Appendix does not meet the requirements for indefinite leave to remain but falls to be granted limited leave to remain under those provisions or paragraphs 276ADE(1) to 276DH—

- (a) the Minister will treat that application for indefinite leave to remain as an application for limited leave to remain;
- (b) [not used]; and
- (c) [not used]

GEN.1.16. Where an application or claim raising Article 8 is considered under Appendix FM and EX.1. applies, the requirements of paragraphs R-LTRP.1.1.(c) and R-LTRPT.1.1.(c) are not met.

### **Leave to enter**

GEN.2.1. Subject to paragraph GEN.2.3., the requirements to be met by a person seeking leave to enter the Isle of Man under this route are that the person-

- (a) must have a valid entry clearance for entry under this route; and
- (b) must produce to the Immigration Officer on arrival a valid national passport or other document satisfactorily establishing their identity and nationality.

GEN.2.2. If a person does not meet the requirements of paragraph GEN.2.1. entry will be refused.

GEN.2.3.(1). Where an applicant for leave to enter the Isle of Man remains in the Isle of Man on temporary admission or temporary release and the requirements of sub-paragraph (2) are met, paragraph GEN.1.10., D-LTRP.1.2., D-LTRC.1.1. or D-LTRPT.1.2. (as appropriate) will apply, as if paragraph D-LTRP.1.2., D-LTRC.1.1. or D-LTRPT.1.2. (where relevant) provided for the granting of leave to enter not leave to remain (and except that the references to leave to remain and limited leave to remain are to be read as leave to enter).

(2). The requirements of this sub-paragraph are met where:

- (a) the applicant satisfies the requirements in paragraph R-LTRP.1.1.(a), (b) and (d), paragraph R-LTRC.1.1.(a), (b) and (d) or paragraph R-LTRPT.1.1.(a), (b) and (d), as if those were requirements for leave to enter not leave to remain (and except that the references to leave to remain and indefinite leave to remain are to be read as leave to enter); or
- (b) a parent of the applicant has been granted leave to enter in accordance with this paragraph and the applicant satisfies the requirements in paragraph R-LTRC.1.1.(a), (b) and (d), as if those were requirements for leave to enter not leave to remain and as if paragraph R-LTRC.1.1.(d)(iii) referred to a parent of the applicant being or having been granted leave to enter in accordance with this paragraph (and except that the references to leave to remain are to be read as leave to enter).

### **Exceptional circumstances**

GEN.3.1.(1) Where—

- (a) the financial requirement in paragraph E-ECP.3.1., E-LTRP.3.1. (in the context of an application for limited leave to remain as a partner), E-ECC.2.1. or E-LTRC.2.1. applies, and is not met from the specified sources referred to in the relevant paragraph; and
- (b) it is evident from the information provided by the applicant that there are exceptional circumstances which could render refusal of entry clearance or leave to remain a breach of Article 8 of the European Convention on Human Rights, because such refusal could result in unjustifiably harsh consequences for the applicant, their partner or a relevant child; then

the decision-maker must consider whether such financial requirement is met through taking into account the sources of income, financial support or funds set out in paragraph 21A(2) of Appendix FM-SE (subject to the considerations in sub-paragraphs (3) to (8) of that paragraph).

- (2) Where the financial requirement in paragraph E-ECP.3.1., E-LTRP.3.1. (in the context of an application for limited leave to remain as a partner), E-ECC.2.1. or E-LTRC.2.1. is met following consideration under sub-paragraph (1) (and provided that the other relevant requirements of the Immigration Rules are also met), the applicant will be granted entry clearance or leave to remain under, as appropriate, paragraph D-ECP.1.2., D-LTRP.1.2., D-ECC.1.1. or D-LTRC.1.1. or paragraph 315 or 316B of the Immigration Rules.

GEN.3.2. (1) Subject to sub-paragraph (4), where an application for entry clearance or leave to enter or remain made under this Appendix, or an application for leave to remain which has otherwise been considered under this Appendix, does not otherwise meet the requirements of this Appendix or Part 9 of the Rules, the decision-maker must consider whether the circumstances in sub-paragraph (2) apply.

- (2) Where sub-paragraph (1) above applies, the decision-maker must consider, on the basis of the information provided by the applicant, whether there are exceptional circumstances which would render refusal of entry clearance, or leave to enter or remain, a breach of Article 8 of the European Convention on Human Rights, because such refusal would result in unjustifiably harsh consequences for the applicant, their partner, a relevant child or another family member whose Article 8 rights it is evident from that information would be affected by a decision to refuse the application.
- (3) Where the exceptional circumstances referred to in sub-paragraph (2) above apply, the applicant will be granted entry clearance or leave to enter or remain under, as appropriate, paragraph D-ECP.1.2., D-LTRP.1.2., D-ECC.1.1., D-LTRC.1.1., D-ECPT.1.2., D-LTRPT.1.2., D-ECDR.1.1. or D-ECDR.1.2.
- (4) This paragraph does not apply in the context of applications made under section BPILR or DVILR.

GEN.3.3.(1) In considering an application for entry clearance or leave to enter or remain where paragraph GEN.3.1. or GEN.3.2. applies, the decision-maker must take into account, as a primary consideration, the best interests of any relevant child.

- (2) In paragraphs GEN.3.1. and GEN.3.2., and this paragraph, "relevant child" means a person who—
  - (a) is under the age of 18 years at the date of the application; and
  - (b) it is evident from the information provided by the applicant would be affected by a decision to refuse the application.

## **Family life with a Partner**

### **Section EC-P: Entry clearance as a partner**

EC-P.1.1. The requirements to be met for entry clearance as a partner are that-

- (a) the applicant must be outside the Isle of Man;
- (b) the applicant must have made a valid application for entry clearance as a partner;

- (c) the applicant must not fall for refusal under any of the grounds in Section S-EC: Suitability–entry clearance; and
- (d) the applicant must meet all of the requirements of Section E-ECP: Eligibility for entry clearance as a partner.

### **Section S-EC: Suitability–entry clearance**

S-EC.1.1. The applicant will be refused entry clearance on grounds of suitability if any of paragraphs S-EC.1.2 to 1.9 apply.

S-EC.1.2. The Minister has personally directed that the exclusion of the applicant from the Isle of Man is conducive to the public good.

S-EC.1.3. The applicant is currently the subject of a deportation order.

S-EC.1.4. The exclusion of the applicant from the Isle of Man is conducive to the public good because they have

- (a) been convicted of an offence for which they have been sentenced to a period of imprisonment of at least 4 years; or
- (b) been convicted of an offence for which they have been sentenced to a period of imprisonment of at least 12 months but less than 4 years, unless a period of 10 years has passed since the end of the sentence; or
- (c) been convicted of an offence for which they have been sentenced to a period of imprisonment of less than 12 months, unless a period of 5 years has passed since the end of the sentence.

S-EC.1.5. The exclusion of the applicant from the Isle of Man is conducive to the public good because, for example, the applicant’s conduct (including convictions which do not fall within paragraph S-EC.1.4.), character, associations, or other reasons, make it undesirable to grant them entry clearance.

S-EC.1.6. The applicant has failed without reasonable excuse to comply with a requirement to:

- (a) attend an interview;
- (b) provide information;
- (c) provide physical data; or
- (d) undergo a medical examination or provide a medical report.

S-EC.1.7. It is undesirable to grant entry clearance to the applicant for medical reasons.

S-EC.1.8. The applicant left or was removed from the UK as a condition of a caution issued in accordance with section 22 of the Criminal Justice Act 2003 (of Parliament) less than 5 years prior to the date on which the application is decided.

S-EC.1.9. The Minister considers that the applicant’s parent or parent’s partner poses a risk to the applicant. That person may be considered to pose a risk to the applicant if, for example, they –

- (a) have a conviction as an adult, whether in the Isle of Man or overseas, for an offence against a child;
- (b) are a registered sex offender and have failed to comply with any notification requirements; or
- (c) are required to comply with a sexual risk order made under the Sex Offenders Act 2006 and have failed to do so.

S-EC.2.1. The applicant will normally be refused on grounds of suitability if any of paragraphs S-EC.2.2. to 2.5. apply.

S-EC.2.2. Whether or not to the applicant’s knowledge –

- (a) false information, representations or documents have been submitted in relation to the application (including false information submitted to any person to obtain a document used in support of the application); or

(b) there has been a failure to disclose material facts in relation to the application.

S-EC.2.4. A maintenance and accommodation undertaking has been requested or required under paragraph 35 of these Rules or otherwise and has not been provided.

S-EC.2.5. The exclusion of the applicant from the Isle of Man is conducive to the public good because:

- (a) within the 12 months prior to the date on which the application is decided, the person has been convicted of or admitted an offence for which they received a non-custodial sentence or other out of court disposal that is recorded on their criminal record; or
- (b) in the view of the Minister:
  - (i) the person's offending has caused serious harm; or
  - (ii) the person is a persistent offender who shows a particular disregard for the law.

S-EC.3.1 Not Used

S-EC.3.2 The applicant may be refused on grounds of suitability if one or more relevant NHS bodies has notified the Minister that the applicant has failed to pay charges in accordance with the relevant NHS regulations on charges to overseas visitors and the outstanding charges have a total value of at least £500.

### **Section E-ECP: Eligibility for entry clearance as a partner**

E-ECP.1.1. To meet the eligibility requirements for entry clearance as a partner all of the requirements in paragraphs E-ECP.2.1 to 4.2 must be met.

#### **Relationship requirements**

E-ECP.2.1. The applicant's partner must be-

- (a) a British Citizen in the Isle of Man, subject to paragraph GEN.1.3.(c);
- (b) present and settled in the Isle of Man, subject to paragraph GEN.1.3.(b);
- (c) [Not used]
- (d) in the Isle of Man with limited leave under Appendix EU in accordance with GEN 1.3.(d); or
- (e) in the Isle of Man with limited leave as a worker or business person under Appendix ECAA Extension of Stay, in accordance with paragraph GEN.1.3.(e).

E-ECP.2.2. The applicant must be aged 18 or over at the date of application.

E-ECP.2.3. The partner must be aged 18 or over at the date of application.

E-ECP.2.4. The applicant and their partner must not be within the prohibited degree of relationship.

E-ECP.2.5. The applicant and their partner must have met in person.

E-ECP.2.6. The relationship between the applicant and their partner must be genuine and subsisting.

E-ECP.2.7. If the applicant and partner are married or in a civil partnership it must be a valid marriage or civil partnership, as specified.

E-ECP.2.8. If the applicant is a fiancé(e) or proposed civil partner they must be seeking entry to the Isle of Man to enable their marriage or civil partnership to take place in the Isle of Man.

- E-ECP.2.9. (i) Any previous relationship of the applicant or their partner must have broken down permanently, unless it is a relationship which falls within paragraph 278(i) of these Rules; and
- (ii) If the applicant is a fiancé(e) or proposed civil partner, neither the applicant nor their partner can be married to, or in a civil partnership with, another person at the date of application.

E-ECP.2.10. The applicant and partner must intend to live together permanently in the Isle of Man.

## Financial requirements

E-ECP.3.1. The applicant must provide specified evidence, from the sources listed in paragraph E-ECP.3.2., of-

- (a) a specified gross annual income of at least-
  - (i) £18,600;
  - (ii) an additional £3,800 for the first child; and
  - (iii) an additional £2,400 for each additional child; alone or in combination with
- (b) specified savings of-
  - (i) £16,000; and
  - (ii) additional savings of an amount equivalent to 2.5 times the amount which is the difference between the gross annual income from the sources listed in paragraph E-ECP.3.2.(a)-(d) and the total amount required under paragraph E-ECP.3.1.(a); or
- (c) the requirements in paragraph E-ECP.3.3. being met.

In this paragraph "child" means a dependent child of the applicant or the applicant's partner who is-

- (a) under the age of 18 years, or who was under the age of 18 years when they were first granted entry under this route;
- (b) applying for entry clearance as a dependant of the applicant or the applicant's partner, or is in the UK with leave as their dependant;
- (c) not a British citizen, settled in the Isle of Man, or in the Isle of Man with valid limited leave to enter or remain granted under paragraph EU3. or EU3A. of Appendix EU to these Rules (or under the equivalent provisions in the UK or Channel Islands); and
- (d) not an EEA national with a right to be admitted to or reside in the UK under the EEA Regulations.

E-ECP.3.2. When determining whether the financial requirement in paragraph E-ECP 3.1 is met only the following sources will be taken into account-

- (a) income of the partner from specified employment or self-employment, which, in respect of a partner returning to the Isle of Man with the applicant, can include specified employment or self-employment overseas and in the Isle of Man;
- (b) specified pension income of the applicant and partner;
- (c) any specified maternity allowance or bereavement benefit received by the partner in the Isle of Man;
- (d) other specified income of the applicant and partner; and
- (e) specified savings of the applicant and partner.

E-ECP.3.3. The requirements to be met under this paragraph are-

- (a) the applicant's partner must be receiving one or more of the following -
  - (i) disability living allowance;
  - (ii) severe disablement allowance;
  - (iii) industrial injury disablement benefit;
  - (iv) attendance allowance; or
  - (v) carer's allowance; and
- (b) the applicant must provide evidence that their partner is able to maintain and accommodate themselves, the applicant and any dependants adequately in the Isle of Man without recourse to public funds.

E-ECP.3.4. The applicant must provide evidence that there will be adequate accommodation, without recourse to public funds, for the family, including other family members who are not included in the application but who live in the same household, which the family own or occupy exclusively: accommodation will not be regarded as adequate if-

- (a) it is, or will be, overcrowded; or
- (b) it contravenes public health regulations.

### **English language requirement**

E-ECP.4.1. The applicant must provide specified evidence that they-

- (a) are a national of a majority English speaking country listed in paragraph GEN.1.6.;
- (b) have passed an English language test in speaking and listening at a minimum of level A1 of the Common European Framework of Reference for Languages with a provider approved by the Minister;
- (c) have an academic qualification which is either a Bachelor's or Master's degree or PhD awarded by an educational establishment in the Isle of Man or UK; or, if awarded by an educational establishment outside the Isle of Man or UK, is deemed by Ecctis to meet or exceed the recognised standard of a Bachelor's or Master's degree or PhD in the UK, and Ecctis has confirmed that the degree was taught or researched in English to level A1 of the Common European Framework of Reference for Languages or above; or
- (d) are exempt from the English language requirement under paragraph E-ECP.4.2.

E-ECP.4.2. The applicant is exempt from the English language requirement if at the date of application-

- (a) the applicant is aged 65 or over;
- (b) the applicant has a disability (physical or mental condition) which prevents the applicant from meeting the requirement; or
- (c) there are exceptional circumstances which prevent the applicant from being able to meet the requirement prior to entry to the Isle of Man.

### **Section D-ECP: Decision on application for entry clearance as a partner**

D-ECP.1.1. Except where paragraph GEN.3.1.(2) or GEN.3.2.(3) of this Appendix applies, an applicant who meets the requirements for entry clearance as a partner (other than as a fiancé(e) or proposed civil partner) will be granted entry clearance for an initial period not exceeding 33 months, and subject to a condition of no recourse to public funds, and they will be eligible to apply for settlement after a continuous period of at least 60 months in the Isle of Man with leave to enter granted on the basis of such entry clearance or with limited leave to remain as a partner granted under paragraph D-LTRP.1.1. (excluding in all cases any period of leave to enter or limited leave to remain as a fiancé(e) or proposed civil partner); or, where the applicant is a fiancé(e) or proposed civil partner, the applicant will be granted entry clearance for a period not exceeding 6 months, and subject to a prohibition on employment and a condition of no recourse to public funds.

D-ECP.1.2. Where paragraph GEN.3.1.(2) or GEN.3.2.(3) of this Appendix applies, an applicant who meets the requirements for entry clearance as a partner (other than as a fiancé(e) or proposed civil partner) will be granted entry clearance for an initial period not exceeding 33 months, and subject to a condition of no recourse to public funds unless the decision-maker considers, with reference to paragraph GEN.1.11A., that the applicant should not be subject to such a condition, and they will be eligible to apply for settlement after a continuous period of at least 120 months in the Isle of Man with leave to enter granted on the basis of such entry clearance or of entry clearance granted under paragraph D-ECP.1.1. or with limited leave to remain as a partner granted under paragraph D-LTRP.1.1. or D-LTRP.1.2. (excluding in all cases any period of leave to enter or limited leave to remain as a fiancé(e) or proposed civil partner); or, where the applicant is a fiancé(e) or proposed civil partner, the applicant will be granted entry clearance for a period not exceeding 6 months, and subject to a prohibition on employment and a condition of no recourse to public funds.



D-ECP.1.3. If the applicant does not meet the requirements for entry clearance as a partner, the application will be refused.

### **Section R-LTRP: Requirements for limited leave to remain as a partner**

R-LTRP.1.1. The requirements to be met for limited leave to remain as a partner are-

- (a) the applicant and their partner must be in the Isle of Man;
- (b) the applicant must have made a valid application for limited or indefinite leave to remain as a partner; and either
- (c) (i) the applicant must not fall for refusal under Section S-LTR: Suitability leave to remain; and  
(ii) the applicant meets all of the requirements of Section E-LTRP: Eligibility for leave to remain as a partner; or
- (d) (i) the applicant must not fall for refusal under Section S-LTR: Suitability leave to remain; and  
(ii) the applicant meets the requirements of paragraphs E-LTRP.1.2-1.12. and E-LTRP.2.1.-2.2.; and  
(iii) paragraph EX.1. applies.

### **Section S-LTR: Suitability-leave to remain**

S-LTR.1.1. The applicant will be refused limited leave to remain on grounds of suitability if any of paragraphs S-LTR.1.2. to 1.7. apply.

S-LTR.1.2. The applicant is currently the subject of a deportation order.

S-LTR.1.3. The presence of the applicant in the Isle of Man is not conducive to the public good because they have been convicted of an offence for which they have been sentenced to imprisonment for at least 4 years.

S-LTR.1.4. The presence of the applicant in the Isle of Man is not conducive to the public good because they have been convicted of an offence for which they have been sentenced to imprisonment for less than 4 years but at least 12 months.

S-LTR.1.5. The presence of the applicant in the Isle of Man is not conducive to the public good because, in the view of the Minister, their offending has caused serious harm or they are a persistent offender who shows a particular disregard for the law.

S-LTR.1.6. The presence of the applicant in the Isle of Man is not conducive to the public good because their conduct (including convictions which do not fall within paragraphs S-LTR.1.3. to 1.5.), character, associations, or other reasons, make it undesirable to allow them to remain in the Isle of Man.

S-LTR.1.7. The applicant has failed without reasonable excuse to comply with a requirement to -

- (a) attend an interview;
- (b) provide information;
- (c) provide physical data; or
- (d) undergo a medical examination or provide a medical report.

S-LTR.2.1. The applicant will normally be refused on grounds of suitability if any of paragraphs S-LTR.2.2. to 2.4 apply.

S-LTR.2.2. Whether or not to the applicant's knowledge -

- (a) false information, representations or documents have been submitted in relation to the application (including false information submitted to any person to obtain a document used in support of the application); or
- (b) there has been a failure to disclose material facts in relation to the application.



S-LTR.2.3. DELETED

S-LTR.2.4. A maintenance and accommodation undertaking has been requested under paragraph 35 of these Rules and has not been provided.

S-LTR.2.5. [not used].

S-LTR.3.1. When considering whether the presence of the applicant in the Isle of Man is not conducive to the public good any legal or practical reasons why the applicant cannot presently be removed from the Isle of Man must be ignored.

S-LTR.4.1. The applicant may be refused on grounds of suitability if any of paragraphs S-LTR.4.2. to S-LTR.4.5. apply.

S-LTR.4.2. The applicant has made false representations or failed to disclose any material fact in a previous application for entry clearance, leave to enter, leave to remain or a variation of leave, or in a previous human rights claim; or did so in order to obtain from the Minister or a third party a document required to support such an application or claim (whether or not the application or claim was successful).

S-LTR.4.3. The applicant has previously made false representations or failed to disclose material facts for the purpose of obtaining a document that indicates that he has a right to reside in the Isle of Man or United Kingdom.

S-LTR.4.4. Not Used

S-LTR.4.5. One or more relevant NHS bodies has notified the Minister that the applicant has failed to pay charges in accordance with the relevant NHS regulations on charges to overseas visitors and the outstanding charges have a total value of at least £500.

### **Section E-LTRP: Eligibility for limited leave to remain as a partner**

E-LTRP.1.1. To qualify for limited leave to remain as a partner all of the requirements of paragraphs E-LTRP.1.2. to 4.2. must be met.

#### **Relationship requirements**

E-LTRP.1.2. The applicant's partner must be-

- (a) a British Citizen in the Isle of Man;
- (b) present and settled in the Isle of Man;
- (c) [Not used]
- (d) in the Isle of Man with limited leave under Appendix EU in accordance with GEN.1.3.(d); or
- (e) in the Isle of Man with limited leave as a worker or business person under Appendix ECAA Extension of Stay, in accordance with paragraph GEN.1.3.(e).

E-LTRP.1.3. The applicant must be aged 18 or over at the date of application.

E-LTRP.1.4. The partner must be aged 18 or over at the date of application.

E-LTRP.1.5. The applicant and their partner must not be within the prohibited degree of relationship.

E-LTRP.1.6. The applicant and their partner must have met in person.

E-LTRP.1.7. The relationship between the applicant and their partner must be genuine and subsisting.

E-LTRP.1.8. If the applicant and partner are married or in a civil partnership it must be a valid marriage or civil partnership, as specified.

E-LTRP.1.9. Any previous relationship of the applicant or their partner must have broken down permanently, unless it is a relationship which falls within paragraph 278(i) of these Rules.

E-LTRP.1.10. The applicant and their partner must intend to live together permanently in the Isle of Man and, in any application for further leave to remain as a partner (except where the applicant is in the Isle of Man as a fiancé(e) or proposed civil partner) and in any application for indefinite leave to remain as a partner, the applicant must provide evidence that, since entry clearance as a partner was granted under paragraph D-ECP1.1. or since the last grant of limited leave to remain as a partner, the applicant and their partner have lived together in the Isle of Man or there is good reason, consistent with a continuing intention to live together permanently in the Isle of Man, for any period in which they have not done so.

E-LTRP.1.11. If the applicant is in the Isle of Man with leave as a fiancé(e) or proposed civil partner and the marriage or civil partnership did not take place during that period of leave there must be good reason why and evidence that it will take place within the next 6 months.

E-LTRP.1.12. The applicant's partner cannot be the applicant's fiancé(e) or proposed civil partner, unless the applicant was granted entry clearance as that person's fiancé(e) or proposed civil partner.

### **Immigration status requirements**

E-LTRP.2.1. The applicant must not be in the Isle of Man-

- (a) as a visitor; or
- (b) with valid leave granted for a period of 6 months or less, unless that leave is as a fiancé(e) or proposed civil partner or was granted pending the outcome of family court or divorce proceedings;

E-LTRP.2.1A. Paragraph E-LTRP.2.1 does not apply where—

- (a) the applicant is in the Isle of Man with valid leave as a visitor; and
- (b) the application is made during the period for which the Proclamation of Emergency of 16 March 2020 (as continued or otherwise extended from time to time) is in operation<sup>31</sup>.

E-LTRP.2.1B. Paragraph E-LTRP.2.1A. has effect despite anything to the contrary contained in these Rules.

E-LTRP.2.2. The applicant must not be in the Isle of Man-

- (a) on temporary admission or temporary release, unless:
  - (i) the Minister is satisfied that the applicant arrived in the Isle of Man more than 6 months prior to the date of application; and
  - (ii) paragraph EX.1. applies; or
- (b) in breach of immigration laws(except that, where paragraph 39E of these Rules applies, any current period of overstaying will be disregarded), unless paragraph EX.1. applies.

### **Financial requirements**

E-LTRP.3.1. The applicant must provide specified evidence, from the sources listed in paragraph E-LTRP.3.2., of-

- (a) a specified gross annual income of at least-
  - (i) £18,600;
  - (ii) an additional £3,800 for the first child; and
  - (iii) an additional £2,400 for each additional child; alone or in combination with
- (b) specified savings of-

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<sup>31</sup> (SD 2020/0162) as continued by the Proclamation of Emergency dated 15 April 2020 (SD 2020/0250), and further continued on 15 May 2020 (SD 2020/0296)

- (i) £16,000; and
  - (ii) additional savings of an amount equivalent to 2.5 times the amount which is the difference between the gross annual income from the sources listed in paragraph E-LTRP.3.2.(a)-(f) and the total amount required under paragraph E-LTRP.3.1.(a); or
- (c) the requirements in paragraph E-LTRP.3.3. being met, unless paragraph EX.1. applies.

In this paragraph "child" means a dependent child of the applicant or the applicant's partner who is-

- (a) under the age of 18 years, or who was under the age of 18 years when they were first granted entry under this route;
- (b) applying for entry clearance or leave to remain as a dependant of the applicant or the applicant's partner, or is in the Isle of Man with leave as their dependant;
- (c) not a British citizen, settled in the Isle of Man, or in the Isle of Man with valid limited leave to enter or remain granted under paragraph EU3. or EU3A. of Appendix EU to these Rules (or its equivalent in the UK or Channel Islands); and
- (d) not an EEA national with a right to be admitted to or reside in the Isle of Man under the EEA Regulations.

E-LTRP.3.2. When determining whether the financial requirement in paragraph ELTRP. 3.1. is met only the following sources may be taken into account-

- (a) income of the partner from specified employment or self-employment;
- (b) income of the applicant from specified employment or self-employment unless they are working illegally;
- (c) specified pension income of the applicant and partner;
- (d) any specified maternity allowance or bereavement benefit received by the applicant and partner in the Isle of Man;
- (e) other specified income of the applicant and partner;
- (f) income from the sources at (b), (d) or (e) of a dependent child of the applicant or of the applicant's partner under paragraph E-LTRP.3.1. who is aged 18 years or over; and
- (g) specified savings of the applicant, partner and a dependent child of the applicant or of the applicant's partner under paragraph E-LTRP.3.1. who is aged 18 years or over.

E-LTRP.3.3. The requirements to meet this paragraph are-

- (a) the applicant's partner must be receiving one or more of the following -
  - (i) disability living allowance;
  - (ii) severe disablement allowance;
  - (iii) industrial injury disablement benefit;
  - (iv) attendance allowance; or
  - (v) carer's allowance; and
- (b) the applicant must provide evidence that their partner is able to maintain and accommodate themselves, the applicant and any dependants adequately in the Isle of Man without recourse to public funds.

E-LTRP.3.4. The applicant must provide evidence that there will be adequate accommodation, without recourse to public funds, for the family, including other family members who are not included in the application but who live in the same household, which the family own or occupy exclusively unless paragraph EX.1. applies: accommodation will not be regarded as adequate if-

- (a) it is, or will be, overcrowded; or

- (b) it contravenes public health regulations.

### **English language requirement**

E-LTRP.4.1. If the applicant has not met the requirement in a previous application for entry clearance or leave to remain as a partner or parent, the applicant must provide specified evidence that they-

- (a) are a national of a majority English speaking country listed in paragraph GEN.1.6.;
- (b) have passed an English language test in speaking and listening at a minimum of level A1 of the Common European Framework of Reference for Languages with a provider approved by the Minister;
- (c) have an academic qualification which is either a Bachelor's or Master's degree or PhD awarded by an educational establishment in the Isle of Man or UK; or, if awarded by an educational establishment outside the Isle of Man or UK, is deemed by Ecctis to meet or exceed the recognised standard of a Bachelor's or Master's degree or PhD in the UK, and Ecctis has confirmed that the degree was taught or researched in English to level A1 of the Common European Framework of Reference for Languages or above; or
- (d) are exempt from the English language requirement under paragraph E-LTRP.4.2.;

unless paragraph EX.1. applies.

E-LTRP.4.1A. Where the applicant:

- (i) in a previous application for entry clearance or leave to remain as a partner or parent, met the English language requirement in paragraph E-ECP.4.1.(b), E-LTRP.4.1.(b), E-ECPT.4.1.(b) or E-LTRPT.5.1.(b) on the basis that they passed an English language test in speaking and listening at level A1 of the Common European Framework of Reference for Languages;
- (ii) was granted entry clearance or leave to remain as a partner or parent; and
- (iii) now seeks further leave to remain as a partner after 30 months in the Isle of Man with leave as a partner;

then, the applicant must provide specified evidence that they:

- (a) are a national of a majority English speaking country listed in paragraph GEN.1.6.;
- (b) have passed an English language test in speaking and listening at a minimum of level A2 of the Common European Framework of Reference for Languages with a provider approved by the Secretary of State;
- (c) have an academic qualification which is either a Bachelor's or Master's degree or PhD awarded by an educational establishment in the Isle of Man or UK; or, if awarded by an educational establishment outside the Isle of Man or UK, is deemed by Ecctis to meet or exceed the recognised standard of a Bachelor's or Master's degree or PhD in the UK, and Ecctis has confirmed that the degree was taught or researched in English to level A2 of the Common European Framework of Reference for Languages or above; or
- (d) are exempt from the English language requirement under paragraph ELTRP.4.2.;

unless paragraph EX.1. applies.

E-LTRP.4.2. The applicant is exempt from the English language requirement in paragraph E-LTRP.4.1. or E-LTRP.4.1A. if at the date of application-

- (a) the applicant is aged 65 or over;
- (b) the applicant has a disability (physical or mental condition) which prevents the applicant from meeting the requirement; or
- (c) there are exceptional circumstances which prevent the applicant from being able to meet the requirement.

### **Section D-LTRP: Decision on application for limited leave to remain as a partner**

D-LTRP.1.1. If the applicant meets the requirements in paragraph R-LTRP.1.1.(a) to (c) for limited leave to remain as a partner the applicant will be granted limited leave to remain for a period not exceeding 30 months, and subject to a condition of no recourse to public funds, and they will be eligible to apply for settlement after a continuous period of at least 60 months with such leave or in the Isle of Man with leave to enter granted on the basis of entry clearance granted under paragraph D-ECP.1.1. (excluding in all cases any period of leave to enter or limited leave to remain as a fiancé(e) or proposed civil partner); or, if paragraph E-LTRP.1.11. applies, the applicant will be granted limited leave for a period not exceeding 6 months and subject to a condition of no recourse to public funds and a prohibition on employment.

D-LTRP.1.2. If the applicant meets the requirements in paragraph R-LTRP.1.1.(a), (b) and (d) for limited leave to remain as a partner, or paragraph GEN.3.1.(2) or GEN.3.2.(3) applies to an applicant for leave to remain as a partner, the applicant will be granted leave to remain for a period not exceeding 30 months and subject to a condition of no recourse to public funds unless the decision-maker considers, with reference to paragraph GEN.1.11A., that the applicant should not be subject to such a condition, and they will be eligible to apply for settlement after a continuous period of at least 120 months in the Isle of Man with such leave, with limited leave to remain as a partner granted under paragraph D-LTRP.1.1., or in the Isle of Man with leave to enter granted on the basis of entry clearance as a partner granted under paragraph D-ECP.1.1. or D-ECP.1.2. (excluding in all cases any period of leave to enter or limited leave to remain as a fiancé(e) or proposed civil partner); or, if paragraph E-LTRP.1.11. applies, the applicant will be granted limited leave for a period not exceeding 6 months and subject to a condition of no recourse to public funds and a prohibition on employment.

D-LTRP.1.3. If the applicant does not meet the requirements for limited leave to remain as a partner the application will be refused.

### **Section R-ILRP: Requirements for indefinite leave to remain (settlement) as a partner**

R-ILRP.1.1. The requirements to be met for indefinite leave to remain as a partner are that-

- (a) the applicant and their partner must be in the Isle of Man;
- (b) the applicant must have made a valid application for indefinite leave to remain as a partner;
- (c) the applicant must not fall for refusal under any of the grounds in Section S-ILR: Suitability for indefinite leave to remain; and
- (d) [omitted]
- (e) the applicant must meet all of the requirements of Section E-ILRP: Eligibility for indefinite leave to remain as a partner.

### **Section S-ILR: Suitability for indefinite leave to remain**

S-ILR.1.1. The applicant will be refused indefinite leave to remain on grounds of suitability if any of paragraphs S-ILR.1.2. to 1.9. apply.

S-ILR.1.2. The applicant is currently the subject of a deportation order.

S-ILR.1.3. The presence of the applicant in the Isle of Man is not conducive to the public good because they have been convicted of an offence for which they have been sentenced to imprisonment for at least 4 years.

S-ILR.1.4. The presence of the applicant in the Isle of Man is not conducive to the public good because they have been convicted of an offence for which they have been sentenced to imprisonment for less than 4 years but at least 12 months, unless a period of 15 years has passed since the end of the sentence.

S-ILR.1.5. The presence of the applicant in the Isle of Man is not conducive to the public good because they have been convicted of an offence for which they have been sentenced to imprisonment for less than 12 months, unless a period of 7 years has passed since the end of the sentence.

S-ILR.1.6. The applicant has, within the 24 months prior to the date on which the application is decided, been convicted of or admitted an offence for which they received a non-custodial sentence or other out of court disposal that is recorded on their criminal record.

S-ILR.1.7. The presence of the applicant in the Isle of Man is not conducive to the public good because, in the view of the Minister, their offending has caused serious harm or they are a persistent offender who shows a particular disregard for the law.

S-ILR.1.8. The presence of the applicant in the Isle of Man is not conducive to the public good because their conduct (including convictions which do not fall within paragraphs S-ILR.1.3. to 1.6.), character, associations, or other reasons, make it undesirable to allow them to remain in the Isle of Man.

S-ILR.1.9. The applicant has failed without reasonable excuse to comply with a requirement to-

- (a) attend an interview;
- (b) provide information;
- (c) provide physical data; or
- (d) undergo a medical examination or provide a medical report.

S-ILR.2.1. The applicant will normally be refused on grounds of suitability if any of paragraphs S-ILR.2.2. to 2.4. apply.

S-ILR. 2.2. Whether or not to the applicant's knowledge –

- (a) false information, representations or documents have been submitted in relation to the application (including false information submitted to any person to obtain a document used in support of the application); or
- (b) there has been a failure to disclose material facts in relation to the application.

S-ILR.2.3. DELETED

S-ILR.2.4. A maintenance and accommodation undertaking has been requested under paragraph 35 of these Rules and has not been provided.

S-ILR.3.1. When considering whether the presence of the applicant in the Isle of Man is not conducive to the public good, any legal or practical reasons why the applicant cannot presently be removed from the Isle of Man must be ignored.

S-ILR.4.1. The applicant may be refused on grounds of suitability if any of paragraphs S-ILR.4.2. to S-ILR.4.5. apply.

S-ILR.4.2. The applicant has made false representations or failed to disclose any material fact in a previous application for entry clearance, leave to enter, leave to remain or a variation of leave, or in a previous human rights claim; or did so in order to obtain from the Minister, Secretary of State or a third party a document required to support such an application or claim (whether or not the application or claim was successful).

S-ILR.4.3. The applicant has previously made false representations or failed to disclose material facts for the purpose of obtaining a document from the Minister that indicates that he or she has a right to reside in the Isle of Man.

S-ILR.4.4. Not Used

S-ILR.4.5. One or more relevant NHS bodies has notified the Minister that the applicant has failed to pay charges in accordance with the relevant NHS regulations on charges to overseas visitors and the outstanding charges have a total value of at least £500.

### **Section E-ILRP: Eligibility for indefinite leave to remain as a partner**

E-ILRP.1.1. To meet the eligibility requirements for indefinite leave to remain as a partner all of the requirements of paragraphs E-ILRP.1.2. to 1.6. must be met.

E-ILRP.1.2. The applicant must be in the Isle of Man with valid leave to remain as a partner under this Appendix (except that, where paragraph 39E of these Rules applies, any current period of overstaying will be disregarded).

E-ILRP.1.3. (1) Subject to sub-paragraph (2), the applicant must, at the date of application, have completed a continuous period of either—

- (a) at least 60 months in the Isle of Man with—
  - (i) leave to enter granted on the basis of entry clearance as a partner granted under paragraph D-ECP.1.1.; or
  - (ii) limited leave to remain as a partner granted under paragraph D-LTRP.1.1.; or
  - (iii) a combination of (i) and (ii); or
- (b) at least 120 months in the Isle of Man with—
  - (i) leave to enter granted on the basis of entry clearance as a partner granted under paragraph D-ECP.1.1. or D-ECP.1.2.; or
  - (ii) limited leave to remain as a partner granted under paragraph D-LTRP.1.1. or D-LTRP.1.2.; or
  - (iii) a combination of (i) and (ii).

(1A) In respect of an application falling within sub-paragraph (1)(a) above, the applicant must meet all of the requirements of section E-LTRP: Eligibility for leave to remain as a partner (except that paragraph E-LTRP.1.2. cannot be met on the basis set out in sub-paragraphs (c), (d) or (e) of that paragraph, and in applying paragraph E-LTRP.3.1.(b)(ii) delete the words “2.5 times”).

(1B) In respect of an application falling within sub-paragraph (1)(b) above—

- (a) the applicant must meet all of the requirements of paragraphs E-LTRP.1.2.-1.12. (except that paragraph E-LTRP.1.2. cannot be met on the basis set out in sub-paragraphs (c), (d) or (e) of that paragraph) and E-LTRP.2.1. - 2.2.; and
- (b) paragraph EX.1. must apply.

(2) In calculating periods of leave for the purposes of sub-paragraph (1) above, any period of leave to enter or limited leave to remain as a fiancé(e) or proposed civil partner will be excluded. E-ILRP.1.4. In calculating the periods under paragraph E-ILRP.1.3. only the periods when the applicant’s partner is the same person as the applicant’s partner for the previous period of limited leave shall be taken into account.

E-ILRP.1.5. E-ILRP.1.5. In calculating the periods under paragraph E-ILRP.1.3. the words “in the Isle of Man” in that paragraph shall not apply to any period(s) to which the evidence in paragraph 26A of Appendix FM-SE applies.

E-ILRP.1.5A. In calculating the periods under paragraph E-ILRP.1.3., any current period of overstaying will be disregarded where paragraph 39E of these Rules applies. Any previous period of overstaying between periods of leave will also be disregarded where: the further application was made before 8 June 2017 and within 28 days of the expiry of leave; or the further application was made on or after 8 June 2017 and paragraph 39E of these Rules applied.

E-ILRP.1.6. The applicant must have demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the UK and Islands in accordance with Appendix KOLL.

### **Section D-ILRP: Decision on application for indefinite leave to remain as a partner**

D-ILRP.1.1. If the applicant meets all of the requirements for indefinite leave to remain as a partner the applicant will be granted indefinite leave to remain.

D-ILRP.1.2. If the applicant does not meet the requirements for indefinite leave to remain as a partner only for one or both of the following reasons-

- (a) paragraph S-ILR.1.5. or S-ILR.1.6. applies;

(b) The applicant has not demonstrated sufficient knowledge of the English language or about life in the United Kingdom and Islands in accordance with Appendix KoLL,

the applicant will be granted further limited leave to remain as a partner for a period not exceeding 30 months, and subject to a condition of no recourse to public funds.

D-ILRP.1.3. If the applicant does not meet all the eligibility requirements for indefinite leave to remain as a partner, and does not qualify for further limited leave to remain as a partner under paragraph DILRP. 1.2., the application will be refused unless the applicant meets the requirements in paragraph R-LTRP.1.1.(a), (b) and (d) for limited leave to remain as a partner. Where they do, the applicant will be granted further limited leave to remain as a partner for a period not exceeding 30 months under paragraph D-LTRP.1.2. and subject to a condition of no recourse to public funds unless the Minister deems such recourse to be appropriate.

### **Section EX: Exception**

EX.1. This paragraph applies if

- (a) (i) the applicant has a genuine and subsisting parental relationship with a child who-
  - (aa) is under the age of 18 years or was under the age of 18 years when the applicant was first granted leave on the basis that this paragraph applied;
  - (bb) is in the Isle of Man;
  - (cc) is a British Citizen or has lived in the Isle of Man continuously for at least the 7 years immediately preceding the date of application ; and
    - (ii) taking into account their best interests as a primary consideration, it would not be reasonable to expect the child to leave the Isle of Man; or
- (b) the applicant has a genuine and subsisting relationship with a partner who is in the Isle of Man and is a British citizen, settled in the Isle of Man, in the Isle of Man with limited leave under Appendix EU in accordance with paragraph GEN.1.3.(d), or in the Isle of Man with limited leave as a worker or business person under Appendix ECAA Extension of Stay in accordance with paragraph GEN.1.3.(e), and there are insurmountable obstacles to family life with that partner continuing outside the Isle of Man.

EX.2. For the purposes of paragraph EX.1.(b) "insurmountable obstacles" means the very significant difficulties which would be faced by the applicant or their partner in continuing their family life together outside the Isle of Man and which could not be overcome or would entail very serious hardship for the applicant or their partner.

### **Bereaved partner**

#### **Section BPILR: Indefinite leave to remain (settlement) as a bereaved partner**

BPILR.1.1. The requirements to be met for indefinite leave to remain in the Isle of Man as a bereaved partner are that-

- (a) the applicant must be in the Isle of Man;
- (b) the applicant must have made a valid application for indefinite leave to remain as a bereaved partner;
- (c) the applicant must not fall for refusal under any of the grounds in Section S-ILR: Suitability-indefinite leave to remain; and
- (d) the applicant must meet all of the requirements of Section E-BPILR: Eligibility for indefinite leave to remain as a bereaved partner.

#### **Section E-BPILR: Eligibility for indefinite leave to remain as a bereaved partner**

E-BPILR.1.1. To meet the eligibility requirements for indefinite leave to remain as a bereaved partner all of the requirements of paragraphs E-BPILR1.2. to 1.4. must be met.

E-BPILR.1.2. The applicant's last grant of limited leave must have been granted under this Appendix as-



- (a) a partner (other than a fiancé(e) or proposed civil partner) of a British Citizen a person settled in the Isle of Man, or a person in the Isle of Man with limited leave under Appendix EU in accordance with paragraph GEN.1.3.(d); or
- (b) a bereaved partner.

E-BPILR.1.3. The person who was the applicant's partner at the time of the last grant of limited leave as a partner must have died.

E-BPILR.1.4. At the time of the partner's death the relationship between the applicant and the partner must have been genuine and subsisting and each of the parties must have intended to live permanently with the other in the Isle of Man.

### **Section D-BPILR: Decision on application for indefinite leave to remain as a bereaved partner**

D-BPILR.1.1. If the applicant meets all of the requirements for indefinite leave to remain as a bereaved partner the applicant will be granted indefinite leave to remain.

D-BPILR.1.2. If the applicant does not meet the requirements for indefinite leave to remain as a bereaved partner only because the applicant paragraph S-ILR.1.5. or S-ILR.1.6. applies, the applicant will be granted further limited leave to remain for a period not exceeding 30 months, and subject to a condition of no recourse to public funds.

D-BPILR.1.3. If the applicant does not meet the requirements for indefinite leave to remain as a bereaved partner, or limited leave to remain as a bereaved partner under paragraph D-BPILR.1.2., the application will be refused.

### **Victim of domestic violence**

#### **Section DVILR: Indefinite leave to remain (settlement) as a victim of domestic violence**

DVILR.1.1. The requirements to be met for indefinite leave to remain in the Isle of Man as a victim of domestic violence are that-

- (a) the applicant must be in the Isle of Man;
- (b) the applicant must have made a valid application for indefinite leave to remain as a victim of domestic violence;
- (c) the applicant must not fall for refusal under any of the grounds in Section S-ILR: Suitability-indefinite leave to remain; and
- (d) the applicant must meet all of the requirements of Section E-DVILR: Eligibility for indefinite leave to remain as a victim of domestic violence.

#### **Section E-DVILR: Eligibility for indefinite leave to remain as a victim of domestic violence**

E-DVILR.1.1. To meet the eligibility requirements for indefinite leave to remain as a victim of domestic violence all of the requirements of paragraphs E-DVILR.1.2. to 1.3. must be met.

E-DVILR.1.2. The applicant's first grant of limited leave under this Appendix must have been as a partner (other than as a fiancé(e) or proposed civil partner) of a British citizen, a person present and settled in the Isle of Man or a person in the Isle of Man with limited leave under Appendix EU in accordance with paragraph GEN.1.3.(d), and any subsequent grant of limited leave must have been—

- (a) granted as a partner (other than as a fiancé(e) or proposed civil partner) of a British citizen, a person present and settled in the Isle of Man or a person in the Isle of Man with limited leave under Appendix EU in accordance with paragraph GEN.1.3.(d), under paragraph D-ECP.1.1., D-LTRP.1.1. or D-LTRP.1.2. of this Appendix;
- (b) granted to enable access to public funds pending an application under DVILR and the preceding grant of leave was granted a partner (other than a fiancé(e) or proposed civil partner) of a British citizen, a person present and settled in the Isle of Man, or a person in the Isle of Man with limited leave under Appendix EU in accordance with paragraph GEN.1.3.(d), under paragraph D-ECP.1.1., D-LTRP.1.1. or D-LTRP.1.2. of this Appendix; or

(c) granted under paragraph D-DVILR.1.2.

E-DVILR.1.3. The applicant must provide evidence that during the last period of limited leave as a partner of a British citizen, a person present and settled in the Isle of Man, or a person with limited leave under Appendix EU in accordance with paragraph GEN.1.3.(d), under paragraph D-ECP.1.1., D-LTRP.1.1. or paragraph D-LTRP.1.2. of this Appendix, the applicant's relationship broke down permanently as a result of domestic abuse.

E-DVILR1.4. – [Deleted].

### **Section D-DVILR: Decision on application for indefinite leave to remain as a victim of domestic violence**

D-DVILR.1.1. If the applicant meets all of the requirements for indefinite leave to remain as a victim of domestic violence the applicant will be granted indefinite leave to remain.

D-DVILR.1.2. If the applicant does not meet the requirements for indefinite leave to remain as a victim of domestic violence only because paragraph S-ILR.1.5. or S-ILR.1.6. applies the applicant will be granted further limited leave to remain for a period not exceeding 30 months.

D-DVILR.1.3. If the applicant does not meet the requirements for indefinite leave to remain as a victim of domestic violence, or further limited leave to remain under paragraph D-DVILR.1.2. the application will be refused.

### **Family life as a child of a person with limited leave as a partner or parent**

This route is for a child whose parent is applying under this Appendix for entry clearance or leave, or who has limited leave, as a partner or parent. For further provision on a child seeking to enter or remain in the Isle of Man for the purpose of their family life see Part 8 of these Rules.

### **Section EC-C: Entry clearance as a child**

EC-C.1.1. The requirements to be met for entry clearance as a child are that-

- (a) the applicant must be outside the Isle of Man;
- (b) the applicant must have made a valid application for entry clearance as a child;
- (c) the applicant must not fall for refusal under any of the grounds in Section S-EC: Suitability for entry clearance; and
- (d) the applicant must meet all of the requirements of Section E-ECC: Eligibility for entry clearance as a child.

### **Section E-ECC: Eligibility for entry clearance as a child**

E-ECC.1.1. To meet the eligibility requirements for entry clearance as a child all of the requirements of paragraphs E-ECC.1.2. to 2.4. must be met.

#### **Relationship requirements**

E-ECC.1.2. The applicant must be under the age of 18 at the date of application.

E-ECC.1.3. The applicant must not be married or in a civil partnership.

E-ECC.1.4. The applicant must not have formed an independent family unit.

E-ECC.1.5. The applicant must not be leading an independent life.

E-ECC.1.6. One of the applicant's parents must be in the Isle of Man with limited leave to enter or remain, or is being granted or has been granted, entry clearance as, a partner or a parent under this Appendix (referred to in this section as the "applicant's parent"), and

- (a) the applicant's parent's partner under Appendix FM is also a parent of the applicant; or
- (b) the applicant's parent has had and continues to have sole responsibility for the child's upbringing; or
- (c) there are serious and compelling family or other considerations which make exclusion of the child undesirable and suitable arrangements have been made for the child's care.

## Financial requirement

E-ECC.2.1. Where a parent of the applicant has, or is applying or has applied for, entry clearance or limited leave to enter or remain as a partner under this Appendix, the applicant must provide specified evidence, from the sources listed in paragraph E-ECC.2.2. of-

- (a) a specified gross annual income of at least-
  - (i) £18,600;
  - (ii) an additional £3,800 for the first child; and
  - (iii) an additional £2,400 for each additional child; alone or in combination with
- (b) specified savings of
  - (i) £16,000; and
  - (ii) additional savings of an amount equivalent to 2.5 times the amount which is the difference between the gross annual income from the sources listed in paragraph E-ECC.2.2.(a)-(f) and the total amount required under paragraph E-ECC.2.1.(a); or
- (c) the requirements in paragraph E-ECC.2.3. being met.

In this paragraph "child" means the applicant and any other dependent child of the applicant's parent or the applicant's parent's partner who is-

- (a) under the age of 18 years, or who was under the age of 18 years when they were first granted entry under this route;
- (b) applying for entry clearance as a dependant of the applicant's parent or of the applicant's parent's partner, or is in the Isle of Man with leave as their dependant;
- (c) not a British citizen, settled in the Isle of Man, or in the Isle of Man with valid limited leave to enter or remain granted under paragraph EU3 or EU3A of Appendix EU to these Rules (or under the equivalent provisions in the UK or Channel Islands); and
- (d) not an EEA national with a right to be admitted to or reside in the UK under the Immigration (EEA) Regulations 2009.

E-ECC.2.2. When determining whether the financial requirement in paragraph E-ECC. 2.1. is met only the following sources may be taken into account

- (a) income of the applicant's parent's partner from specified employment or self-employment, which, in respect of an applicant's parent's partner returning to the Isle of Man with the applicant, can include specified employment or self-employment overseas and in the Isle of Man;
- (b) income of the applicant's parent from specified employment or self employment if they are in the Isle of Man unless they are working illegally;
- (c) specified pension income of the applicant's parent and that parent's partner;
- (d) any specified maternity allowance or bereavement benefit received by the applicant's parent and that parent's partner in the Isle of Man;
- (e) other specified income of the applicant's parent and that parent's partner ;
- (f) income from the sources at (b), (d) or (e) of a dependent child of the applicant's parent under paragraph E-ECC.2.1. who is aged 18 years or over;and
- (g) specified savings of the applicant's parent, that parent's partner and a dependent child of the applicant's parent under paragraph E-ECC.2.1. who is aged 18 years or over.

E-ECC.2.3. The requirements to be met under this paragraph are-

- (a) the applicant's parent's partner must be receiving one or more of the following-
  - (i) disability living allowance;

- (ii) severe disablement allowance;
- (iii) industrial injury disablement benefit;
- (iv) attendance allowance; or
- (v) carer's allowance; and

(b) the applicant must provide evidence that their parent's partner is able to maintain and accommodate themselves, the applicant's parent, the applicant and any dependants adequately in the Isle of Man without recourse to public funds.

E-ECC.2.3A. Where a parent of the applicant has, or is applying or has applied for, entry clearance or limited leave to enter or remain as a parent under this Appendix, the applicant must provide evidence that that parent is able to maintain and accommodate themselves, the applicant and any other dependants adequately in the Isle of Man without recourse to public funds.

E-ECC.2.4. The applicant must provide evidence that there will be adequate accommodation, without recourse to public funds, for the family, including other family members who are not included in the application but who live in the same household, which the family own or occupy exclusively: accommodation will not be regarded as adequate if-

- (a) it is, or will be, overcrowded; or
- (b) it contravenes public health regulations.

#### **Section D-ECC: Decision on application for entry clearance as a child**

D-ECC.1.1. If the applicant meets the requirements for entry clearance as a child they will be granted entry clearance of a duration which will expire at the same time as the leave granted to the applicant's parent, and will be subject to the same conditions in respect of recourse to public funds as that parent.

D-ECC.1.2. If the applicant does not meet the requirements for entry clearance as a child the application will be refused.

#### **Section R-LTRC: Requirements for leave to remain as a child**

R-LTRC.1.1. The requirements to be met for leave to remain as a child are that-

- (a) the applicant must be in the Isle of Man;
- (b) the applicant must have made a valid application for leave to remain as a child; and either
- (c) (i) the applicant must not fall for refusal under any of the grounds in Section S-LTR: Suitability-leave to remain; and
  - (ii) the applicant meets all of the requirements of Section E-LTRC: Eligibility for leave to remain as a child; and
  - (iii) a parent of the applicant has been or is at the same time being granted leave to remain under paragraph D-LTRP.1.1. or D-LTRPT.1.1. or indefinite leave to remain under this Appendix (except as an adult dependent relative); or
- (d) (i) the applicant must not fall for refusal under any of the grounds in Section S-LTR: Suitability-leave to remain; and
  - (ii) the applicant meets the requirements of paragraphs E-LTRC.1.2.-1.6.; and
  - (iii) a parent of the applicant has been or is at the same time being granted leave to remain under paragraph D-LTRP.1.2., D-ILRP.1.2., D-LTRPT.1.2. or D-ILRPT.1.2. or indefinite leave to remain under this Appendix (except as an adult dependent relative).

#### **Section E-LTRC: Eligibility for leave to remain as a child**

E-LTRC.1.1. To qualify for limited leave to remain as a child all of the requirements of paragraphs E-LTRC.1.2. to 2.4. must be met (except where paragraph R-LTRC.1.1.(d)(ii) applies).

#### **Relationship requirements**

E-LTRC.1.2. The applicant must be under the age of 18 at the date of application or when first granted leave as a child under this route.

E-LTRC.1.3. The applicant must not be married or in a civil partnership.

E-LTRC.1.4. The applicant must not have formed an independent family unit.

E-LTRC.1.5. The applicant must not be leading an independent life.

E-LTRC.1.6. One of the applicant's parents (referred to in this section as the "applicant's parent") must be in the Isle of Man and have leave to enter or remain or indefinite leave to remain, or is at the same time being granted leave to remain or indefinite leave to remain, under this Appendix (except as an adult dependent relative), and

- (a) the applicant's parent's partner under Appendix FM is also a parent of the applicant; or
- (b) the applicant's parent has had and continues to have sole responsibility for the child's upbringing or the applicant normally lives with this parent and not their other parent; or
- (c) there are serious and compelling family or other considerations which make exclusion of the child undesirable and suitable arrangements have been made for the child's care.

### **Financial requirements**

E-LTRC.2.1. Where a parent of the applicant has, or is applying or has applied for, limited leave to remain as a partner under this Appendix, the applicant must provide specified evidence, from the sources listed in paragraph E-LTRC.2.2., of -

- (a) a specified gross annual income of at least-
  - (i) £18,600;
  - (ii) an additional £3,800 for the first child; and
  - (iii) an additional £2,400 for each additional child; alone or in combination with
- (b) specified savings of-
  - (i) £16,000; and
  - (ii) additional savings of an amount equivalent to 2.5 times (or if the parent is applying for indefinite leave to remain 1 times) the amount which is the difference between the gross annual income from the sources listed in paragraph E-LTRC.2.2.(a)-(f) and the total amount required under paragraph E-LTRC.2.1.(a); or
- (c) the requirements in paragraph E-LTRC.2.3. being met.

In this paragraph "child" means the applicant and any other dependent child of the applicant's parent or the applicant's parent's partner who is-

- (a) under the age of 18 years, or who was under the age of 18 years when they were first granted entry under this route;
- (b) applying for entry clearance as a dependant of the applicant's parent or of the applicant's parent's partner, or is in the Isle of Man with leave as their dependant;
- (c) not a British citizen, settled in the Isle of Man, or in the Isle of Man with valid limited leave to enter or remain granted under paragraph EU3 or EU3A of Appendix EU to these Rules (or under the equivalent provisions in the UK or Channel Islands).

E-LTRC.2.2. When determining whether the financial requirement in paragraph E-LTRC.2.1. is met only the following sources may be taken into account-

- (a) income of the applicant's parent's partner from specified employment or self-employment;
- (b) income of the applicant's parent from specified employment or self-employment;
- (c) specified pension income of the applicant's parent and that parent's partner;

- (d) any specified maternity allowance or bereavement benefit received by the applicant's parent and that parent's partner in the Isle of Man;
- (e) other specified income of the applicant's parent and that parent's partner ;
- (f) income from the sources at (b), (d) or (e) of a dependent child of the applicant's parent under paragraph E-LTRC.2.1. who is aged 18 years or over; and
- (g) specified savings of the applicant's parent, that parent's partner and a dependent child of the applicant's parent under paragraph E-ECC.2.1. who is aged 18 years or over.

E-LTRC.2.3. The requirements to be met under this paragraph are-

(a) the applicant's parent's partner must be receiving one or more of the following -

- (i) disability living allowance;
- (ii) severe disablement allowance;
- (iii) industrial injury disablement benefit;
- (iv) attendance allowance; or
- (v) carer's allowance; and

(b) the applicant must provide evidence that their parent's partner is able to maintain and accommodate themselves, the applicant's parent, the applicant and any dependants adequately in the Isle of Man without recourse to public funds.

E-LTRC.2.3A. Where a parent of the applicant has, or is applying or has applied for, limited leave to remain as a parent under this Appendix, the applicant must provide evidence that that parent is able to maintain and accommodate themselves, the applicant and any other dependants adequately in the Isle of Man without recourse to public funds.

E-LTRC.2.4. The applicant must provide evidence that there will be adequate accommodation in the Isle of Man, without recourse to public funds, for the family, including other family members who are not included in the application but who live in the same household, which the family own or occupy exclusively: accommodation will not be regarded as adequate if-

- (a) it is, or will be, overcrowded; or
- (b) it contravenes public health regulations.

### **Section D-LTRC: Decision on application for leave to remain as a child**

D-LTRC.1.1. If the applicant meets the requirements for leave to remain as a child the applicant will be granted leave to remain of a duration which will expire at the same time as the leave granted to the applicant's parent, and will be subject to the same conditions in respect of recourse to public funds as that parent. To qualify for indefinite leave to remain as a child of a person with indefinite leave to remain as a partner or parent, the applicant must meet the requirements of paragraph 298 of these rules..

D-LTRC.1.2. If the applicant does not meet the requirements for leave to remain as a child the application will be refused.

### **Family life as a parent of a child in the Isle of Man**

#### **Section EC-PT: Entry clearance as a parent of a child in the Isle of Man**

EC-PT.1.1. The requirements to be met for entry clearance as a parent are that-

- (a) the applicant must be outside the Isle of Man;
- (b) the applicant must have made a valid application for entry clearance as a parent;
- (c) the applicant must not fall for refusal under any of the grounds in Section S-EC: Suitability–entry clearance; and
- (d) the applicant must meet all of the requirements of Section E-ECPT: Eligibility for entry clearance as a parent.

**Section E-ECPT: Eligibility for entry clearance as a parent**

E-ECPT.1.1. To meet the eligibility requirements for entry clearance as a parent all of the requirements in paragraphs E-ECPT.2.1. to 4.2. must be met.

**Relationship requirements**

E-ECPT.2.1. The applicant must be aged 18 years or over.

E-ECPT.2.2. The child of the applicant must be-

- (a) under the age of 18 years at the date of application;
- (b) living in the Isle of Man; and
- (c) a British citizen, settled in the Isle of Man, or in the Isle of Man with limited leave under Appendix EU in accordance with paragraph GEN.1.3.(d).

E-ECPT.2.3. Either -

- (a) the applicant must have sole parental responsibility for the child; or
- (b) the parent or carer with whom the child normally lives must be-
  - (i) a British Citizen in the Isle of Man settled in the Isle of Man, or in the Isle of Man with limited leave under Appendix EU in accordance with paragraph GEN.1.3.(d);
  - (ii) not the partner of the applicant; and
  - (iii) the applicant must not be eligible to apply for entry clearance as a partner under this Appendix.

E-ECPT.2.4. (a) The applicant must provide evidence that they have either-

- (i) sole parental responsibility for the child, or that the child normally lives with them; or
  - (ii) access rights to the child; and
- (b) The applicant must provide evidence that they are taking, and intend to continue to take, an active role in the child's upbringing.

**Financial requirements**

E-ECPT.3.1. The applicant must provide evidence that they will be able to adequately maintain and accommodate themselves and any dependants in the Isle of Man without recourse to public funds

E-ECPT.3.2. The applicant must provide evidence that there will be adequate accommodation in the Isle of Man, without recourse to public funds, for the family, including other family members who are not included in the application but who live in the same household, which the family own or occupy exclusively: accommodation will not be regarded as adequate if-

- (a) it is, or will be, overcrowded; or
- (b) it contravenes public health regulations.

**English language requirement**

E-ECPT.4.1. The applicant must provide specified evidence that they-

- (a) are a national of a majority English speaking country listed in paragraph GEN.1.6.;
- (b) have passed an English language test in speaking and listening at a minimum of level A1 of the Common European Framework of Reference for Languages with a provider approved by the Minister;
- (c) have an academic qualification which is either a Bachelor's or Master's degree or PhD awarded by an educational establishment in the Isle of Man or UK; or, if awarded by an educational establishment outside the Isle of Man or UK, is deemed by Ecctis to meet or exceed the recognised standard of a Bachelor's or Master's degree or PhD in the UK, and Ecctis has confirmed that the degree was taught or researched in English to level A1 of the Common European Framework of Reference for Languages or above; or

(d) are exempt from the English language requirement under paragraph E-ECPT.4.2. 4.2.

E-ECPT.4.2. The applicant is exempt from the English language requirement if at the date of application-

- (a) the applicant is aged 65 or over;
- (b) the applicant has a disability (physical or mental condition) which prevents the applicant from meeting the requirement; or
- (c) there are exceptional circumstances which prevent the applicant from being able to meet the requirement prior to entry to the Isle of Man.

### **Section D-ECPT: Decision on application for entry clearance as a parent**

D-ECPT.1.1. If the applicant meets the requirements for entry clearance as a parent (except where paragraph GEN.3.2.(3) applies), the applicant will be granted entry clearance for an initial period not exceeding 33 months, and subject to a condition of no recourse to public funds, and they will be eligible to apply for settlement after a continuous period of at least 60 months in the Isle of Man with leave to enter granted on the basis of such entry clearance or with limited leave to remain as a parent granted under paragraph D-LTRPT.1.1.

D-ECPT.1.2. If paragraph GEN.3.2.(3) applies to an applicant for entry clearance as a parent, the applicant will be granted entry clearance for an initial period not exceeding 33 months, and subject to a condition of no recourse to public funds unless the decision-maker considers, with reference to paragraph GEN.1.11A., that the person should not be subject to such a condition, and they will be eligible to apply for settlement after a continuous period of at least 120 months in the Isle of Man with leave to enter granted on the basis of such entry clearance or of entry clearance granted under paragraph D-ECPT.1.1. or with limited leave to remain as a parent granted under paragraph D-LTRPT.1.1. or D-LTRPT.1.2.

D-ECPT.1.3. If the applicant does not meet the requirements for entry clearance as a parent, the application will be refused.

### **Section R-LTRPT: Requirements for limited leave to remain as a parent**

R-LTRPT.1.1. The requirements to be met for limited leave to remain as a parent are-

- (a) the applicant and the child must be in the Isle of Man;
- (b) the applicant must have made a valid application for limited or indefinite leave to remain as a parent or partner; and either
- (c) (i) the applicant must not fall for refusal under Section S-LTR: Suitability leave to remain; and  
(ii) the applicant meets all of the requirements of Section E-LTRPT: Eligibility for leave to remain as a parent, or
- (d) (i) the applicant must not fall for refusal under Section S-LTR: Suitability leave to remain; and  
(ii) the applicant meets the requirements of paragraphs E-LTRPT.2.2-2.4. and E-LTRPT.3.1.-3.2.; and  
(iii) paragraph EX.1. applies.

### **Section E-LTRPT: Eligibility for limited leave to remain as a parent**

E-LTRPT.1.1. To qualify for limited leave to remain as a parent all of the requirements of paragraphs E-LTRPT.2.2. to 5.2. must be met.

#### **Relationship requirements**

E-LTRPT.2.2. The child of the applicant must be-

- (a) under the age of 18 years at the date of application, or where the child has turned 18 years of age since the applicant was first granted entry clearance or leave to remain as a parent under this Appendix, must not have formed an independent family unit or be leading an independent life;
- (b) living in the Isle of Man; and



(c) a British Citizen settled in the Isle of Man, or in the Isle of Man with limited leave under Appendix EU in accordance with paragraph GEN.1.3.(d); or

(d) has lived in the Isle of Man continuously for at least the 7 years immediately preceding the date of application and paragraph EX.1. applies.

#### E-LTRPT.2.3. Either-

(a) the applicant must have sole parental responsibility for the child or the child normally lives with the applicant and not their other parent (who is a British Citizen settled in the Isle of Man, or in the Isle of Man with limited leave under Appendix EU in accordance with paragraph GEN.1.3.(d)), and the applicant must not be eligible to apply for leave to remain as a partner under this Appendix; or

(b) the parent or carer with whom the child normally lives must be-

(i) a British Citizen in the Isle of Man settled in the Isle of Man, or in the Isle of Man with limited leave under Appendix EU in accordance with paragraph GEN.1.3.(d);

(ii) not the partner of the applicant (which here includes a person who has been in a relationship with the applicant for less than two years prior to the date of application); and

(iii) the applicant must not be eligible to apply for leave to remain as a partner under this Appendix.

#### E-LTRPT.2.4. (a) The applicant must provide specified evidence that they have either-

(i) sole parental responsibility for the child; or

(ii) direct access (in person) to the child, as agreed with the parent or carer with whom the child normally lives or as ordered by a court in the Isle of Man; and (b) The applicant must provide evidence that they are taking, and intend to continue to take, an active role in the child's upbringing.

### **Immigration status requirement**

#### E-LTRPT.3.1. The applicant must not be in the Isle of Man-

(a) as a visitor; or

(b) with valid leave granted for a period of 6 months or less, unless that leave was granted pending the outcome of family court or divorce proceedings;

#### E-LTRPT.3.2. The applicant must not be in the Isle of Man -

(a) on temporary admission or temporary release, unless:

(i) the Minister is satisfied that the applicant arrived in the Isle of Man more than 6 months prior to the date of application; and

(ii) paragraph EX.1. applies; or

(b) in breach of immigration laws (except that, where paragraph 39E of these Rules applies, any current period of overstaying will be disregarded), unless paragraph EX.1. applies.

### **Financial requirements**

E-LTRPT.4.1. The applicant must provide evidence that they will be able to adequately maintain and accommodate themselves and any dependants in the Isle of Man without recourse to public funds, unless paragraph EX.1. applies.

E-LTRPT.4.2. The applicant must provide evidence that there will be adequate accommodation in the Isle of Man, without recourse to public funds, for the family, including other family members who are not included in the application but who live in the same household, which the family own or occupy exclusively, unless paragraph EX.1. applies:

accommodation will not be regarded as adequate if-

(a) it is, or will be, overcrowded; or

- (b) it contravenes public health regulations.

### **English language requirement**

E-LTRPT.5.1. If the applicant has not met the requirement in a previous application for entry clearance or leave to remain as a parent or partner, the applicant must provide specified evidence that they-

- (a) are a national of a majority English speaking country listed in paragraph GEN.1.6.;
- (b) have passed an English language test in speaking and listening at a minimum of level A1 of the Common European Framework of Reference for Languages with a provider approved by the Minister;
- (c) have an academic qualification which is either a Bachelor's or Master's degree or PhD awarded by an educational establishment in the Isle of Man or UK; or, if awarded by an educational establishment outside the Isle of Man or UK, is deemed by Ecctis to meet or exceed the recognised standard of a Bachelor's or Master's degree or PhD in the UK, and Ecctis has confirmed that the degree was taught or researched in English to level A1 of the Common European Framework of Reference for Languages or above; or
- (d) are exempt from the English language requirement under paragraph E-LTRPT.5.2.;

unless paragraph EX.1. applies.

E-LTRPT.5.1A. Where the applicant:

- (i) in a previous application for entry clearance or leave to remain as a parent or partner, met the English language requirement in paragraph E-ECP.4.1.(b), E-LTRP.4.1.(b), E-ECPT.4.1.(b) or E-LTRPT.5.1.(b) on the basis that they had passed an English language test in speaking and listening at level A1 of the Common European Framework of Reference for Languages; and
- (ii) was granted entry clearance or leave to remain as a parent or partner; and
- (iii) now seeks further leave to remain as a parent after 30 months in the Isle of Man with leave as a parent;

then, the applicant must provide specified evidence that they:

- (a) are a national of a majority English speaking country listed in paragraph GEN.1.6.;
- (b) have passed an English language test in speaking and listening at a minimum of level A2 of the Common European Framework of Reference for Languages with a provider approved by the Secretary of State;
- (c) have an academic qualification which is either a Bachelor's or Master's degree or PhD awarded by an educational establishment in the Isle of Man or UK; or, if awarded by an educational establishment outside the Isle of Man or UK, is deemed by Ecctis to be equivalent to the standard of a Bachelor's or Master's degree or PhD in the UK, and Ecctis has confirmed that the degree was taught or researched in English to level A2 of the Common European Framework of Reference for Languages or above; or
- (d) are exempt from the English language requirement under paragraph E-LTRPT.5.2.

unless paragraph EX.1.1. applies.

E-LTRPT.5.2. The applicant is exempt from the English language requirement in paragraph E-LTRPT.5.1. or E-LTRPT.5.1A. if at the date of application-

- (a) the applicant is aged 65 or over;
- (b) the applicant has a disability (physical or mental condition) which prevents the applicant from meeting the requirement; or
- (c) there are exceptional circumstances which prevent the applicant from being able to meet the requirement.

### **Section D-LTRPT: Decision on application for limited leave to remain as a parent**

D-LTRPT.1.1. If the applicant meets the requirements in paragraph R-LTRPT.1.1.(a) to (c) for limited leave to remain as a parent the applicant will be granted limited leave to remain for a period not exceeding 30 months, and subject to a condition of no recourse to public funds, and they will be eligible to apply for settlement after a continuous period of at least 60 months with such leave or in the Isle of Man with leave to enter granted on the basis of entry clearance as a parent granted under paragraph D-ECPT.1.1.

D-LTRPT.1.2. If the applicant meets the requirements in paragraph R-LTRPT.1.1.(a), (b) and (d) for limited leave to remain as a parent, or paragraph GEN.3.2.(3) applies to an applicant for leave to remain as a parent, the applicant will be granted leave to remain for a period not exceeding 30 months and subject to a condition of no recourse to public funds unless the decision-maker considers, with reference to paragraph GEN.1.11A., that the applicant should not be subject to such a condition, and they will be eligible to apply for settlement after a continuous period of at least 120 months in the Isle of Man with such leave, with limited leave to remain as a parent granted under paragraph D-LTRPT.1.1., or in the Isle of Man with leave to enter granted on the basis of entry clearance as a parent granted under paragraph D-ECPT.1.1. or D-ECPT.1.2.

D-LTRPT.1.3. If the applicant does not meet the requirements for limited leave to remain as a parent the application will be refused.

### **Section R-ILRPT: Requirements for indefinite leave to remain (settlement) as a parent**

R-ILRPT.1.1. The requirements to be met for indefinite leave to remain as a parent are that-

- (a) the applicant must be in the Isle of Man;
- (b) the applicant must have made a valid application for indefinite leave to remain as a parent;
- (c) the applicant must not fall for refusal under any of the grounds in Section S-ILR: Suitability-indefinite leave to remain; and
- (d) [Omitted]
- (e) the applicant must meet all of the requirements of Section E-ILRPT: Eligibility for indefinite leave to remain as a parent.

### **Section E-ILRPT: Eligibility for indefinite leave to remain as a parent**

E-ILRPT.1.1. To meet the eligibility requirements for indefinite leave to remain as a parent all of the requirements of paragraphs E-ILRPT.1.2. to 1.5. must be met.

E-ILRPT.1.2. The applicant must be in the Isle of Man with valid leave to remain as a parent under this Appendix (except that, where paragraph 39E of these Rules applies, any current period of overstaying will be disregarded).

E-ILRPT.1.3. (1) The applicant must, at the date of application, have completed a continuous period of either—

- (a) at least 60 months in the Isle of Man with—
  - (i) leave to enter granted on the basis of entry clearance as a parent granted under paragraph D-ECPT.1.1.; or
  - (ii) limited leave to remain as a parent granted under paragraph D-LTRPT.1.1.; or
  - (iii) a combination of (i) and (ii);
 or
- (b) at least 120 months in the Isle of Man with—
  - (i) leave to enter granted on the basis of entry clearance as a parent granted under paragraph D-ECPT.1.1. or D-ECPT.1.2.; or
  - (ii) limited leave to remain as a parent granted under paragraph D-LTRPT.1.1. or D-LTRPT.1.2.; or
  - (iii) a combination of (i) and (ii).

- (1A) In respect of an application falling within sub-paragraph (1)(a) above, the applicant must meet all of the requirements of Section E-LTRPT: Eligibility for leave to remain as a parent (except that paragraph E-LTRPT.2.2.(c) cannot be met on the basis of a person being in the Isle of Man with limited leave under Appendix EU in accordance with paragraph GEN.1.3.(d)).
- (1B) In respect of an application falling within sub-paragraph (1)(b) above—
- (a) the applicant must meet all of the requirements of paragraphs E-LTRPT.2.2. – 2.4. (except that paragraph E-LTRPT.2.2.(c) cannot be met on the basis of a person being in the Isle of Man with limited leave under Appendix EU in accordance with paragraph GEN.1.3.(d)) and E-LTRPT.3.1. – 3.2.; and
  - (b) paragraph EX.1. must apply.

E-ILRPT.1.4. [Deleted]

E-ILRPT.1.5. The applicant must have demonstrated sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom and Islands in accordance with the requirements of paragraphs Appendix KOLL of these Rules.

E-ILRPT.1.5A. In calculating the periods under paragraph E-ILRPT.1.3., any current period of overstaying will be disregarded where paragraph 39E of these Rules applies. Any previous period of overstaying between periods of leave will also be disregarded where: the further application was made before 8 June 2017 and within 28 days of the expiry of leave; or the further application was made on or after 8 June 2017 and paragraph 39E of these Rules applied.

### **Section D-ILRPT: Decision on application for indefinite leave to remain as a parent**

D-ILRPT.1.1. If the applicant meets all of the requirements for indefinite leave to remain as a parent the applicant will be granted indefinite leave to remain.

D-ILRPT.1.2. If the applicant does not meet the requirements for indefinite leave to remain as a parent only for one or both of the following reasons-

- (a) paragraph S-ILR.1.5. or S-ILR.1.6. applies; or
- (b) The applicant has not demonstrated sufficient knowledge of the English language or about life in the United Kingdom and Islands in accordance with Appendix KOLL,,

the applicant will be granted further limited leave to remain as a parent for a period not exceeding 30 months, and subject to a condition of no recourse to public funds.

D-ILRPT.1.3. If the applicant does not meet all the eligibility requirements for indefinite leave to remain as a parent, and does not qualify for further limited leave to remain under paragraph D-ILRPT.1.2., the application will be refused, unless the applicant meets the requirements in paragraph R-LTRPT.1.1.(a), (b) and (d) for limited leave to remain as a parent. Where they do, the applicant will be granted further limited leave to remain as a parent for a period not exceeding 30 months under paragraph D-LTRPT.1.2. and subject to a condition of no recourse to public funds unless the Minister deems such recourse to be appropriate.

### **Adult Dependent Relative**

#### **Section EC-DR: Entry clearance as an adult dependent relative**

EC-DR.1.1. The requirements to be met for entry clearance as an adult dependent relative are that-

- (a) the applicant must be outside the Isle of Man;
- (b) the applicant must have made a valid application for entry clearance as an adult dependent relative;
- (c) the applicant must not fall for refusal under any of the grounds in Section S-EC: Suitability for entry clearance; and
- (d) the applicant must meet all of the requirements of Section E-ECDR: Eligibility for entry clearance as an adult dependent relative.

## **Section E-ECDR: Eligibility for entry clearance as an adult dependent relative**

E-ECDR.1.1. To meet the eligibility requirements for entry clearance as an adult dependent relative all of the requirements in paragraphs E-ECDR.2.1. to 3.2. must be met.

### **Relationship requirements**

E-ECDR.2.1. The applicant must be the-

- (a) parent aged 18 years or over;
- (b) grandparent;
- (c) brother or sister aged 18 years or over; or
- (d) son or daughter aged 18 years or over of a person (“the sponsor”) who is in the Isle of Man.

E-ECDR.2.2. If the applicant is the sponsor’s parent or grandparent they must not be in a subsisting relationship with a partner unless that partner is also the sponsor’s parent or grandparent and is applying for entry clearance at the same time as the applicant.

E-ECDR.2.3. The sponsor must at the date of application be-

- (a) aged 18 years or over; and
- (b) (i) a British Citizen in the Isle of Man; or
  - (ii) present and settled in the Isle of Man; or
  - (iii) [Not used].

E-ECDR.2.4. The applicant or, if the applicant and their partner are the sponsor’s parents or grandparents, the applicant’s partner, must as a result of age, illness or disability require long-term personal care to perform everyday tasks.

E-ECDR.2.5. The applicant or, if the applicant and their partner are the sponsor’s parents or grandparents, the applicant’s partner, must be unable, even with the practical and financial help of the sponsor, to obtain the required level of care in the country where they are living, because-

- (a) it is not available and there is no person in that country who can reasonably provide it; or
- (b) it is not affordable.

### **Financial requirements**

E-ECDR.3.1. The applicant must provide evidence that they can be adequately maintained, accommodated and cared for in the Isle of Man by the sponsor without recourse to public funds.

E-ECDR.3.2. If the applicant’s sponsor is a British Citizen or settled in the Isle of Man, the applicant must provide an undertaking signed by the sponsor confirming that the applicant will have no recourse to public funds, and that the sponsor will be responsible for their maintenance, accommodation and care, for a period of 5 years from the date the applicant enters the Isle of Man if they are granted indefinite leave to enter.

## **Section D-ECDR: Decision on application for entry clearance as an adult dependent relative**

D-ECDR.1.1. If the applicant meets the requirements for entry clearance as an adult dependent relative of a British Citizen or person settled in the Isle of Man they will be granted indefinite leave to enter.

D-ECDR.1.2. If the applicant meets the requirements for entry clearance as an adult dependent relative and the sponsor has limited leave the applicant will be granted limited leave of a duration which will expire at the same time as the sponsor’s limited leave, and subject to a condition of no recourse to public funds. If the sponsor applies for further limited leave, the applicant may apply for further limited leave of the same duration, if the requirements in EC-DR.1.1. (c) and (d) continue to be met, and subject to no recourse to public funds.

D-ECDR.1.3. If the applicant does not meet the requirements for entry clearance as an adult dependent relative the application will be refused.

## **Section R-ILRDR: Requirements for indefinite leave to remain as an adult dependent relative**

R-ILRDR.1.1. The requirements to be met for indefinite leave to remain as an adult dependent relative are that-

- (a) the applicant is in the Isle of Man;
- (b) the applicant must have made a valid application for indefinite leave to remain as an adult dependent relative;
- (c) the applicant must not fall for refusal under any of the grounds in Section S-ILR: Suitability-indefinite leave to remain; and
- (d) the applicant must meet all of the requirements of Section E-ILRDR: Eligibility for indefinite leave to remain as an adult dependent relative.

## **Section E-ILRDR: Eligibility for indefinite leave to remain as an adult dependent relative**

E-ILRDR.1.1. To qualify for indefinite leave to remain as an adult dependent relative all of the requirements of paragraphs E-ILRDR.1.2. to 1.5. must be met.

E-ILRDR.1.2. The applicant must be in the Isle of Man with valid leave to remain as an adult dependent relative (except that, where paragraph 39E of these Rules applies, any current period of overstaying will be disregarded).

E-ILRDR.1.3. The applicant's sponsor must at the date of application be

- (a) present and settled in the Isle of Man; or
- (b) [Not used].

E-ILRDR.1.4. The applicant must provide evidence that they can be adequately maintained, accommodated and cared for in the Isle of Man by the sponsor without recourse to public funds.

E-ILRDR.1.5. The applicant must provide an undertaking signed by the sponsor confirming that the applicant will have no recourse to public funds, and that the sponsor will be responsible for their maintenance, accommodation and care, for a period ending 5 years from the date the applicant entered the Isle of Man with limited leave as an adult dependent relative.

E-ILRDR.1.6. [Deleted]

## **Section D-ILRDR: Decision on application for indefinite leave to remain as an adult dependent relative**

D-ILRDR.1.1. If the applicant meets the requirements for indefinite leave to remain as an adult dependent relative and the applicant's sponsor is settled in the Isle of Man, the applicant will be granted indefinite leave to remain as an adult dependent relative.

D-ILRDR.1.2. If the applicant does not meet the requirements for indefinite leave to remain as an adult dependent relative because paragraph S-ILR.1.5. or S-ILR.1.6. applies, the applicant will be granted further limited leave to remain as an adult dependent relative for a period not exceeding 30 months, and subject to a condition of no recourse to public funds.

D-ILRDR.1.3. If the applicant's sponsor has made an application for indefinite leave to remain and that application is refused, the applicant's application for indefinite leave to remain will be refused. If the sponsor is granted limited leave, the applicant will be granted further limited leave as an adult dependent relative of a duration which will expire at the same time as the sponsor's further limited leave, and subject to a condition of no recourse to public funds.

D-ILRDR.1.4. Where an applicant does not meet the requirements for indefinite leave to remain, or further limited leave to remain under paragraphs D-ILRDR.1.2. or 1.3., the application will be refused.

## **Deportation and Removal**

Where the Minister or an immigration officer is considering deportation or removal of a person who claims that their deportation or removal from the Isle of Man would be a breach of the right to respect for private and family life under Article 8 of the Human Rights Convention that person may be required to make an application under this Appendix or paragraph *276ADE(1)*, but if they are not required to make an application Part 13 of these Rules will apply.

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## Appendix FM-SE - Family Members – Specified Evidence

A. This Appendix sets out the specified evidence applicants need to provide to meet the requirements of rules contained in Appendix FM and, where those requirements are also contained in other rules and unless otherwise stated, the specified evidence applicants need to provide to meet the requirements of those rules.

B. Where evidence is not specified by Appendix FM, but is of a type covered by this Appendix, the requirements of this Appendix shall apply.

C. In this Appendix references to paragraphs are to paragraphs of this Appendix unless the context otherwise requires.

D. (a) In deciding an application in relation to which this Appendix states that specified documents must be provided, the Entry Clearance Officer or Minister (“the decision-maker”) will consider documents that have been submitted with the application, and will only consider documents submitted after the application where sub-paragraph (b),(e) or (f) applies.

(b) If the applicant:

(i) has submitted:

(aa) A sequence of documents and some of the documents in the sequence have been omitted (e.g. if one bank statement from a series is missing);

(bb) A document in the wrong format (for example, if a letter is not on letterhead paper as specified);  
or

(cc) [omitted]

(dd) A document which does not contain all of the specified information; or

(ii) Has not submitted a specified document,

the decision-maker may contact the applicant or his representative in writing or otherwise, and request the document(s) or the correct version(s). The material requested must be received at the address specified in the request within a reasonable timescale specified in the request.

(c) The decision-maker will not request documents where he or she does not anticipate that addressing the error or omission referred to in sub-paragraph (b) will lead to a grant because the application will be refused for other reasons.

(d) If the applicant has submitted:

(i) A document in the wrong format; or

(ii) [omitted]

(iii) A document that does not contain all of the specified information, but the missing information is verifiable from:

(1) other documents submitted with the application,

(2) the website of the organisation which issued the document, or

(3) the website of the appropriate regulatory body,

the application may be granted exceptionally, providing the decision-maker is satisfied that the document(s) is genuine and that the applicant meets the requirement to which the document relates.

(e) Where the decision-maker is satisfied that there is a valid reason why a specified document(s) cannot be supplied, e.g. because it is not issued in a particular country or has been permanently lost, he or she may exercise discretion not to apply the requirement for the document(s) or to request alternative or additional information or document(s) be submitted by the applicant.

(f) Before making a decision under Appendix FM or this Appendix, the decision-maker may contact the applicant or their representative in writing or otherwise to request further information or documents.



The material requested must be received at the address specified in the request within a reasonable timescale specified in the request.

### **Evidence of Financial Requirements under Appendix FM**

A1. To meet the financial requirement under paragraphs E-ECP.3.1., E-LTRP.3.1., E-ECC. 2.1. and E-LTRC.2.1. of Appendix FM, the applicant must meet:

- (a) The level of financial requirement applicable to the application under Appendix FM; and
- (b) The requirements specified in Appendix FM and this Appendix as to:
  - (i) The permitted sources of income and savings;
  - (ii) The time periods and permitted combinations of sources applicable to each permitted source relied upon; and
  - (iii) The evidence required for each permitted source relied upon.

1. In relation to evidencing the financial requirements in Appendix FM the following general provisions shall apply:

(a) Bank statements must:

- (i) be from a financial institution to which Appendix Finance applies.
- (ii) [Omitted]
- (iii) in relation to personal bank statements, be only in the name of:
  - (1) the applicant's partner, the applicant or both as appropriate; or
  - (2) if the applicant is a child the applicant parent's partner, the applicant's parent or both as appropriate; or
  - (3) if the applicant is an adult dependent relative, the applicant's sponsor or the applicant, unless otherwise stated.
- (iv) cover the period(s) specified.
- (v) be:
  - (1) on official bank stationery; or
  - (2) electronic bank statements and sends bank statements to its customers electronically which are either accompanied by a letter from the bank on its headed stationery confirming that the documents are authentic or which bear the official stamp of the issuing bank on every page.

(aa) Where a bank statement is specified in this Appendix, a building society statement, a building society pass book, a letter from the applicant's bank or building society, or a letter from a financial institution regulated by the Financial Services Authority or, for overseas accounts, the appropriate regulatory body for the country in which the institution operates and the funds are located, may be submitted as an alternative to a bank statement(s) provided that:

- (1) the requirements in paragraph 1(a)(i)-(iv) are met as if the document were a bank statement; and
- (2) a building society pass book must clearly show:
  - (i) the account number;
  - (ii) the building society's name and logo; and
  - (iii) the information required on transactions, funds held and time period(s) or as otherwise specified in this Appendix in relation to bank statements; and/or
- (3) a letter must be on the headed stationery of the bank, building society or other financial institution and must clearly show: (i) the account number, (ii) the date of the letter; (iii) the

financial institution's name and logo; and (iv) the information required on transactions, funds held and time period(s) or as otherwise specified in this Appendix in relation to bank statements.

(b) Promises of third party support will not be accepted, except in the limited circumstances set out in paragraph 21A (and to the extent permitted by the paragraph). Third party support will only be accepted in the form of

(i) payments from a former partner of the applicant for the maintenance of the applicant or any children of the applicant and the former partner, and payments from a former partner of the applicant's partner for the maintenance of that partner.

(ii) income from a dependent child who has turned 18, remains in the same Isle of Man household as the applicant and continues to be counted towards the financial requirement under Appendix FM;

(iii) gift of cash savings (whose source must be declared).evidenced at paragraph 1(a)(iii), provided that the cash savings have been held by the person or persons at paragraph 1(a)(iii) for at least 6 months prior to the date of application and are under their control and

(iv) a maintenance grant or stipend associated with undergraduate study or postgraduate study or research.

(bb) Payslips must be:

(i) formal payslips issued by the employer and showing the employer's name; or

(ii) accompanied by a letter from the employer, on the employer's headed paper and signed by a senior official, confirming the payslips are authentic;

(c) The employment or self-employment income of an applicant will be taken into account if they are in the Isle of Man, aged 18 years or over and working legally and prospective employment income will not be taken into account (except that of an applicant's partner or parent's partner who is returning to employment or self-employment in the Isle of Man at paragraphs E-ECP.3.2.(a) and E-ECC.2.2.(a) of Appendix FM, or where paragraph 21A of this Appendix so permits).

(cc) The income of an applicant or sponsor working in the UK in salaried or non-salaried employment or in self-employment can include income from work undertaken overseas, provided paragraph E-LTRP.1.10 of Appendix FM and the other requirements of this Appendix are met.

(d) All income and savings must be lawfully derived.

(e) Savings must be held in cash.

(f) Income or cash savings in a foreign currency will be converted to pounds sterling using the closing spot exchange rate which appears on [www.oanda.com](http://www.oanda.com)\* on the date of application.

(g) Where there is income or cash savings in different foreign currencies, each will be converted into pounds sterling before being added together, and then added to any Isle of Man income or savings to give a total amount.

(h) All documentary evidence must be original, unless otherwise stated.

(i) Evidence of profit from the sale of a business, property, investment, bond, stocks, shares or other asset will:

(i) not be accepted as evidence of income, but

(ii) the associated funds will be accepted as cash savings subject to the requirements of this Appendix and Appendix FM.

(j) Where any specified documents provided are not in English, the applicant must provide the document in the original language and a full translation that can be independently verified by the Entry Clearance Officer, Immigration Officer or the Minister. The translation must be dated and include:

(i) confirmation that it is an accurate translation of the document;

(ii) the full name and signature of the translator or an authorised official of the translation company;

- (iii) the translator or translation company's contact details; and
  - (iv) if the applicant is applying for leave to remain or indefinite leave to remain, certification by a qualified translator and details of the translator or translation company's credentials.
- (k) Where the gross (pre-tax) amount of any income cannot be properly evidenced, the net (post-tax) amount will be counted, including towards a gross income requirement.
- (l) Where this Appendix requires the applicant to provide specified evidence relating to a period which ends with the date of application, that evidence, or the most recently dated part of it, must be dated no earlier than 28 days before the date of application.
- (m) Cash income on which the correct tax has been paid may be counted as income under this Appendix, subject to the relevant evidential requirements of this Appendix.
- (n) The gross amount of any cash income may be counted where the person's specified bank statements show the net amount which relates to the gross amount shown on their payslips (or in the relevant specified evidence provided in addition to the specified bank statements in relation to non-employment income). Otherwise, only the net amount shown on the specified bank statements may be counted.
- (o) In this Appendix, a reference to the "average" is a reference to the mean average.

2. In respect of salaried employment in the Isle of Man (except where paragraph 9 applies), all of the following evidence must be provided:

(a) Payslips covering:

- (i) a period of 6 months prior to the date of application if the person has been employed by their current employer for at least 6 months (and where paragraph 13(b) of this Appendix does not apply); or
- (ii) any period of salaried employment in the period of 12 months prior to the date of application if the person has been employed by their current employer for less than 6 months (or at least 6 months but the person does not rely on paragraph 13(a) of this Appendix), or in the financial year(s) relied upon by a self-employed person.

(b) A letter from the employer(s) who issued the payslips at paragraph 2(a) confirming:

- (i) the person's employment and gross annual salary;
- (ii) the length of their employment;
- (iii) the period over which they have been or were paid the level of salary relied upon in the application; and
- (iv) the type of employment (permanent, fixed-term contract or agency).

(c) Personal bank statements corresponding to the same period(s) as the payslips at paragraph 2(a), showing that the salary has been paid into an account in the name of the person or in the name of the person and their partner jointly.

(d) Where the person is a director of a limited company based in the Isle of Man, evidence that the company is not of a type specified in paragraph 9(a). This can include the latest Annual Return filed at Companies Registry.

(e) Where a person appointed as a non-executive director of a limited company based in the Isle of Man, which is not a company of the type specified in paragraph 9(a), is paid a fee instead of a salary, this income may be treated and evidenced as though it were income received for employment in that capacity.

2A. (i) In respect of salaried employment in the Isle of Man (paragraph 2 of this Appendix), statutory or contractual maternity, paternity, adoption or sick pay in the Isle of Man (paragraph 5 or 6 of this Appendix), or a director's salary paid to a self-employed person (paragraph 9 of this Appendix), the applicant may, in addition to the payslips and personal bank statements required under that paragraph, submit the T14 for the relevant period(s) of employment relied upon (if issued). If they do not, the Entry

Clearance Officer or Minister may grant the application if otherwise satisfied that the requirements of this Appendix relating to that employment are met. The Entry Clearance Officer or Minister may request that the applicant submit the document(s) in accordance with paragraph D of this Appendix.

(ii) In respect of salaried employment in the Isle of Man (paragraph 2 of this Appendix), or statutory or contractual maternity, paternity, adoption or sick pay in the Isle of Man (paragraph 5 or 6 of this Appendix), the applicant may, in addition to the letter from the employer(s) required under that paragraph, submit a signed contract of employment. If they do not, the Entry Clearance Officer or Minister may grant the application if otherwise satisfied that the requirements of this Appendix relating to that employment are met. The Entry Clearance Officer or Minister may request that the applicant submit the document(s) in accordance with paragraph D of this Appendix.

3. In respect of salaried employment outside of the Isle of Man, evidence should be a reasonable equivalent to that set out in paragraph 2, and (where relevant) paragraph 2A. In respect of an equity partner whose income from the partnership is treated as salaried employment under paragraph 17, the payslips and employer's letter referred to in paragraph 2 may be replaced by other evidence providing the relevant information in paragraph 2 (which may include, but is not confined to, a letter on official stationery from an accountant, solicitor or business manager acting for the partnership).

4. In respect of a job offer in the Isle of Man for an applicant's partner or parent's partner returning to salaried employment in the Isle of Man at paragraphs E-ECP.3.2.(a) and E-ECC.2.2.(a) of Appendix FM) a letter from the employer must be provided:

(a) confirming the job offer, the gross annual salary and the starting date of the employment which must be within 3 months of the applicant's partner's return to the Isle of Man; or

(b) enclosing a signed contract of employment, which must have a starting date within 3 months of the applicant's partner's return to the Isle of Man.

5. In respect of statutory or contractual maternity, paternity or adoption pay all of the following, and in respect of parental leave in the Isle of Man only the evidence at paragraph 5(c), must be provided:

(a) Personal bank statements corresponding to the same period(s) as the payslips at paragraph 5(b), showing that the salary has been paid into an account in the name of the person or in the name of the person and their partner jointly.

(b) Payslips covering:

(i) a period of 6 months prior to the date of application or to the commencement of the maternity, paternity or adoption leave, if the applicant has been employed by their current employer for at least 6 months (and where paragraph 13(b) does not apply); or

(ii) any period of salaried employment in the period of 12 months prior to the date of application or to the commencement of the maternity, paternity or adoption leave, if the applicant has been employed by their current employer for less than 6 months (or at least 6 months but the person does not rely on paragraph 13(a)).

(c) A letter from the employer confirming:

(i) the length of the person's employment;

(ii) the gross annual salary and the period over which it has been paid at this level;

(iii) the entitlement to maternity, paternity or adoption leave; and

(iv) the date of commencement and the end-date of the maternity, paternity, parental or adoption leave.

6. In respect of statutory or contractual sick pay in the Isle of Man all of the following must be provided:

(a) Personal bank statements corresponding to the same period(s) as the payslips at paragraph 6(b), showing that the salary has been paid into an account in the name of the person or in the name of the person and their partner jointly.

(b) Payslips covering:

(i) a period of 6 months prior to the date of application or to the commencement of the sick leave, if the applicant has been employed by their current employer for at least 6 months (and where paragraph 13(b) does not apply); or,

(ii) any period of salaried employment in the period of 12 months prior to the date of application or to the commencement of the sick leave, if the applicant has been employed by their current employer for less than 6 months (or at least 6 months but the person does not rely on paragraph 13(a)).

(c) A letter from employer confirming:

(i) the length of the person's employment;

(ii) the gross annual salary and the period over which it has been paid at this level;

(iii) that the person is in receipt of statutory or contractual sick pay; and

(iv) the date of commencement of the sick leave.

7. In respect of self-employment in the Isle of Man as a partner, as a sole trader or in a franchise all of the following must be provided:

(a) Evidence of the amount of tax payable, paid and unpaid for the last *full* financial year.

(b) The following documents for the last full financial year, or for the last two such years (where those documents show the necessary level of gross income as an average of those two years):

(i) annual self-assessment tax return to Isle of Man Treasury (a copy or print-out); and

(ii) Statement of Account.

(c) Proof of registration with Isle of Man Treasury as self-employed (if available).

(d) Each partner's Unique Tax Reference Number (UTR) and/or the UTR of the partnership or business.

(e) Where the person holds or held a separate business bank account(s), bank statements for the same 12-month period as the tax return(s).

(f) Personal bank statements for the same 12-month period as the tax return(s) showing that the income from self-employment has been paid into an account in the name of the person or in the name of the person and their partner jointly.

(g) Evidence of ongoing self-employment through the provision of at least one of the following: a bank statement dated no more than three months earlier than the date of application showing transactions relating to ongoing trading, or evidence dated no more than three months earlier than the date of application of the renewal of a licence to trade or of ongoing payment of business rates, business-related insurance premiums, employer National Insurance contributions or franchise payments to the parent company.

(h) One of the following documents must also be submitted:

(i) (aa) If the business is required to produce annual audited accounts, such accounts for the last full financial year or

(bb) If the business is not required to produce annual audited accounts, unaudited accounts for the last full financial year and an accountant's certificate of confirmation, from an accountant who is a member of an Isle of Man Recognised Supervisory Body);

(ii) A certificate of VAT registration and the VAT return for the last full financial year (a copy or print-out) confirming the VAT registration number, if the turnover requires VAT to be paid;

(iii) Evidence to show appropriate planning permission or local planning authority consent is held to operate the type/class of business at the trading address (where this is a local authority requirement); or

(iv) A franchise agreement signed by both parties.

(i) The document referred to in paragraph 7(h)(iv) must be provided if the organisation is a franchise.

8. In respect of self-employment outside of the Isle of Man, evidence should be a reasonable equivalent to that set out in paragraph 7.

8A. In respect of prospective self-employment in the Isle of Man (for an applicant's partner or parent's partner who, in respect of paragraph E-ECP.3.2.(a) or E-ECC.2.2.(a) of Appendix FM, is in self-employment outside the Isle of Man at the date of application and is returning to the Isle of Man to continue that self-employment), one of the following must be provided, with a starting date within three months of the person's return to the Isle of Man—

- (a) an application to the appropriate authority for a licence to trade;
- (b) details of the purchase or rental of business premises;
- (c) a signed employment contract or a signed contract for the provision of services; or
- (d) a partnership or franchise agreement signed by the relevant parties to the agreement.

9. In respect of income from employment and/or shares in a limited company based in the Isle of Man of a type specified in paragraph 9(a), the requirements of paragraph 9(b)-(e) shall apply in place of the requirements of paragraphs 2 and 10(b).

(a) The specified type of limited company is one in which:

- (i) the person is either a director or employee of the company, or both, or of another company within the same group; and
- (ii) shares are held (directly or indirectly) by the person, their partner or the following family members of the person or their partner: parent, grandparent, child, stepchild, grandchild, brother, sister, uncle, aunt, nephew, niece or first cousin; and
- (iii) any remaining shares are held (directly or indirectly) by fewer than five other persons.

(b) All of the following must be provided:

- (i) Company Tax Return R1C3 (a copy or print-out) for the last full financial year and evidence this has been filed with Isle of Man Treasury, such as electronic or written acknowledgment from Isle of Man Treasury.
- (ii) Evidence of registration with the Companies Registry.
- (iii) If the company is required to produce annual audited accounts, such accounts for the last full financial year.
- (iv) If the company is not required to produce annual audited accounts, unaudited accounts for the last full financial year and an accountant's certificate of confirmation, from an accountant who is a member of an Isle of Man Recognized Supervisory Body.
- (v) Corporate/business bank statements covering the same 12-month period as the Company Tax Return R1C3.
- (vi) A current Appointment Report from Companies Registry.
- (vii) One of the following documents must also be provided:
  - (1) A certificate of VAT registration and the VAT return for the full financial year (a copy or print-out) confirming the VAT registration number, if turnover is sufficient for VAT payment to be required.
  - (2) Proof of ownership or lease of business premises.
  - (3) proof of registration with Isle of Man Treasury as an employer for the purposes of PAYE and National Insurance, proof of PAYE reference number and Accounts Office reference number. This evidence may be in the form of a certified copy of the documentation issued by Isle of Man Treasury.

(c) Where the person is either listed as a director of the company, or is an employee of the company, or both, and receives a salary from the company, all of the following documents must also be provided:

- (i) Payslips and P60 (if issued) covering the same period as the Company Tax Return R1C3.
- (ii) Personal bank statements covering the same 12-month period as the Company Tax Return R1C3 showing that the salary as a director or employee of the company (or both) was paid into an account in the name of the person or in the name of the person and their partner jointly.

(d) Where the person receives dividends from the company, all of the following documents must also be provided:

- (i) Dividend vouchers for all dividends declared in favour of the person during or in respect of the period covered by the Company Tax Return R1C3 showing the company's and the person's details with the person's net dividend amount and tax credit.
- (ii) Personal bank statement(s) showing that those dividends were paid into an account in the name of the person or in the name of the person and their partner jointly.

(e) For the purposes of paragraph 19(a), evidence of ongoing employment as a director or other employee of the company or of ongoing receipt of dividend income from the company must be provided. This evidence may include payslips (or dividend vouchers) and personal bank statements showing that, in the period since the latest 12-month period covered by the Company Tax Return, the person's salary as a director or employee of the company (or both) (or dividend income from the company) was paid into an account in the name of the person or in the name of the person and their partner jointly. Alternative evidence may include evidence of ongoing payment of business rates, business-related insurance premiums or employer National Insurance contributions in relation to the company.

10. In respect of non-employment income all the following evidence, in relation to the form of income relied upon, must be provided:

(a) To evidence property rental income:

(i) Confirmation that the person, or the person and their partner jointly, own the property for which the rental income is received, through:

- (1) A copy of the title deeds of the property or of the title register from the Land Registry (or overseas equivalent); or
- (2) A mortgage statement.

(ii) Personal bank statements for or from the 12-month period prior to the date of application showing the income relied upon was paid into an account in the name of the person or of the person and their partner jointly.

(iii) A rental agreement or contract.

(b) To evidence dividends (except where paragraph 9 applies) or other income from investments, stocks, shares, bonds or trust funds:

- (i) A certificate showing proof of ownership and the amount(s) of any investment(s).
- (ii) A portfolio report (for a financial institution regulated by the Financial Services Commission in the Isle of Man).
- (iii) Personal bank statements for or from the 12-month period prior to the date of application showing that the income relied upon was paid into an account in the name of the person or of the person and their partner jointly.
- (iv) Where the person is a director of a limited company based in the Isle of Man, evidence that the company is not of a type specified in paragraph 9(a). This can include the latest Annual Return filed at Companies Registry.

(c) To evidence interest from savings:

- (i) Personal bank statements for or from the 12-month period prior to the date of application showing the amount of the savings held and that the interest was paid into an account in the name of the person or of the person and their partner jointly.
- (d) To evidence maintenance payments (from a former partner of the applicant to maintain their and the applicant's child or children or the applicant or from a former partner of the applicant's partner to maintain the applicant's partner):
- (i) Evidence of a maintenance agreement through any of the following:
- (1) A court order;
  - (2) Written voluntary agreement; or
  - (3) Child Support Agency documentation.
- (ii) Personal bank statements for or from the 12-month period prior to the date of application showing the income relied upon was paid into an account in the name of the person or the person and their partner jointly.
- (e) To evidence a pension:
- (i) Official documentation from:
- (1) DSC (in respect of the Basic State Pension and the Additional or Second State Pension) or other government department or agency;
  - (2) An overseas pension authority; or
  - (3) A pension company, confirming pension entitlement and amount.
- (ii) At least one personal bank statement in the 12-month period prior to the date of application showing payment of the pension into the person's account.
- (f) To evidence Isle of Man Maternity Allowance, Bereavement Allowance, Bereavement Payment and Widowed Parent's Allowance:
- (i) Department for Social Care documentation confirming the person or their partner is or was in receipt of the benefit in the 12-month period prior to the date of application.
- (ii) Personal bank statements for the 12-month period prior to the date of application showing the income was paid into the person's account.
- (g) To evidence a maintenance grant (or stipend (not a loan) associated with undergraduate study or postgraduate study or research:
- (i) Documentation from the body or company awarding the grant or stipend confirming that the person is currently in receipt of the grant or stipend or will be within 3 months of the date of application, confirming that the grant or stipend will be paid for a period of at least 12 months or for at least one full academic year from the date of application or from the date on which payment of the grant or stipend will commence, and confirming the annual amount of the grant or stipend. Where the grant or stipend is or will be paid on a tax-free basis, the amount of the gross equivalent may be counted as income under this Appendix.
- (ii) Personal bank statements for any part of the 12-month period prior to the date of the application during which the person has been in receipt of the grant or stipend showing the income was paid into the person's account.
- (h) To evidence ongoing insurance payments (such as, but not exclusively, payments received under an income protection policy):
- (i) documentation from the insurance company confirming:
- (a) that in the 12 months prior to the date of application the person has been in receipt of insurance payments and the amount and frequency of the payments.
  - (b) the reason for the payments and their expected duration.



(c) that, provided any relevant terms and conditions continue to be met, the payment(s) will continue for at least the 12 months following the date of application.

(ii) personal bank statements for or from the 12-month period prior to the date of application showing the insurance payments were paid into the person's account.

(i) To evidence ongoing payments (other than maintenance payments under paragraph 10(d)) arising from a structured legal settlement (such as, but not exclusively, one arising from settlement of a personal injury claim):

(i) documentation from a court or the person's legal representative confirming:

(a) that in the 12 months prior to the date of application the person has been in receipt of structured legal settlement payments and the amount and frequency of those payments.

(b) the reason for the payments and their expected duration.

(c) that the payment(s) will continue for at least the 12 months following the date of application.

(ii) personal bank statements for or from the 12-month period prior to the date of application showing the payments were paid into the person's account, either directly or via the person's legal representative.

11. In respect of cash savings the following must be provided:

(a) personal bank statements showing that at least the level of cash savings relied upon in the application has been held in an account(s) in the name of the person or of the person and their partner jointly throughout the period of 6 months prior to the date of application.

(b) A declaration by the account holder(s) of the source(s) of the cash savings.

11A. In respect of cash savings:

(a) The savings may be held in any form of bank/savings account (whether a deposit or investment account provided by a financial institution regulated by the appropriate regulatory body for the country in which that institution is operating), provided that the account allows the savings to be accessed immediately (with or without a penalty for withdrawing funds without notice). This can include savings held in a pension savings account which can be immediately withdrawn.

(b) Paid out competition winnings or a legacy which has been paid can contribute to cash savings.

(c) Funds held as cash savings by the applicant, their partner or both jointly at the date of application can have been transferred from investments, stocks, shares, bonds or trust funds within the period of 6 months prior to the date of application, provided that:

(i) The funds have been in the ownership and under the control of the applicant, their partner or both jointly for at least the period of 6 months prior to the date of application.

(ii) The ownership of the funds in the form of investments, stocks, shares, bonds or trust funds; the cash value of the funds in that form at or before the beginning of the period of 6 months prior to the date of application; and the transfer of the funds into cash, are evidenced by a portfolio report or other relevant documentation from a financial institution regulated by the appropriate regulatory body for the country in which that institution is operating.

(iii) The requirements of this Appendix in respect of the cash savings held at the date of application are met, except that the period of 6 months prior to the date of application in paragraph 11(a) will be reduced by the amount of that period in which the relevant funds were held in the form of investments, stocks, shares, bonds or trust funds.

(iv) For the purposes of sub-paragraph 11A(c), "investments" includes funds held in an investment account or pension account or fund which does not meet the requirements of paragraphs 11 and 11A(a).

(d) Funds held as cash savings by the applicant, their partner or both jointly at the date of application can be from the proceeds of the sale of property, in the form only of a dwelling, other building or land, which took place within the period of 6 months prior to the date of application, provided that:

(i) The property (or relevant share of the property) was owned at the beginning of the period of 6 months prior to the date of application and at the date of sale by the applicant, their partner or both jointly.

(ii) Where ownership of the property was shared with a third party, only the proceeds of the sale of the share of the property owned by the applicant, their partner or both jointly may be counted.

(iii) The funds deposited as cash savings are the net proceeds of the sale, once any mortgage or loan secured on the property (or relevant share of the property) has been repaid and once any taxes and professional fees associated with the sale have been paid.

(iv) The decision-maker is satisfied that the requirements in sub-paragraphs (i)-(iii) are met on the basis of information and documents submitted in support of the application. These may include for example:

(1) Registration information or documentation (or a copy of this) from the Land Registry (or overseas equivalent).

(2) A letter from a solicitor (or other relevant professional, if the sale takes place overseas) instructed in the sale of the property confirming the sale price and other relevant information.

(3) A letter from a lender (a bank or building society) on its headed stationery regarding the repayment of a mortgage or loan secured on the property.

(4) Confirmation of payment of taxes or professional fees associated with the sale.

(5) Any other relevant evidence that the requirements in subparagraphs (i)-(iii) are met.

(v) The requirements of this Appendix in respect of the cash savings held at the date of application are met, except that the period of 6 months mentioned in paragraph 11(a) will be reduced by the amount of time which passed between the start of that 6-month period and the deposit of the proceeds of the sale in an account mentioned in paragraph 11(a).

12. Where the applicant's partner is in receipt of Carer's Allowance, Disability Living Allowance, Severe Disablement Allowance, Industrial Injuries Disablement Benefit or Attendance Allowance, all the following must be provided:

(a) Official documentation from the Department for Social Care confirming the current entitlement and the amount currently received.

(b) At least one personal bank statement in the 12-month period prior to the date of application showing payment of the amount of the benefit or allowance to which the person is currently entitled into their account.

12A. Where the financial requirement the applicant must meet under Appendix FM relates to adequate maintenance, paragraphs 2 to 12 apply only to the extent and in the manner specified by this paragraph. Where such a financial requirement applies, the applicant must provide the following evidence:

(a) Where the current salaried employment in the Isle of Man of the applicant or their partner, parent, parent's partner or sponsor is relied upon:

(i) A letter from the employer confirming the employment, the gross annual salary and the annual salary after income tax and National Insurance contributions have been paid, how long the employment has been held, and the type of employment (permanent, fixed-term contract or agency).

(ii) Payslips covering the period of 6 months prior to the date of application or such shorter period as the current employment has been held.

(iii) Personal bank statement covering the same period as the payslips, showing that the salary has been paid into an account in the name of the person or in the name of the person and their partner jointly.

(b) Where statutory or contractual maternity, paternity, adoption or sick pay in the Isle of Man of the applicant or their partner, parent, parent's partner or sponsor, or income from employment and/or shares in a limited company based in the Isle of Man of a type to which paragraph 9 applies, are relied upon, paragraph 5(b)(i) and (c) or paragraph 6(b)(i) and (c) apply as appropriate.

(c) Where self-employment in the Isle of Man of the applicant or their partner, parent, parent's partner or sponsor, or income from employment or shares in a limited company based in the Isle of Man of a type to which paragraph 9 applies, is relied upon, paragraph 7 or 9 applies as appropriate.

(d) Where the non-employment income of the applicant or their partner, parent, parent's partner or sponsor is relied upon, paragraph 10 applies and paragraph 10(f) shall apply as if it referred to any Isle of Man welfare benefit or tax credit relied upon and to Isle of Man Treasury as well as Department for Social Care documentation.

(e) Where the cash savings of the applicant or their partner, parent, parent's partner or sponsor are relied upon, paragraphs 11 and 11A apply.

(f) The monthly housing costs for the accommodation in the Isle of Man in which the applicant (and any other family members who are or will be part of the same household) lives or will live if the application is granted.

(g) Where the applicant is an adult dependent relative applying for entry clearance, the applicant must in addition provide details of the care arrangements in the Isle of Man planned for them by their sponsor (which can involve other family members in the Isle of Man), of the cost of these arrangements and of how that cost will be met by the sponsor.

12B. Where the financial requirement an applicant must meet under Part 8 (excluding an applicant who is a family member of a Relevant Points Based System Migrant) or under Appendix FM relates to adequate maintenance and where cash savings are relied upon to meet the requirement in full or in part, the decision-maker will:

(a) Establish the total cash savings which meet the requirements of paragraphs 11 and 11A;

(b) Divide this figure by the number of weeks of limited leave which would be issued if the application were granted, or by 52 if the application is for indefinite leave to enter or remain;

(c) Add the figure in sub-paragraph 12B(b) to the weekly net income (before the deduction of housing costs) available to meet the requirement.

### **Calculating Gross Annual Income under Appendix FM**

13. Based on evidence that meets the requirements of this Appendix, and can be taken into account with reference to the applicable provisions of Appendix FM, gross annual income under paragraphs E-ECP.3.1., E-LTRP.3.1., E-ECC.2.1. and E-LTRC.2.1. will, subject to paragraph 21A of this Appendix, be calculated in the following ways:

(a) Where the person is in salaried employment in the Isle of Man at the date of application, has been employed by their current employer for at least 6 months and has been paid throughout the period of 6 months prior to the date of application at a level of gross annual salary which equals or exceeds the level relied upon in paragraph 13(a)(i), (or at least 6 months but the person does not rely on paragraph 13(a)), their gross annual income will be (where paragraph 13(b) does not apply) the total of:

(i) The level of gross annual salary relied upon in the application;

(ii) The gross amount of any specified non-employment income (other than pension income) received by them or their partner in the 12 months prior to the date of application;

(iii) The gross annual income from an Isle of Man or foreign State pension or a private pension received by them or their partner.

(b) Where the person is in salaried employment in the Isle of Man at the date of application and has been employed by their current employer for less than 6 months (or at least 6 months but the person does not rely on paragraph 13(a)), their gross annual income will be the total of:

- (i) The gross annual salary from employment as it was at the date of application;
- (ii) The gross amount of any specified non-employment income (other than pension income) received by them or their partner in the 12 months prior to the date of application; and

The gross annual income from an Isle of Man or foreign State pension or a private pension received by them or their partner.

In addition, the requirements of paragraph 15 must be met.

(c) Where the person is the applicant's partner, is in salaried employment outside of the Isle of Man at the date of application, has been employed by their current employer for at least 6 months, and is returning to the Isle of Man to take up salaried employment in the Isle of Man starting within 3 months of their return, the person's gross annual income will be calculated:

- (i) On the basis set out in paragraph 13(a); and also
- (ii) On that basis but substituting for the gross annual salary at paragraph 13(a)(i) the gross annual salary in the salaried employment in the Isle of Man to which they are returning.

(d) Where the person is the applicant's partner, has been in salaried employment outside of the Isle of Man within 12 months of the date of application, and is returning to the Isle of Man to take up salaried employment in the Isle of Man starting within 3 months of their return, the person's gross annual income will be calculated:

- (i) On the basis set out in paragraph 13(a) but substituting for the gross annual salary at paragraph 13(a)(i) the gross annual salary in the salaried employment in the Isle of Man to which they are returning; and also
- (ii) On the basis set out in paragraph 15(b).

(e) Where the person is self-employed, their gross annual income will be the total of their gross income from their self-employment (and that of their partner if that person is in the UK with permission to work), from any salaried or non-salaried employment they have had or their partner has had (if their partner is in the Isle of Man with permission to work), from specified non-employment income received by them or their partner, and from income from a Isle of Man or foreign State pension or a private pension received by them or their partner, in the last full financial year or as an average of the last two full financial years. The requirements of this Appendix for specified evidence relating to these forms of income shall apply as if references to the date of application were references to the end of the relevant financial year(s). The relevant financial year(s) cannot be combined with any financial year(s) to which paragraph 9 applies and vice versa.

(f) Where the person is self-employed, they cannot combine their gross annual income at paragraph 13(e) with specified savings in order to meet the level of income required under Appendix FM.

(g) Where the person is not relying on income from salaried employment or self employment, their gross annual income will be the total of:

- (i) The gross amount of any specified non-employment income (other than pension income) received by them or their partner in the 12 months prior to the date of application; and
- (ii) The gross annual income from an Isle of Man or foreign State pension or a private pension received by them or their partner.

(h) Where the person is the applicant's partner and is in self-employment outside the Isle of Man at the date of application and is returning to the Isle of Man to take up salaried employment in the Isle of Man starting within 3 months of their return, the person's gross annual income will be calculated:

- (i) On the basis set out in paragraph 13(a) but substituting for the gross annual salary at paragraph 13(a)(i) the gross annual salary in the salaried employment in the Isle of Man to which they are returning; and also
- (ii) On the basis set out in paragraph 13(e).

(i) Any period of unpaid maternity, paternity, adoption, parental or sick leave in the 12 months prior to the date of application will not be counted towards any period relating to employment, or any period relating to income from employment, for which this Appendix provides.

(j) The provisions of paragraph 13 which apply to self-employment and to a person who is self-employed also apply to income from employment and/or shares in a limited company based in the Isle of Man of a type to which paragraph 9 applies and to a person in receipt of such income.

(k) Where the application relies on the employment income of the applicant and the sponsor, all of that income must be calculated either under subparagraph 13(a) or under sub-paragraph 13(b) and paragraph 15, and not under a combination of these methods.

14. Where the requirements of this Appendix and Appendix FM are met by the combined income or cash savings of more than one person, the income or the cash savings must only be counted once unless stated otherwise.

15. In respect of paragraph 13(b) and paragraph 13(d), the provisions in this paragraph also apply:

(a) In order to evidence the level of gross annual income required by Appendix FM, the person must meet the requirements in paragraph 13(b) or 13(d)(i); and

(b) The person must also meet the level of gross annual income required by Appendix FM on the basis that their income is the total of:

(i) The gross income from salaried employment in the Isle of Man or overseas earned by the person in the 12 months prior to the date of application;

(ii) The gross amount of any specified non-employment income (other than pension income) received by the person or their partner in the 12 months prior to the date of application;

(iii) The gross amount received from an Isle of Man or foreign State pension or a private pension by the person or their partner in the 12 months prior to the date of application; and

(iv) The person cannot combine the gross annual income at paragraph 15(b)(i)-(iii) with specified savings in order to meet the level of income required.

16. Where a person is in receipt of maternity, paternity, adoption or sick pay, or has been so in the 6 months prior to the date of application, this paragraph applies:

(a) the relevant date for considering the length of employment with their current employer will be the date that the maternity, paternity, adoption or sick leave commenced or the date of application; and

(b) the relevant period for calculating income from their salaried employment will be the period prior to the commencement of the maternity, paternity, adoption or sick pay or to the date of application.

17. If a person is an equity partner, for example in a law firm, the income they draw from the partnership (including where this is in the form of a profit share) will be treated as salaried employment for the purposes of this Appendix and Appendix FM.

17A – [Not used]

18. When calculating income from salaried employment under paragraphs 12A and 13 to 16, this paragraph applies:

(a) Basic pay, skills-based allowances, and Isle of Man location-based allowances will be counted as income provided that:

(i) They are contractual; and

(ii) Where these allowances make up more than 30% of the total salary, only the amount up to 30% is counted.

(b) Overtime, payments to cover travel time, commission-based pay and bonuses will be counted as income, where they have been received in the relevant period(s) of employment or self-employment relied upon in the application.

(bb) In respect of a person in salaried employment at the date of application, the amount of income in sub-paragraph (b) which may be added to their gross annual salary, and counted as part of that figure for the purposes of paragraph 13(a)(i) or 13(b)(i), is the annual equivalent of the person's average gross monthly income from that income in their current employment in the 6 months prior to the date of application.

(c) Payments relating to the costs of UK or overseas travel, including (for example) travelling or relocation expenses and subsistence or accommodation allowances, and payments made towards the costs of living overseas, will not be counted as income.

(d) Gross income from non-salaried employment will be calculated on the same basis as income from salaried employment, except as provided in paragraph 18(e) and 18(f), and the requirements of this Appendix for specified evidence relating to salaried employment shall apply as if references to salary were references to income from non-salaried employment. Non-salaried employment includes that paid at an hourly or other rate (and the number and/or pattern of hours required to be worked may vary), or paid an amount which varies according to the work undertaken, whereas salaried employment includes that paid at a minimum fixed rate (usually annual) and is subject usually to a contractual minimum number of hours to be worked.

(e) For the purpose of paragraph 13(a)(i), in respect of a person in non-salaried employment at the date of application "the level of gross annual salary relied upon in the application" shall be no greater than the annual equivalent of the person's average gross monthly income from non-salaried employment in the 6 months prior to the date of application, where that employment was held throughout that period.

(f) For the purpose of paragraph 13(b)(i), "the gross annual salary from employment as it was at the date of application" of a person in non-salaried employment at the date of application shall be considered to be the annual equivalent of—

- (aa) the person's gross income from non-salaried employment in the period immediately prior to the date of application, where the employment has been held for a period of no more than one month at the date of application; or
- (bb) the person's average gross monthly income from non-salaried employment, where the employment has been held for a period of more than one month at the date of application.

(g) For the purpose of paragraphs 13(c)(ii) and 13(d)(i), "the gross annual salary in the salaried employment in the UK to which they are returning" of a person who is returning to the UK to take up non-salaried employment in the UK starting within 3 months of their return is the gross annual income from that employment, based on the rate or amount of pay, and the standard or core hours of work, set out in the document(s) from the employer provided under paragraph 4. Notwithstanding paragraph 18(b), this may include the gross "on-target" earnings which may be expected from satisfactory performance in the standard or core hours of work.

19. When calculating income from self-employment under paragraph 12A and 13(e), and in relation to income from employment and/or shares in a limited company, based in the Isle of Man, of a type to which paragraph 9 applies, this paragraph applies:

(a) There must be evidence of ongoing self-employment and (where income from salaried employment is also relied upon or where paragraph 9(c) applies) ongoing employment, at the date of application.

(b) Where the self-employed person is a sole trader or is in a partnership or franchise agreement, the income will be the gross taxable profits from their share of the business in the relevant financial year(s), not including any deductible allowances, expenses or liabilities which may be applied to the gross taxable profits to establish the final tax liability. (c) Where income to which paragraph 19 applies is being used to meet the financial requirement for an initial application for leave to remain as a partner under Appendix FM by an applicant who used such income to meet that requirement in an application for entry clearance as a fiancé(e) or proposed civil partner under that Appendix in the last 12 months, the Minister may continue to accept the same level and evidence of income to which paragraph 19

applies that was accepted in granting the application for entry clearance, provided that there is evidence of ongoing self-employment, and (where income from salaried employment is also relied upon or where paragraph 9(c) applies) ongoing employment, at the date of the application for leave to remain.

(d) The financial year(s) to which paragraph 7 refers is the period of the last full financial year(s) to which the required Statement(s) of Account relates.

(e) The financial year(s) to which paragraph 9 refers is the period of the last full financial year(s) to which the required Company Tax Return(s) R1C3 relates.

20. When calculating income from specified non-employment sources under paragraphs 12A and 13 to 15, this paragraph applies:

(a) Assets or savings must be in the name of the person, or jointly with their partner.

(b) Any asset or savings on which income is based must be held or owned by the person at the date of application.

(c) Any rental income from property, in the Isle of Man or overseas, must be from a property that is:

(i) owned by the person;

(ii) not their main residence and will not be so if the application is granted, except in the circumstances specified in paragraph 20(e); and

(iii) if ownership of the property is shared with a third party, only income received from their share of the property can be counted.

(cc) The amount of rental income from property received before any management fee was deducted may be counted.

(d) Equity in a property cannot be used to meet the financial requirement.

(e) Where the applicant and their partner are resident outside the Isle of Man at the date of application, rental income from a property in the Isle of Man that will become their main residence if the application is granted may only be counted under paragraph 13(c)(i) and paragraph 13(d)(ii).

(f) Any future entitlement to a maintenance grant or stipend of the type specified in paragraph 10(g) may be counted as though the person had received the annual amount of that grant or stipend in the 12 months prior to the date of application.

20A. When calculating the gross annual income from pension under paragraph 13, the gross annual amount of any pension received may be counted where the pension has become a source of income at least 28 days prior to the date of application

21. When calculating income under paragraphs 13 to 16, the following sources will not be counted:

(a) Loans and credit facilities.

(b) Income-related benefits: Income Support, income-related Employment and Support Allowance, Pension Credit, Housing Benefit, Council Tax Benefit or Support (or any equivalent) and income-based Jobseeker's Allowance

(c) The following contributory benefits: contribution-based Jobseeker's Allowance, contribution-based Employment and Support Allowance and Incapacity Benefit.

(d) Child Benefit.

(e) Working Tax Credit.

(f) Child Tax Credit.

(g) Any other source of income not specified in this appendix.

### **Other sources of income, financial support or funds in exceptional circumstances**

21A(1). Where paragraph GEN.3.1.(1) of Appendix FM applies, the decision-maker is required to take into account the sources of income, financial support or funds specified in sub-paragraph (2).

(2) Subject to sub-paragraphs (3) to (8), the following sources of income, financial support or funds will be taken into account (in addition to those set out in, as appropriate, paragraph E-ECP.3.2., E-LTRP. 3.2., E-ECC.2.2. or E-LTRC.2.2. of Appendix FM)—

- (a) a credible guarantee of sustainable financial support to the applicant or their partner from a third party;
- (b) credible prospective earnings from the sustainable employment or self-employment of the applicant or their partner; or
- (c) any other credible and reliable source of income or funds for the applicant or their partner, which is available to them at the date of application or which will become available to them during the period of limited leave applied for.

(3) Where the applicant is a child—

- (a) other references in this paragraph to “applicant” mean the “applicant’s parent” under paragraph E-ECC.1.6. or E-LTRC.1.6. of Appendix FM; and
- (b) references in this paragraph to “partner” refer to the “applicant’s parent’s partner” under those paragraphs.

(4) The onus is on the applicant to satisfy the decision-maker of the genuineness, credibility and reliability of the source of income, financial support or funds relied upon, on the basis of the information and evidence provided, having regard (in particular, but without limitation) to the factors set out below.

(5) The source of income, financial support or funds must not be a loan, unless evidence submitted with the application shows that—

- (a) the source is a mortgage on a residential or commercial property in the Isle of Man or overseas which at the date of application is owned by the applicant, their partner or both, or by the third party to whom sub-paragraph (2)(a) refers;
- (b) the mortgage is provided by a financial institution regulated by the appropriate regulatory body for the country in which that institution is operating; and
- (c) the mortgage payments are reasonably affordable by the person(s) responsible for them and are likely to remain so for the period of limited leave applied for.

(6) Any cash savings or any current financial investment or product relied upon by the applicant under sub-paragraph (2)(c) must at the date of application be in the name(s), and under the control, of the applicant, their partner or both.

(7) Any cash savings relied upon by the applicant must enable the financial requirement in paragraph E-ECP.3.1.(b), E-LTRP.3.1.(b), E-ECC.2.1.(b) or E-LTRC.2.1.(b) of Appendix FM (as applicable) to be met, except that the criteria in sub-paragraph (8)(c) apply in place of the requirements in paragraphs 11 and 11A of this Appendix.

(8) In determining the genuineness, credibility and reliability of the source of income, financial support or funds relied upon under sub-paragraph (2), the decision-maker will take into account all the information and evidence provided, and will consider (in particular)—

- (a) in respect of a guarantee of sustainable financial support from a third party—
  - (i) whether the applicant has provided verifiable documentary evidence from the third party in question of their guarantee of financial support;
  - (ii) whether that evidence is signed, dated and witnessed or otherwise independently verified;



- (iii) whether the third party has provided sufficient evidence of their general financial situation to enable the decision-maker to assess the likelihood of the guaranteed financial support continuing for the period of limited leave applied for;
  - (iv) whether the third party has provided verifiable documentary evidence of the nature, extent and duration of any current or previous financial support which they have provided to the applicant or their partner;
  - (v) the extent to which this source of financial support is relied upon by the applicant to meet the financial requirement in paragraph E-ECP.3.1., E-LTRP.3.1., E-ECC.2.1. or E-LTRC.2.1. of Appendix FM (as applicable); and
  - (vi) the likelihood of a change in the third party's financial situation or in their relationship with the applicant or the applicant's partner during the period of limited leave applied for.
- (b) in respect of prospective earnings from sustainable employment or self-employment of the applicant or their partner—
- (i) whether, at the date of application, a specific offer of employment has been made, or a clear basis for self-employment exists. In either case, such employment or self-employment must be expected to commence within three months of the applicant's arrival in the Isle of Man (if the applicant is applying for entry clearance) or within three months of the date of application (if the applicant is applying for leave to remain);
  - (ii) whether the applicant has provided verifiable documentary evidence of the offer of employment or the basis for self-employment, and, if so, whether that evidence—
    - (aa) is on the headed notepaper of the company or other organisation offering the employment, or of a company or other organisation which has agreed to purchase the goods or services of the applicant or their partner as a self-employed person;
    - (bb) is signed, dated and witnessed or otherwise independently verified;
    - (cc) includes (in respect of an offer of employment) a signed or draft contract of employment;
    - (dd) includes (in respect of self-employment) any of a signed or draft contract for the provision of goods or services; a signed or draft partnership or franchise agreement; an application to the appropriate authority for a licence to trade; or details of the agreed or proposed purchase or rental of business premises;
  - (iii) whether, in respect of an offer of employment in the Isle of Man, the applicant has provided verifiable documentary evidence—
    - (aa) of a relevant employment advertisement and employment application;
    - (bb) of the hours to be worked and the rate of gross pay, which that evidence must establish equals or exceeds the Isle of Man Minimum Wage (as applicable, given the age of the person to be employed) and equals or exceeds the going rate for such work in the Isle of Man; and
    - (cc) which enables the decision-maker to assess the reliability of the offer of employment, including in light of the total size of the workforce and the turnover (annual gross income or sales) of the relevant company or other organisation;
  - (iv) whether the applicant has provided verifiable documentary evidence that at the date of application, the person to be employed or self-employed is in, or has recently been in, sustained employment or self-employment of the same or a similar type, of the same or a similar level of complexity and at the same or a similar level of responsibility;
  - (v) whether the applicant has provided verifiable documentary evidence that the person to be employed or self-employed has relevant professional, occupational or educational qualifications and that these are recognised in the Isle of Man;

(vi) whether the applicant has provided verifiable documentary evidence that the person to be employed or self-employed has the level of English language skills such prospective employment or self-employment is likely to require;

(vii) the extent to which this source of income is relied upon by the applicant to meet the financial requirement in paragraph E-ECP.3.1., E-LTRP.3.1., E-ECC.2.1. or E-LTRC.2.1. of Appendix FM (as applicable); and

(viii) where an offer of employment is relied upon, and where the proposed employer is a family member or friend of the applicant or their partner, the likelihood of a relevant change in that relationship during the period of limited leave applied for.

(c) in respect of any other credible and reliable source of income or funds for the applicant or their partner—

(i) whether the applicant has provided verifiable documentary evidence of the source;

(ii) whether that evidence is provided by a financial institution regulated by the appropriate regulatory body for the country in which that institution is operating, and is signed, dated and witnessed or otherwise independently verified;

(iii) where the income is or the funds are based on, or derived from, ownership of an asset, whether the applicant has provided verifiable documentary evidence of its current or previous ownership by the applicant, their partner or both;

(iv) whether the applicant has provided sufficient evidence to enable the decision-maker to assess the likelihood of the source of income or funds being available to them during the period of limited leave applied for; and

(v) the extent to which this source of income or funds is relied upon by the applicant to meet the financial requirement in paragraph E-ECP.3.1., E-LTRP.3.1., E-ECC.2.1. or E-LTRC.2.1. of Appendix FM (as applicable).

### **Evidence of Marriage or Civil Partnerships**

22. A marriage in the United Kingdom must be evidenced by a valid marriage certificate recognised under the laws of England and Wales, Scotland or Northern Ireland. A marriage in the Isle of Man must be evidenced by a valid marriage certificate recognised under Isle of Man law.

23. A divorce in the United Kingdom or Isle of Man must be evidenced by a decree absolute from a civil court.

24. A civil partnership in the Isle of Man must be evidenced by a civil partnership certificate.

25. The dissolution of a civil partnership in the Isle of Man must be evidenced by a final order of civil partnership dissolution from a civil court.

26. Marriages, civil partnerships or evidence of divorce or dissolution from outside the Isle of Man must be evidenced by a reasonable equivalent to the evidence detailed in paragraphs 22 to 25, valid under the law in force in the relevant country.

### **Evidence of the Applicant Living Overseas with a Crown Servant**

26A. Where—

(a) an applicant for entry clearance, limited leave to enter or remain or indefinite leave to remain as a partner under Appendix FM (except as a fiancé(e) or proposed civil partner) intends to

enter or remain in the Isle of Man to begin their probationary period (or has done so) and then to live outside the UK and Islands for the time being with their sponsor (or is doing so or has done so) before the couple could live together permanently in the Isle of Man; and

- (b) the sponsor, who is a British citizen or settled in the Isle of Man, is a permanent member of HM Diplomatic Service or a comparable UK or Island-based member of the British Council, the Department for International Development or the Home Office on a tour of duty outside the UK and Islands,

the applicant must provide a letter on official stationery from the sponsor's head of mission confirming the information at (a) and (b) and confirming the start date and expected end date of the sponsor's tour of duty outside the UK and Islands.

### **Evidence of English Language Requirements**

27. The evidence required of passing an English language test in speaking and listening (at a minimum of level A1 or A2 (as the case may be) of the Common European Framework of Reference for Languages) with a provider approved by the Secretary of State, where the applicant relies on that pass to meet an English language requirement, is confirmation on the on-line verification system operated by an approved English language test provider and at an approved Secure English Language Test centre that–

- (i) the applicant has passed such a test; and
- (ii) that test was an English language test in speaking and listening which is approved by the Secretary of State and was taken no more than 2 years before the date of application and at a test centre approved by the Secretary of State as a Secure English Language Test Centre or if they have already shown they met the requirement in this manner at the level required for their current application, in a previous successful application for entry clearance or permission to stay.

Details of the approved tests and Secure English Language Test centres are published on the UK Visas and Immigration pages of Gov.uk.

28. The evidence required to show that a person is a citizen or national of a majority English speaking country is a valid passport or travel document, unless paragraphs 29 and 30 apply. A dual national may invoke either of their nationalities.

29. If the applicant has not provided their passport or travel document other evidence of nationality can be supplied in the following circumstances only (as indicated by the applicant on their application form):

- (a) where the passport or travel document has been lost or stolen;
- (b) where the passport or travel document has expired and been returned to the relevant authorities; or
- (c) [Not used].

30. Alternative evidence as proof of nationality, if acceptable, must be either:

- (a) A current national identity document; or
- (b) An original letter from the applicant's national government, Embassy or High Commission confirming the applicant's full name, date of birth and nationality.

31. Evidence of an academic qualification under paragraphs 284(ix)(c), (d) and (e), 290(vii)(c), (d) and (e) and 295D(xi)(c), (d) and (e) of Part 8, and paragraphs E-ECP.4.1.(c), E-LTRP.4.1.(c), E-LTRP.4.1A.(c), E-ECPT.4.1.(c), E-LTRPT.5.1.(c) and E-LTRPT.5.1A.(c) of Appendix FM must be:

(a) a certificate issued by the relevant institution confirming the award of the academic qualification showing:

- (i) the applicant's name;
- (ii) the title of award;
- (iii) the date of award; and

(iv) the name of the awarding institution; or

(b) if the applicant is awaiting graduation or no longer has the certificate and cannot obtain a new one, either:

(i) an academic reference from the institution awarding the academic qualification that:

(1) is on official letter headed paper;

(2) shows the applicant's name;

(3) shows the title of award;

(4) explains when the academic qualification has been, or will be, awarded; and

(5) confirms either the date that the certificate will be issued (if the applicant has not yet graduated) or that the institution is unable to re-issue the certificate of award; or

(ii) an academic transcript that:

(1) is on official letter headed paper;

(2) shows the applicant's name;

(3) shows the name of the academic institution;

(4) shows the course title; and

(5) confirms either the date that the certificate will be issued (if the applicant has not yet graduated) or that the institution is unable to re-issue the certificate of award; and

(c) if the qualification was awarded by an educational establishment outside the Isle of Man and UK, a document from Ecctis which confirms that the qualification meets or exceeds the recognised standard of a Bachelor's or Master's degree or PhD in the UK and was taught or researched in English to level A1 or A2 (as the case may be) of the Common Framework of Reference for Languages or above.

32. If the qualification was taken in one of the following countries, it will be assumed for the purpose of paragraph 31 that it was taught or researched in English:

Antigua and Barbuda, Australia, the Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Ireland, Jamaica, Malta, New Zealand, St Kitts and Nevis, St Lucia, St Vincent and the Grenadines, Trinidad and Tobago, the UK, the USA.

32A. For the avoidance of doubt paragraphs 27 to 32D of this Appendix apply to fiancé(e), proposed civil partner, spouse, civil partner, unmarried partner and same sex partner applications for limited leave to enter or remain made under Part 8 of these Rules where English language requirements apply, regardless of the date of application. Paragraphs 27 to 32D of this Appendix also apply to spouse, civil partner, unmarried partner and same sex partner applications which do not meet the requirements of Part 8 of these Rules for indefinite leave to remain (where the application is for indefinite leave to remain) and are being considered for a grant of limited leave to remain where paragraph A277A(b) of these Rules applies. Any references in paragraphs 27 to 32D of this Appendix to "limited leave to enter or remain" shall therefore be read as referring to all applicants referred to in this paragraph.

32B. Where the decision-maker has:

(a) reasonable cause to doubt that an English language test in speaking and listening at a minimum of level A1 or A2 (as the case may be) of the Common Framework of Reference for Languages relied on at any time to meet a requirement for limited leave to enter or remain in Part 8 or Appendix FM was genuinely obtained; or

(b) information that the test certificate or result awarded to the applicant has been withdrawn by the test provider for any reason, the decision-maker may discount the test certificate or result and require the applicant to provide a new test certificate or result from an approved provider which shows that they meet the requirement, if they are not exempt from it.

32C. If an applicant applying for limited leave to enter or remain under Part 8 or Appendix FM submits an English language test certificate or result which has ceased by the date of application to be:

- (a) from an approved test provider, or
- (b) in respect of an approved test, or
- (c) from an approved test centre,

the decision-maker will not accept that certificate or result as valid, unless the decision-maker does so in accordance with paragraph 32D of this Appendix and subject to any transitional arrangements made in respect of the test provider or test in question.

32D. If an applicant applying for limited leave to enter or remain under Part 8 or Appendix FM submits an English language test certificate or result and the Isle of Man Immigration Office has already accepted it as part of a successful previous partner or parent application (but not where the application was refused, even if on grounds other than the English language requirement), the decision-maker will accept that certificate or result as valid if it is:

- (a) from a provider which is no longer approved, or
- (b) from a provider who remains approved but the test the applicant has taken with that provider is no longer approved, or
- (c) from a test centre which is no longer approved, or
- (d) past its validity date (if a validity date is required), provided that it is at or above the requisite level of the Common European Framework of Reference for Languages and when the subsequent application is made the award to the applicant does not fall within the circumstances set out in paragraph 32B of this Appendix.

### **Adult dependent relatives**

33. Evidence of the family relationship between the applicant(s) and the sponsor should take the form of birth or adoption certificates, or other documentary evidence.

34. Evidence that, as a result of age, illness or disability, the applicant requires long-term personal care should take the form of:

- (a) Independent medical evidence that the applicant's physical or mental condition means that they cannot perform everyday tasks; and
- (b) This must be from a doctor or other health professional.

35. Independent evidence that the applicant is unable, even with the practical and financial help of the sponsor in the Isle of Man, to obtain the required level of care in the country where they are living should be from:

- (a) a central or local health authority;
- (b) a local authority; or
- (c) a doctor or other health professional.

36. If the applicant's required care has previously been provided through a private arrangement, the applicant must provide details of that arrangement and why it is no longer available.

37. If the applicant's required level of care is not, or is no longer, affordable because payment previously made for arranging this care is no longer being made, the applicant must provide records of that payment and an explanation of why that payment cannot continue. If financial support has been provided by the sponsor or other close family in the Isle of Man, the applicant must provide an explanation of why this cannot continue or is no longer sufficient to enable the required level of care to be provided.

## **Appendix G: Countries and Territories participating in the Tier 5 Youth Mobility Scheme and annual allocation of places for 2017**

1. Places available for use by Countries and Territories with Deemed Sponsorship Status:
  - Australia – 35,500 places
  - New Zealand – 13,000 places
  - Canada – 5,500 places
  - Japan – 1,000 places
  - Monaco – 1,000 places
  - Taiwan – 1,000 places
  
2. Places available for use by Countries and Territories without Deemed Sponsorship Status:
  - South Korea – 1,000 places
  - Hong Kong – 1,000 places

### **Invitation to apply arrangements:**

3. In order to effectively and efficiently manage the release of the above allocations, the Home Office will operate the arrangements set out in paragraph 4 below, known as invitation to apply arrangements, in relation to the allocation of places available for use by nationals of the following countries with Deemed Certificate of Sponsorship Status:
  - Japan
  - Taiwan
  
4. Under these arrangements:
  - (i) a prospective applicant must submit an expression of interest in applying for entry clearance under the Tier 5 (Youth Mobility Scheme) relevant allocation (an expression of interest) in accordance with the process published by the Home Office,
  - (ii) no more than one expression of interest per person will be accepted by the Home Office during each period in which they may be submitted,
  - (iii) the Home Office will:
    - (1) select at random those to whom an invitation to apply for entry clearance under the Tier 5 (Youth Mobility Scheme) relevant allocation is to be issued from the pool of those who have submitted an expression of interest, and
    - (2) keep a record of those individuals to whom an invitation to apply is issued, and
  - (iv) the Home Office may:
    - (1) place a time limit on the period during which an expression of interest is to be submitted,
    - (2) determine the number of invitations to apply that may be issued in any calendar month, except that where the number of expressions of interest received in a calendar year exceeds the allocations specified above, the total number of invitations to apply in a calendar year shall not be less than the annual allocations specified above,

(3) place a time limit on the validity of an invitation to apply.

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## **Appendix H – Applicants who are subject to different documentary requirements under Tier 4 of the Points Based system**

An applicant will be subject to different documentary requirements under Tier 4 of the Points Based System where he is a national of one of the following countries and he is applying for entry clearance in his country of nationality or leave to remain in the Isle of Man:

Argentina

Australia

Barbados

Botswana

Brunei

Canada

Chile

Japan

Malaysia

New Zealand

Oman

Qatar

Singapore

South Korea

Trinidad and Tobago

United Arab Emirates

United States of America

Where an applicant is a dual national, and only one of their nationalities is listed above, he will be able to apply using the different documentary requirements that apply to these nationals, provided he is applying either for entry clearance in his country of nationality listed above or for leave to remain in the Isle of Man.

An applicant will be subject to different documentary requirements under Tier 4 of the Points Based System where he is the rightful holder of one of the following passports, which has been issued by the relevant competent authority, and where he is applying for leave to remain in the Isle of Man or for entry clearance in the territory related to the passport he holds:

- British National (Overseas)
- Hong Kong
- Taiwan (those who hold a passport issued by Taiwan that includes the number of the identification card issued by the competent authority in Taiwan)

Where an applicant is the rightful holder of a passport issued by a relevant competent authority listed above and also holds another passport or is the national of a country not listed above, he will be able to apply using the different documentary requirements that apply to rightful holders of those passports listed in this Appendix provided he is applying either for entry clearance in the territory related to the passport he holds or for leave to remain in the Isle of Man.

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## Appendix Hong Kong British Nationals (Overseas)

The Hong Kong British National (Overseas) route has two routes – the BN(O) Status Holder route and the BN(O) Household Member route.

The BN(O) Status Holder route is for a British National (Overseas) citizen who is ordinarily resident in Hong Kong or the Isle of Man.

A dependent partner and a dependent child of a British National (Overseas) citizen can apply under this route. In exceptional circumstances, other family members with a high degree of dependency may also apply.

The BN(O) Household Member route is for the adult child, born on or after 1 July 1997, of a BN(O) citizen. The BN(O) Household Member, and any dependent partner or child applying under this route must form part of the same household as the British National (Overseas) citizen.

The Hong Kong British National (Overseas) routes allow work and study in the Isle of Man and are routes to settlement.

### BN(O) STATUS HOLDER ROUTE

#### Validity requirements for Status Holder route

HK 1.1. A person applying for—

- (a) entry clearance as a BN(O) Status Holder must apply online on the gov.uk website on the specified form as follows—

Applicant	Specified form
Applicants with a chipped passport who— <ul style="list-style-type: none"> <li>• hold a passport which shows they are registered as a British National (Overseas); or</li> <li>• hold a passport issued by the Hong Kong Special Administrative Region.</li> </ul>	Either— <ul style="list-style-type: none"> <li>• Hong Kong British National (Overseas) Visa using the UK Immigration: ID Check app (when available); or</li> <li>• Hong Kong British National (Overseas) Visa</li> </ul>
Other applicants	Hong Kong British National (Overseas) Visa

; or

- (b) permission to stay as a BN(O) Status Holder must apply using the required paper application form posted on the Immigration Service webpage of the Isle of Man Government website: <https://www.gov.im/immigration>.

HK 1.2. An application for entry clearance or permission to stay as a BN(O) Status Holder must meet all the following requirements—

- (a) any fee must have been paid;

- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily established their identity and nationality.

HK 1.3. The applicant must be aged 18 years or over at the date of application.

HK 1.4. An application which does not meet all the validity requirements for a BN(O) Status Holder is invalid and may be rejected and not considered.

### **Suitability requirements for BN(O) Status Holder**

HK 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

HK 2.2. If applying for permission to stay the applicant must not—

- (a) be in breach of immigration laws, except that where paragraph 39E applies, any current period of overstaying will be disregarded; and
- (b) be on immigration bail.

### **Eligibility requirements BN(O) Status Holder**

#### **Entry requirements for BN(O) Status Holder**

HK 3.1. A person seeking to come to the Isle of Man as a BN(O) Status Holder must apply for and obtain an entry clearance as a BN(O) Status Holder before they arrive in the Isle of Man.

HK 3.2. A person applying for entry clearance as a BN(O) Status Holder must, if paragraph A39 and Appendix T of these Rules apply, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

### **BN(O) Status holder requirement**

HK 4.1. The applicant must be a British National (Overseas) under the Hong Kong (British Nationality) Order 1986<sup>32</sup>.

### **Ordinary residence in Hong Kong requirement for BN(O) Status Holder**

HK 5.1. An applicant applying for entry clearance must be ordinarily resident in Hong Kong at the date of application.

HK 5.2. An applicant applying for permission to stay must be in the Isle of Man, and must be ordinarily resident in the Isle of Man, UK, the Bailiwick of Guernsey, Bailiwick of Jersey or Hong Kong on the date of application.

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<sup>32</sup> 1986 No. 948.

### **Financial requirement for BN(O) Status Holder**

- HK 6.1. If the applicant is applying for permission to stay and has been living in the Isle of Man for 12 months or more on the date of application, they will meet the financial requirement unless the applicant's previous grant of permission was for 12 months Leave Outside the Rules following an unsuccessful application for the Hong Kong British National (Overseas) route.
- HK 6.2. If the applicant is applying for entry clearance, or is applying for permission to stay and has been in the Isle of Man for less than 12 months on the date of application, or where the applicant's previous grant of permission was for 12 months Leave Outside the Rules following an unsuccessful application for the Hong Kong British National (Overseas) route, the decision maker must be satisfied that the applicant can adequately maintain and accommodate themselves without recourse to public funds for at least 6 months.
- HK 6.3. For the purposes of HK 6.2. accommodation will not be regarded as adequate if—
- (a) it is, or will be, overcrowded; or
  - (b) it contravenes public health regulations.
- HK 6.4. The applicant may rely on credible promises of future third party support.
- HK 6.5. Funds must be shown as specified in Appendix Finance.

### **In-country tuberculosis certificate requirement for BN(O) Status Holder**

- HK 7.1. If the applicant is applying for permission to stay and—
- (a) their last grant of permission was for less than 6 months; and
  - (b) the applicant was present in a country listed in Appendix T to these Rules for more than 6 months immediately prior to their last grant of permission,
- the applicant must provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.
- HK 7.2. In HK 7.1. a valid medical certificate is a certificate from an approved centre issued within the 6 months immediately before the date of application.
- HK 7.3. The in-country tuberculosis requirement is met if the applicant provided a medical certificate described in HK 7.1. as part of a successful application for entry clearance in the 12 months before the date of application.
- HK 7.4. The list of approved centres in the UK, updated from time to time, can be found at <https://www.gov.uk/government/publications/uk-tuberculosis-test-clinics-for-hong-kong-bno>

### **Decision for BN(O) Status Holder**

- HK 8.1. If the decision-maker is satisfied that all the suitability and eligibility requirements for a BN(O) Status Holder are met, the application will be granted, otherwise the application will be refused.

### **Period and conditions of grant for BN(O) Status Holder**

- HK 9.1. The applicant will be granted permission for either—
- (a) a period of 5 years, where the applicant has applied for a period of 5 years; or

(b) a period of 30 months, where the applicant has applied for a period of 30 months.

HK 9.2. The permission will be granted subject to the following conditions—

- (a) no access to public funds;
- (b) work (including self-employment and voluntary work) permitted except for employment as a professional sportsperson (including as a sports coach); and
- (c) study is permitted, subject to the condition set out in Part 15 of the Immigration Rules.

### Dependents on the BN(O) Status Holder route

#### Validity requirements for a dependent partner or BN(O) Household child on the BN(O) Status Holder route

HK 10.1. A person applying as a dependent partner or BN(O) Household Child on the BN(O) Status Holder route for—

- (a) entry clearance must apply online on the gov.uk website on the specified form as follows—

Applicant	Specified form
Applicants with a chipped passport who— <ul style="list-style-type: none"> <li>• hold a passport which shows they are registered as a British National (Overseas); or</li> <li>• hold a passport issued by the Hong Kong Special Administrative Region.</li> </ul>	Either— <ul style="list-style-type: none"> <li>• Hong Kong British National (Overseas) Visa using the UK Immigration: ID Check app (when available); or</li> <li>• Hong Kong British National (Overseas) Visa</li> </ul>
Other applicants	Hong Kong British National (Overseas) Visa

; or

- (b) permission to stay must apply using the required paper application form posted on the Immigration Service webpage of the Isle of Man Government website: <https://www.gov.im/immigration>.

HK 10.2. An application for entry clearance or permission to stay as a partner or BN(O) Household Child on the BN(O) Status Holder route must meet all the following validity requirements—

- (a) any fee must have been paid;
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily established their identity and nationality.

HK 10.3. An application which does not meet the validity requirements for a dependent partner or BN(O) Household Child on the BN(O) Status Holder route is invalid and may be rejected and not

considered.

### **Suitability requirements for a dependent partner or BN(O) Household Child on the Hong Kong BN(O) Status Holder route**

HK 11.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

HK 11.2. If applying for permission to stay the applicant must not—

- (a) be in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; and
- (b) be on immigration bail.

### **Eligibility requirements for a partner or BN(O) Household Child on the BN(O) Status Holder route**

#### **Entry requirements for a partner or BN(O) Household Child on the BN(O) Status Holder route**

HK 12.1. A person seeking to come to the Isle of Man as a partner or BN(O) Household child on the BN(O) Status Holder route must apply for and obtain entry clearance as a partner or BN(O) Household child before they arrive in the Isle of Man.

HK 12.2. A person applying for entry clearance on the BN(O) Status Holder route must, if paragraph A39 and Appendix T of these Rules apply, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

#### **Relationship requirement for dependent partner on the BN(O) Status Holder route**

HK 13.1. If the applicant is applying for permission to stay and they have permission as a dependent partner on the BN(O) Status Holder route on the date of application, they will meet the relationship requirement.

HK 13.2. Where the applicant is applying for entry clearance or permission to stay and they have not previously had permission as a partner on the BN(O) Status Holder route they must meet the relationship requirement in HK 13.3. to HK 13.7.

HK 13.3. The applicant must be the partner of a person who is making an application for entry clearance or permission to stay on the BN(O) Status Holder route at the same time as the applicant.

HK 13.4. The applicant must both be aged 18 or over at the date of application.

HK 13.5. If the applicant and the BN(O) Status Holder are not married or in a civil partnership, all the following requirements must be met—

- (a) they must have been living together in a relationship similar to marriage or civil partnership for at least the 2 years before the date of application;
- (b) any previous relationship of the applicant or the BN(O) Status Holder with another person must have permanently broken down; and
- (c) they must not be so closely related that they would not be allowed to marry in the Isle of

Man.

- HK 13.6. The relationship between the applicant and the BN(O) Status Holder must be genuine and subsisting.
- HK 13.7. The applicant and the BN(O) Status Holder form part of the same household on the date of application and must intend to live together throughout the applicant's stay in the Isle of Man.
- HK 13.8. In HK 13.7. a person will form part of the same household as the BN(O) Status Holder if they normally live with the BN(O) Status Holder.

### **Financial requirement for dependent partner on the BN(O) Status Holder route**

- HK 14.1. If the applicant is applying for permission to stay and has been living in the Isle of Man with permission for 12 months or more on the date of application, they will meet the financial requirement unless the applicant's previous grant of permission was for 12 months Leave Outside the Rules following an unsuccessful application for the Hong Kong British National (Overseas) route.
- HK 14.2. If the applicant is applying for entry clearance or is applying for permission to stay and has been in the Isle of Man for less than 12 months on the date of application, or where the applicant's previous grant of permission was for 12 months Leave Outside the Rules following an unsuccessful application for the Hong Kong British National (Overseas) route, the decision maker must be satisfied that the applicant or the BN(O) Status Holder are able to maintain and accommodate the applicant adequately in the Isle of Man without recourse to public funds for at least 6 months.
- HK 14.3. For the purposes of HK 14.2. accommodation will not be regarded as adequate if—
- (a) it is, or will be, overcrowded; or
  - (b) it contravenes public health regulations.
- HK 14.4. The applicant or the BN(O) Status Holder may rely on credible promises of future third party support.
- HK 14.5. The applicant or the BN(O) Status Holder must show that they have the required funds as specified in Appendix Finance.

### **Relationship requirement for BN(O) Household Child on the BN(O) Status Holder route**

- HK 15.1. The applicant must be—
- (a) the child of a parent who has, or is at the same time being granted, entry clearance or permission as—
    - (i) a BN(O) Status Holder; or
    - (ii) the partner of a BN(O) Status Holder; or
  - (b) the grandchild of a grandparent who has, or is at the same time being granted, entry clearance or permission as—
    - (i) a BN(O) Status Holder; or
    - (ii) the partner of a BN(O) Status Holder.
- HK 15.2. If the applicant is applying for entry clearance or permission to stay and has not previously had permission as a BN(O) Household Child on the BN(O) Status Holder route they must—

- (a) make an application at the same time as a parent or grandparent who is applying for entry clearance or permission on the BN(O) Status Holder route; and
  - (b) form part of the same household as the BN(O) Status Holder on the date of application.
- HK 15.3. In HK 15.2.(b) a person will form part of the same household as the BN(O) Status Holder if they normally live with the BN(O) Status Holder.
- HK 15.3. Each of the applicant's parents must either be applying at the same time as the applicant, or have permission to be in the Isle of Man (other than as a visitor), unless—
- (a) the parent with permission as a BN(O) Status Holder or as a partner of a BN(O) Status Holder is the sole surviving parent;
  - (b) the parent with permission as a BN(O) Status Holder or as a partner of a BN(O) Status Holder has sole responsibility for the child's upbringing;
  - (c) there are serious and compelling reasons to grant the child entry clearance or permission to stay with the parent who has permission on the Hong Kong BN(O) route; or
  - (d) the applicant falls within HK 15.1.(b) and there are serious and compelling reasons to grant the applicant entry clearance or permission to stay with the parent or grandparent who has permission as a BN(O) Status Holder on the Hong Kong BN(O) route.

#### **Care requirement for a BN(O) Household Child on the BN(O) Status Holder route**

- HK 16.1. The applicant must intend to live with a parent who has permission on the BN(O) status holder route during their stay in the Isle of Man, unless they can demonstrate a valid reason why they should not live with that parent.
- HK 16.2. There must be suitable arrangements for the child's care and accommodation in the Isle of Man, which must comply with relevant Isle of Man legislation and regulations.

#### **Age requirement for a BN(O) Household Child on the BN(O) Status Holder route**

- HK 17.1. The applicant must be under the age of 18 at the date of application.

#### **Financial requirement for a BN(O) Household child on the BN(O) Status Holder route**

- HK 18.1. If the applicant is applying for permission to stay and has been living in the Isle of Man with permission for 12 months or more on the date of application, they will meet the financial requirement.
- HK 18.2. Where the applicant is applying for entry clearance, or is applying for permission to stay and has been in the Isle of Man for less than 12 months on the date of application, the decision maker must be satisfied that the BN(O) Status Holder or their partner is able to maintain and accommodate the BN(O) Household Child adequately in the Isle of Man without recourse to public funds for at least 6 months.
- HK 18.3. For the purposes of HK 18.2 accommodation will not be regarded as adequate if—
- (a) it is or will be overcrowded; or
  - (b) it contravenes public health regulations.

- HK 18.4. The BN(O) Status Holder or their partner may rely on credible promises of future third party support.
- HK 18.5. The BN(O) Status Holder or their partner must show that they have the required funds as specified in Appendix Finance.

**Ordinary residence in Hong Kong requirement for dependent partner or BN(O) Household Child on the BN(O) Status Holder route**

- HK 19.1. If the applicant is applying for entry clearance as a dependant partner or BN(O) Household Child, the applicant must be ordinarily resident in Hong Kong at the date of application.
- HK 19.2. An applicant applying for permission to stay must be in the Isle of Man and must be ordinarily resident in the Isle of Man, UK, the Bailiwick of Guernsey, Bailiwick of Jersey or Hong Kong on the date of application.

**In-country tuberculosis certificate requirement for a dependent partner or BN(O) Household child on the BN(O) Status Holder route**

- HK 20.1. If the applicant is applying for permission to stay and—
- (a) their last grant of permission was for less than 6 months; and
  - (b) the applicant was present in a country listed in Appendix T to these Rules for more than 6 months immediately prior to their last grant of permission,
- the applicant must provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.
- HK 20.2. In HK 20.1. a valid medical certificate is a certificate from an approved centre issued within the 6 months immediately before the date of application.
- HK 20.3. The in-country tuberculosis requirement is met if the applicant has provided a medical certificate described in HK 20.1. as part of a successful application for entry clearance in the 12 months before the date of application.
- HK 20.4. The list of approved centres in the UK, updated from time to time, can be found at: <https://www.gov.uk/government/publications/uk-tuberculosis-test-clinics-for-hong-kong-bno>

**Decision on application for a dependent partner or BN(O) Household Child on the Hong Kong BN(O) route**

- HK 21.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a dependent partner or dependent BN(O) Household child on the BN(O) Status Holder route are met the application will be granted, otherwise the application will be refused.

**Period and conditions of grant for a dependent partner or BN(O) Household child on the BN(O) Status Holder route**

- HK 22.1. A partner who does not have permission on the BN(O) Status Holder route on the date of application, will be granted permission which ends on the same date as the permission of the



BN(O) Status Holder.

- HK 22.2. If the partner has permission on the Hong Kong BN(O) route on the date of application, they will be granted permission for either—
- (a) 30 months, if the partner applied for 30 months; or
  - (b) 5 years, if the partner applied for 5 years.
- HK 22.3. A BN(O) Household Child who does not have permission on the BN(O) Status Holder route on the date of application, will be granted permission which ends on the same date as the permission of the BN(O) Status Holder who made their application at the same time as the applicant and who is being granted permission.
- HK 22.4. If the BN(O) Household Child has permission on the BN(O) Status Holder route on the date of application they will—
- (a) where the BN(O) Household Child is applying as the dependant of one parent or grandparent with permission as a BN(O) Status Holder or the partner of a BN(O) Status Holder, be granted permission that ends on the same date as that parent or grandparent; or
  - (b) where the BN(O) Household Child is applying as the dependant of both parents or grandparents with permission as a BN(O) Status Holder or the partner of a BN(O) Status Holder, be granted permission that ends on the same date as those parents or grandparents or, if different, the same date as the parent or grandparent whose permission ends first.
- HK 22.5. The grant will be granted subject to all the following conditions—
- (a) no access to public funds;
  - (b) work (including self-employment and voluntary work) permitted except for employment as a professional sportsperson (including as a sports coach);
  - (c) study is permitted, subject to the condition in Part 15 of the Immigration Rules; and
  - (d) if Part 10 applies the applicant will be required to register with the police.

## **BN(O) HOUSEHOLD MEMBER ROUTE**

### **Validity requirements for the BN(O) Household Member route**

HK 23.1. A person applying for—

- (a) entry clearance as a BN(O) Status Holder must apply online on the gov.uk website on the specified form as follows

<b>Applicant</b>	<b>Specified form</b>
Applicants with a chipped passport who— <ul style="list-style-type: none"> <li>• hold a passport which shows they are registered as a British National (Overseas);</li> </ul>	Either— <ul style="list-style-type: none"> <li>• Hong Kong British National (Overseas) Visa using the UK Immigration: ID Check app (when available); or</li> </ul>

<p>or</p> <ul style="list-style-type: none"> <li>• hold a passport issued by the Hong Kong Special Administrative Region.</li> </ul>	<ul style="list-style-type: none"> <li>• Hong Kong British National (Overseas) Visa</li> </ul>
Other applicants	Hong Kong British National (Overseas) Visa

; or

- (b) permission to stay as a BN(O) Status Holder must apply using the required paper application form posted on the Immigration Service webpage of the Isle of Man Government website: <https://www.gov.im/immigration>.

HK 23.2. An application for entry clearance or permission to stay a on the BN(O) Household Member route must meet all the following requirements—

- (a) any fee and Immigration Health Charge must have been paid;
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily established their identity and nationality.

HK 23.3. The applicant must have been born on or after 1 July 1997.

HK 23.4. The applicant must be aged 18 or over on the date of application.

HK 23.5. The applicant must not have or have last had permission as a BN(O) Adult Dependant Relative on the BN(O) Status Holder route.

HK 23.6. An application which does not meet the validity requirements for the BN(O) Household Member route is invalid and may be rejected and not considered.

### **Suitability requirements for the BN(O) Household Member route**

HK 24.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

HK 24.2. If applying for permission to stay the applicant must not—

- (a) be in breach of immigration laws, except that where paragraph 39E applies, that any current period of overstaying will be disregarded; or
- (b) be on immigration bail.

### **Eligibility requirements for the BN(O) Household Member route**

#### **Entry requirement for a BN(O) Household Member**

HK 25.1. A person seeking to come to the Isle of Man on the BN(O) Household Member route must apply for and obtain entry clearance on the BN(O) Household Member route before they arrive in the Isle of Man.

HK 25.2. A person applying for entry clearance as a BN(O) Household Member must, if paragraph A39 and Appendix T of these Rules apply, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not

present in them.

### **Relationship requirement for a BN(O) Household Member**

- HK 26.1. If the applicant is applying for permission to stay and they have permission on the Hong Kong British National (Overseas) route on the date of application, they will meet the relationship requirement.
- HK 26.2. If the applicant is applying for entry clearance or permission to stay and they do not have permission on the Hong Kong British National (Overseas) route on the date of application, the applicant—
- (a) must be the child of a person who is being granted permission on the BN(O) Status Holder route at the same time that the applicant is being granted permission; and
  - (b) must form part of the same household as the BN(O) Status Holder.
- HK 26.3. In HK 26.2. a person will form part of the same household as the BN(O) Status Holder if they normally live with the BN(O) Status Holder.

### **Financial requirement for a BN(O) Household Member**

- HK 27.1. If the applicant is applying for permission to stay and has been living in the Isle of Man with permission for 12 months or more on the date of application, they will meet the financial requirement unless the applicant's previous grant of permission was for 12 months Leave Outside the Rules following an unsuccessful application for the Hong Kong British National (Overseas) route.
- HK 27.2. If the applicant is applying for entry clearance, or is applying for permission to stay and they have been in the Isle of Man for less than 12 months on the date of application, or where the applicant's previous grant of permission was for 12 months Leave Outside the Rules following an unsuccessful application for the Hong Kong British National (Overseas) route, the decision maker must be satisfied that the applicant, or a person who is being granted permission on the BN(O) Status Holder route at the same time as the applicant, is able to, and will, maintain and accommodate the applicant adequately in the Isle of Man without recourse to public funds for at least 6 months.
- HK 27.3. For the purposes of HK 27.2. accommodation will not be regarded as adequate if
- (a) it is or will be overcrowded; or
  - (b) it contravenes public health regulations.
- HK 27.4. The applicant or the person on the BN(O) Status Holder route may rely on credible promises of future third party support.
- HK 27.5. The applicant or the person on the BN(O) Status Holder route must show that they have the required funds as specified in Appendix Finance.

### **Ordinary residence in Hong Kong requirement for a BN(O) Household Member**

- HK 28.1. An applicant applying for entry clearance as a BN(O) Household Member must be ordinarily resident in Hong Kong at the date of application.
- HK 28.2. An applicant applying for permission to stay must be in the Isle of Man and must be ordinarily

resident in the Isle of Man, UK, the Bailiwick of Guernsey, Bailiwick of Jersey or Hong Kong.

### **In-country tuberculosis certificate requirement for a BN(O) Household Member**

- HK 29.1. If the applicant is applying for permission to stay and—
- (a) their last grant of permission was for less than 6 months; and
  - (b) the applicant was present in a country listed in Appendix T to these Rules for more than 6 months immediately prior to their last grant of permission,
- the applicant must provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.
- HK 29.2. In HK 29.1. a valid medical certificate is a certificate from an approved centre issued within the 6 months immediately before the date of application.
- HK 29.3. The in-country tuberculosis certificate requirement is met where a person has provided a medical certificate described in HK 29.1. as part of a successful application for entry clearance in the 12 months before the date of application.
- HK.29.4. The list of approved centres in the UK updated from time to time, can be found at—  
<https://www.gov.uk/government/publications/uk-tuberculosis-test-clinics-for-hong-kong-bno>

### **Decision on application for a BN(O) Household Member**

- HK 30.1. If the decision maker is satisfied that all the suitability and eligibility requirements on the BN(O) Household Member route are met the application will be granted, otherwise the application will be refused.

### **Conditions and period of grant for a BN(O) Household Member**

- HK 31.1. If the applicant does not have permission on the Hong Kong British National (Overseas) route on the date of application, the applicant will be granted permission which ends on the same date as the permission of the BN(O) Status Holder who is part of the same household as the applicant.
- HK 31.2. If the applicant has permission on the Hong Kong British National (Overseas) route on the date of application, they will be granted permission for either—
- (a) 30 months, if the applicant applied for 30 months; or
  - (b) 5 years, if the applicant applied for 5 years.
- HK 31.3. The grant will be subject to all the following conditions—
- (a) no access to public funds;
  - (b) work (including self-employment and voluntary work) permitted except for employment as a professional sportsperson, including as a sports coach;
  - (c) study is permitted, subject to the condition in Part 15 of the Immigration Rules; and
  - (d) if Part 10 of the Immigration Rules applies the applicant will be required to register with the police.

**DEPENDANTS OF BN(O) HOUSEHOLD MEMBERS****Validity requirements for a dependent partner or dependent child of a BN(O) Household Member on the Hong Kong BN(O) route**

HK 32.1. A person applying as a dependent partner or dependant child on the BN(O) Household Member route for—

- (a) entry clearance must apply online on the gov.uk website on the specified form as follows—

<b>Applicant</b>	<b>Specified form</b>
Applicants with a chipped passport who— <ul style="list-style-type: none"> <li>• hold a passport which shows they are registered as a British National (Overseas);</li> <li>• hold a passport issued by the Hong Kong Special Administrative Region; or</li> <li>• are EEA nationals</li> </ul>	Either— <ul style="list-style-type: none"> <li>• Hong Kong British National (Overseas) Visa using the UK Immigration: ID Check app (when available); or</li> <li>• Hong Kong British National (Overseas) Visa</li> </ul>
Other applicants	Hong Kong British National (Overseas) Visa

; or

- (b) permission to stay must apply using the required paper application form posted on the Immigration Service webpage of the Isle of Man Government website: <https://www.gov.im/immigration>.

HK 32.2. An application for entry clearance or permission to stay as a dependent partner or child on the BN(O) Household Member route must meet all the following validity requirements—

- (a) any fee must have been paid;
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality.

HK 32.3. An applicant who is a dependent child must be the child of a person who is making an application for entry clearance or permission to stay on the BN(O) Household Member route at the same time as the applicant.

HK 32.4. An application which does not meet the validity requirements for a dependent partner or

dependent child on the BN(O) Household Member route is invalid and may be rejected and not considered.

### **Suitability requirements for a dependent partner or child on the BN(O) Household Member route**

HK 33.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

HK 33.2. If applying for permission to stay the applicant must not—

- (a) be in breach of immigration laws, except that where paragraph 39E applies, any current period of overstaying will be disregarded; and
- (b) must not be on immigration bail.

### **Eligibility requirements for a dependent partner or child on the BN(O) Household Member route**

#### **Entry requirements for a partner or child on the BN(O) Household Member route**

HK 34.1. A person seeking to come to the Isle of Man as a partner or child on the BN(O) Household Member route must apply for and obtain entry clearance as a partner or child before they arrive in the Isle of Man.

HK 34.2. A person applying for entry clearance as the dependent partner or child of a BN(O) Household Member must, if paragraph A39 and Appendix T of these Rules apply, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

#### **Relationship requirements for dependent partner of a BN(O) Household Member**

HK 35.1. If the applicant is applying for permission to stay and they have permission as a partner on the BN(O) Household Member route on the date of application, they will meet the relationship requirements.

HK 35.2. Where the applicant is applying for entry clearance or permission to stay and they have not previously had permission on the BN(O) Household Member route they must meet the relationship requirement as set out in HK 35.3. to HK 35.9.

HK 35.3. The applicant must be the partner of a person who is making an application for entry clearance or permission to stay on the BN(O) Household Member route at the same time as the applicant.

HK 35.4. The applicant and the BN(O) Household Member must both be aged 18 or over at the date of application.

HK 35.5. If the applicant and the BN(O) Household Member are not married or in a civil partnership, all the following requirements must be met—

- (a) they must have been living together in a relationship similar to marriage or civil partnership for at least the two years before the date of application;
- (b) any previous relationship of the applicant or the BN(O) Household Member with another person must have permanently broken down; and

- (c) they must not be so closely related that they would not be allowed to marry in the Isle of Man.
- HK 35.6. The relationship between the applicant and the BN(O) Household Member must be genuine and subsisting.
- HK 35.7. The applicant and the BN(O) Household Member must form part of the same household on the date of application.
- HK 35.8. In HK 35.7. a person will form part of the same household as the BN(O) Household Member if they normally live with the BN(O) Household Member.
- HK 35.9. The applicant and the BN(O) Household Member must intend to live together throughout the applicant's stay in the Isle of Man.

### **Financial requirement for partner of a BN(O) Household Member**

- HK 36.1. If the applicant is applying for permission to stay and has been living in the Isle of Man with permission for 12 months or more on the date of application, they will meet the financial requirement unless the applicant's previous grant of permission was for 12 months Leave Outside the Rules following an unsuccessful application for the Hong Kong British National (Overseas) route.
- HK 36.2. If the applicant is applying for entry clearance, or is applying for permission to stay and has been in the Isle of Man for less than 12 months on the date of application, or where the applicant's previous grant of permission was for 12 months Leave Outside the Rules following an unsuccessful application for the Hong Kong British National (Overseas) route, the decision maker must be satisfied that the applicant, the BN(O) Household Member or a person being granted permission on the BN(O) Status Holder route at the same time as the applicant is being granted permission, is able to maintain and accommodate the applicant adequately in the Isle of Man without recourse to public funds for at least 6 months.
- HK 36.3. For the purposes of HK 36.2. accommodation will not be regarded as adequate if—
- (a) it is or will be overcrowded; or
  - (b) it contravenes public health regulations.
- HK 36.4. The applicant, the BN(O) Household Member or a person being granted permission on the BN(O) Status Holder route may rely on credible promises of future third party support.
- HK 36.5. The applicant, the BN(O) Household Member or a person being granted permission on the BN(O) Status Holder route must show that they have the required funds as specified in Appendix Finance.

### **Relationship requirement for dependent child of a BN(O) Household Member**

- HK 37.1. The applicant must be the child of a parent who has, or is at the same time being granted, permission as—
- (a) a BN(O) Household Member; or
  - (b) the partner of a of a BN(O) Household Member.
- HK 37.2. Each of the applicant's parents must either be applying at the same time as the applicant, or have permission to be in the Isle of Man (other than as a visitor), unless—
- (a) the parent with permission as a BN(O) Household Member or the partner of a BN(O)

Household Member is the sole surviving parent;

- (b) the parent with permission as a BN(O) Household Member or the partner of a BN(O) Household Member has sole responsibility for the child's upbringing; or
- (c) there are serious and compelling reasons to grant the child entry clearance or permission to stay with the parent who has permission on the BN(O) Household Member route.

HK 37.3. If the applicant is applying for entry clearance or permission to stay and they have not previously had permission as a child on the BN(O) Household Member route they must form part of the same household as the BN(O) Household Member on the date of application.

HK 37.4. In HK 37.3. a person will form part of the same household as the BN(O) Household Member if they normally live with the BN(O) Household Member.

### **Care requirement for a dependent child of a BN(O) Household Member**

HK 38.1. The applicant must intend to live with a parent who has permission on the BN(O) Household Member route during their stay in the Isle of Man, unless they can demonstrate a valid reason why they should not live with that parent.

HK 38.2. There must be suitable arrangements for the applicant's care and accommodation in the Isle of Man, which must comply with relevant Isle of Man legislation and regulations.

### **Age requirement for a dependent child of a BN(O) Household Member**

HK 39.1. The applicant must be under the age of 18 at the date of application.

### **Financial requirement for child of a BN(O) Household Member**

HK 40.1. If the applicant is applying for permission to stay and has been living in the Isle of Man for 12 months or more on the date of application, they will meet the financial requirement unless the applicant's previous grant of permission was for 12 months Leave Outside the Rules following an unsuccessful application for the Hong Kong British National (Overseas) route.

HK 40.2. If the applicant is applying for entry clearance, or is applying for permission to stay and has been in the Isle of Man with permission for less than 12 months on the date of application, or where the applicant's previous grant of permission was for 12 months Leave Outside the Rules following an unsuccessful application for the Hong Kong British National (Overseas) route, the decision maker must be satisfied that the BN(O) Household Member, their partner or a person who is being granted permission on the BN(O) Status Holder route at the same time as the applicant is being granted permission, is able to and will maintain and accommodate the applicant adequately in the Isle of Man without recourse to public funds for at least 6 months.

HK 40.3. For the purposes of HK 40.2. accommodation will not be regarded as adequate if—

- (a) it is or will be overcrowded; or
- (b) it contravenes public health regulations.

HK 40.4. The BN(O) Household Member, their partner or a person with permission on the BN(O) Status Holder route may rely on credible promises of future third party support.

HK 40.5. The BN(O) Household Member, their partner or a person with permission on the BN(O) Status Holder route must show that they have the required funds as specified in Appendix Finance.



### **Ordinary residence in Hong Kong requirement for partner or child of a BN(O) Household Member**

- HK 41.1. If the applicant is applying for entry clearance as a dependant partner or child the applicant must be ordinarily resident in Hong Kong at the date of application.
- HK 41.2. An applicant applying for permission to stay must be in the Isle of Man and must be ordinarily resident in the Isle of Man, UK, the Bailiwick of Guernsey, Bailiwick of Jersey or Hong Kong on the date of application.

### **In-country tuberculosis requirement for partner or child of a BN(O) Household Member**

- HK 42.1. If the applicant is applying for permission to stay and—
- (a) their last grant of permission was for less than 6 months; and
  - (b) the applicant was present in a country listed in Appendix T to these Rules for more than 6 months immediately prior to their last grant of permission,
- the applicant must provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.
- HK 42.2. In HK 42.1. a valid medical certificate is a certificate from an approved centre issued within the 6 months immediately before the date of application.
- HK 42.3. The in-country tuberculosis requirement is met if the applicant provided a medical certificate described in HK 42.1. as part of a successful application for entry clearance in the 12 months before the date of application.
- HK 42.4. The list of approved centres in the UK updated from time to time, can be found at <https://www.gov.uk/government/publications/uk-tuberculosis-test-clinics-for-hong-kong-bno>

### **Decision on application for a dependent partner or child of a BN(O) Household Member on the Hong Kong BN(O) route**

- HK 43.1. If the decision maker is satisfied that all the suitability and eligibility requirements for the dependent partner or dependent child on the BN(O) Household Member route are met the application will be granted, otherwise the application will be refused.

### **Period and conditions of grant for a dependent partner or child of a BN(O) Household Member**

- HK 44.1. A partner who does not have permission on the BN(O) Household Member route on the date of application, will be granted permission which ends on the same date as the BN(O) Household Member's permission.
- HK 44.2. If the partner has permission on the Hong Kong BN(O) route on the date of application, a partner will be granted permission for either—
- (a) 5 years, if the partner applied for 5 years; or

(b) 30 months, if the partner applied for 30 months.

HK 44.3. A child who does not have permission on the BN(O) Household Member route on the date of application, will be granted permission which ends on the same date as the BN(O) Household Member's permission.

HK 44.4. A child who has permission on the BN(O) Household Member route on the date of application will—

(a) where the child is applying as the dependent of one parent with permission on the BN(O) Household Member route, be granted permission that ends on the same date as that parent; and

(b) where the child is applying as the dependent of both parents with permission on the BN(O) Household Member route, be granted permission that ends on the same date as those parents or, if different, the same date as the parent whose permission ends first.

HK 44.5. The grant will be subject to all the following conditions—

(a) no access to public funds;

(b) work (including self-employment and voluntary work) permitted except for employment as a professional sportsperson (including as a sports coach);

(c) study is permitted, subject to the ATAS condition in Part 15 of the Immigration Rules; and

(d) if Part 10 applies the applicant will be required to register with the police.

## **ADULT DEPENDANT RELATIVE OF A BN(O) STATUS HOLDER**

### **Validity requirements for a BN(O) Adult Dependant Relative on the BN(O) Status Holder route**

HK 45.1. A person applying as a BN(O) Adult Dependant Relative on the BN(O) Status Holder route for—

(a) entry clearance must apply online on the gov.uk website on the specified form as follows—

<b>Applicant</b>	<b>Specified form</b>
Applicants with a chipped passport who— <ul style="list-style-type: none"> <li>• hold a passport which shows they are registered as a British National (Overseas);</li> <li>• hold a passport issued by the Hong Kong Special Administrative Region; or</li> <li>• are EEA nationals</li> </ul>	Either— <ul style="list-style-type: none"> <li>• Hong Kong British National (Overseas) Visa using the UK Immigration: ID Check app (when available); or</li> <li>• Hong Kong British National (Overseas) Visa</li> </ul>
Other applicants	Hong Kong British National (Overseas) Visa

; or

- (b) permission to stay must apply using the required paper application form posted on the Immigration Service webpage of the Isle of Man Government website: <https://www.gov.im/immigration>.

HK 45.2. An application for entry clearance or permission to stay as a BN(O) Adult Dependant Relative on the BN(O) Status Holder route must meet all the following validity requirements—

- (a) any fee must have been paid;
- (b) the applicant must have provided any required biometrics; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily established their identity and nationality.

HK 45.3. The applicant must be aged 18 years or over on the date of application.

HK 45.4. The applicant must be the parent, grandparent, brother, sister, son or daughter of a person who is making an application for entry clearance or permission to stay as a BN(O) Status Holder or the partner of a BN(O) Status Holder at the same time as the applicant.

HK 45.5. An application which does not meet the validity requirements for a BN(O) Adult Dependant Relative on the BN(O) Status Holder route is invalid and may be rejected and not considered.

### **Suitability requirements for a BN(O) Adult Dependant Relative on the BN(O) Status Holder route**

HK 46.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

HK 46.2. If applying for permission to stay the applicant must not—

- (a) be in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; and
- (b) be on immigration bail.

### **Eligibility requirements for a BN(O) Adult Dependant Relative on the BN(O) Status Holder route**

#### **Entry requirements for a BN(O) Adult Dependant Relative**

HK 47.1. A person seeking to come to the Isle of Man as a BN(O) Adult Dependant Relative on the BN(O) Status Holder route must apply for and obtain entry clearance as a BN(O) Adult Dependant Relative before they arrive in the Isle of Man.

HK 47.2. A person applying for entry clearance as the dependent partner or child of a BN(O) Household Member must, if paragraph A39 and Appendix T of these Rules apply, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

#### **Relationship requirement for a BN(O) Adult Dependant Relative**

HK 48.1. If the applicant is applying for permission to stay and they have permission as a BN(O) Adult Dependant Relative on the BN(O) Status Holder route on the date of application, they will meet the relationship requirement.

- HK 48.2. Where the applicant is applying for entry clearance or permission to stay and they have not previously had permission on the Hong Kong BN(O) route they must be the parent, grandparent, brother, sister, son or daughter of a person who is making an application for entry clearance or permission to stay as a BN(O) Status Holder or as the partner of a BN(O) Status Holder at the same time as the applicant.
- HK 48.3. Where the applicant is the parent or grandparent of a BN(O) Status Holder or of the partner of a BN(O) Status Holder, the applicant must not be in a subsisting relationship with a partner unless—
- (a) that partner is also the parent or grandparent of the BN(O) Status Holder or of the partner of a BN(O) Status Holder; and
  - (b) that partner is applying for entry clearance or permission to stay at the same time as the applicant.

### **Dependency requirement for a BN(O) Adult Dependant Relative**

- HK 49.1. If the applicant is applying for permission to stay and they have permission as a BN(O) Adult Dependant Relative on the BN(O) Status Holder route on the date of application, they will meet the dependency requirement.
- HK 49.2. Where the applicant is applying for entry clearance or permission to stay and they have not previously had permission on the Hong Kong BN(O) route the applicant must—
- (a) as a result of age, illness or disability require long-term personal care to perform everyday tasks;
  - (b) form part of the same household as the BN(O) Status Holder who has, or is at the same time being granted, permission; and
  - (c) be unable, even with the practical and financial help of the BN(O) Status Holder or the partner of the BN(O) Status Holder, to obtain the required level of help in Hong Kong, if the BN(O) Status Holder or the partner of the BN(O) Status Holder move to the Isle of Man, either because the help—
    - (i) it is not available, and there is no person in Hong Kong who can reasonably provide it; or
    - (ii) it is not affordable.
- HK 49.3. In HK 49.2.(b) a person will form part of the same household as the BN(O) Status Holder if they normally live with the BN(O) Status Holder.
- HK 49.4. Where the applicant and their partner are the parents or grandparents of the BN(O) Status Holder, or of the partner of the BN(O) Status Holder, the applicant or their partner must—
- (a) a result of age, illness or disability require long-term personal care to perform everyday tasks; and
  - (b) be unable, even with the practical and financial help of the BN(O) Status Holder or the partner of the BN(O) Status Holder, to obtain the required level of help in Hong Kong if the BN(O) Status Holder or the partner of the BN(O) Status Holder move to the Isle of Man either because the help—
    - (i) it is not available and there is no person in Hong Kong who can reasonably provide

it; or

- (ii) is not affordable.

### **Financial requirement for a BN(O) Adult Dependant Relative**

- HK 50.1. If the applicant is applying for permission to stay and has been living in the Isle of Man with permission for 12 months or more on the date of application, they will meet the financial requirement unless the applicant's previous grant of permission was for 12 months Leave Outside the Rules following an unsuccessful application for the Hong Kong British National (Overseas) route.
- HK 50.2. If the BN(O) Adult Dependant Relative is applying for entry clearance, or is applying for permission to stay and has been in the Isle of Man for less than 12 months on the date of application, or where the applicant's previous grant of permission was for 12 months Leave Outside the Rules following an unsuccessful application for the Hong Kong British National (Overseas) route, the decision maker must be satisfied that the BN(O) Status Holder or their partner is able to and will maintain and accommodate the BN(O) Adult Dependant Relative adequately in the Isle of Man without recourse to public funds for at least 6 months.
- HK 50.3 For the purposes of HK 50.2. accommodation will not be regarded as adequate if—
- (a) it is or will be overcrowded; or
  - (b) it contravenes public health regulations.
- HK 50.4. The BN(O) Status Holder or their partner may rely on credible promises of future third party support.
- HK 50.5. The BN(O) Status Holder or their partner must show that they have the required funds as specified in Appendix Finance.

### **Ordinary residence in Hong Kong requirement for a BN(O) Adult Dependant Relative**

- HK 51.1. If the applicant is applying for entry clearance as a BN(O) Adult Dependant Relative the applicant must be ordinarily resident in Hong Kong at the date of application.
- HK 51.2. An applicant applying for permission to stay must be in the Isle of Man and must be ordinarily resident in the Isle of Man, UK, the Bailiwick of Guernsey, Bailiwick of Jersey or Hong Kong on the date of application.

### **In-country tuberculosis certificate requirement for a BN(O) Adult Dependant Relative**

- HK 52.1. If the applicant is applying for permission to stay and—
- (a) their last grant of permission was for less than 6 months; and
  - (b) the applicant was present in a country listed in Appendix T to these Rules for more than six months immediately prior to their last grant of permission,
- the applicant must provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.
- HK 52.2. In HK 52.1. a valid medical certificate is a certificate from an approved centre issued within the 6 months immediately before the date of application.

- HK 52.3. The in-country tuberculosis requirement is met where the applicant provided a medical certificate described in HK 52.1. as part of a successful application for entry clearance in the 12 months before the date of application.
- HK 52.4. The list of approved centres in the UK updated from time to time, can be found at <https://www.gov.uk/government/publications/uk-tuberculosis-test-clinics-for-hong-kong-bno>

### **Decision on application as a BN(O) Adult Dependant Relative**

- HK 53.1. If the decision maker is satisfied that all the suitability and eligibility requirements for BN(O) Adult Dependant Relative are met the application will be granted, otherwise the application will be refused.

### **Period and conditions of grant for a BN(O) Adult Dependant Relative**

- HK 54.1. If the applicant does not have permission on the BN(O) Status Holder route on the date of application, they will be granted permission which ends on the same date as the permission of the BN(O) Status Holder who is part of the same household as the applicant.
- HK 54.2. If the BN(O) Adult Dependant Relative has permission on the BN(O) Status Holder route on the date of application, they will be granted permission which ends on the same date as the permission of a BN(O) Status Holder or where relevant the partner of a BN(O) Status Holder who has, or is at the same time being granted, permission.
- HK 54.3. The grant will be subject to all the following conditions—
- (a) no access to public funds;
  - (b) work (including self-employment and voluntary work) permitted except for employment as a professional sports person, including as a sports coach;
  - (c) study is permitted, subject to the ATAS condition in Part 15 of the Immigration Rules; and
  - (d) if Part 10 of the Immigration Rules applies the applicant will be required to register with the police.

## **SETTLEMENT**

### **Validity requirements for Settlement on the Hong Kong BN(O) route**

- HK 55.1. A person applying for settlement on the Hong Kong BN(O) route must apply using the required paper application form posted on the Immigration Service webpage of the Isle of Man Government website: <https://www.gov.im/immigration>.
- HK 55.2. An application for settlement on the Hong Kong BN(O) route must meet all the following requirements:
- (a) any fee must have been paid;
  - (b) the applicant must have provided any required biometrics;
  - (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality;
  - (d) the applicant must have, or have last had, permission on the Hong Kong BN(O) route;

and

(e) the applicant must be in the Isle of Man.

HK 55.3. An application which does not meet the validity requirements for settlement on the BN(O) route is invalid and may be rejected and not considered.

### **Suitability requirements for settlement on the Hong Kong BN(O) route**

HK 56.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

HK 56.2. The applicant must not—

- (a) be in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; and
- (b) be on immigration bail.

### **Eligibility Requirements for Settlement on the Hong Kong BN(O) route**

#### **Relationship requirement for settlement as a dependant child on the Hong Kong BN(O) route**

HK 57.1. Where the applicant is under 18 on the date of application the additional requirements in HK 57.2. to HK 57.4. must be met.

HK 57.2. The applicant must have last been granted permission as a dependant child on the Hong Kong BN(O) route.

HK 57.3. The applicant's parent must—

- (a) at the same time, be being granted settlement on the Hong Kong BN(O) route; or
- (b) be settled or a British citizen.

HK 57.4. The applicant's other parent (who is not the parent in HK 57.3.) must be being granted settlement at the same time, or be settled or a British citizen, unless—

- (a) the parent in HK 57.3. is the applicant's sole surviving parent;
- (b) the parent in HK 57.3. has sole responsibility for the applicant's upbringing; or
- (c) the decision maker is satisfied that there are serious and compelling reasons to grant the applicant settlement.

#### **Care requirement for settlement as a dependant child on the Hong Kong BN(O) route**

HK 58.1. If the applicant is under the age of 18 on the date of application there must be suitable arrangements for the child's care and accommodation in the Isle of Man, which must comply with relevant Isle of Man legislation and regulations.

#### **Relationship requirement for settlement as an adult dependant relative on the Hong Kong BN(O) route**

HK 59.1. Where the applicant has or last had permission as an adult dependant relative on the Hong

Kong BN(O) route, they must be the parent, grandparent, brother, sister, son or daughter of a person who—

- (a) last had permission as a BN(O) Status Holder or the partner of a BN(O) Status Holder and who is at the same time being granted settlement on the Hong Kong BN(O) route;
- (b) is settled and whose last grant of permission prior to settlement was as a BN(O) Status Holder or the partner of a BN(O) Status Holder; or
- (c) is a British citizen.

### **English language requirement for settlement on the Hong Kong BN(O) route**

HK 60.1. Unless an exemption applies, the applicant must show English language ability on the Common European Framework of Reference for Languages in speaking and listening to at least level B1.

HK 60.2. The applicant must show they meet the English Language requirement as specified in Appendix English Language.

### **Knowledge of Life in the UK and Islands requirement for settlement on the Hong Kong BN(O) route**

HK 61.1. If the applicant is aged 18 or over, and under 65 on the date of application, they must meet the Knowledge of Life in the UK and Islands requirement as specified in Appendix KOL IOM.

### **Qualifying period for settlement on the BN(O) route**

HK 62.1. The applicant must have spent a continuous period of 5 years with permission in the UK and Islands on a route under which a person can settle, of which the most recent grant of permission must have been in the Isle of Man on the Hong Kong BN(O) route.

### **Continuous Residence requirement for settlement on the Hong Kong BN(O) route**

HK 63.1. The applicant must meet the continuous residence requirement as specified in Appendix Continuous Residence during the period in HK 62.1.

### **Decision on an application for settlement on the Hong Kong BN(O) route**

HK 64.1. If the decision maker is satisfied all the suitability and eligibility requirements are met the applicant will be granted settlement, otherwise the application will be refused.

### **Variation of no access to public funds condition**

HK 65.1 A person in the Isle of Man with permission on the Hong Kong BN(O) route may have that permission varied to remove a no access to public funds condition where they have provided the decision-maker with—

- (a) satisfactory evidence that the applicant is destitute or at imminent risk of destitution; or
- (b) satisfactory evidence that there are particularly compelling reasons relating to the welfare of a child of a parent in receipt of a very low income or the applicant is facing exceptional financial circumstances relating to a very low income.



HK 65.2 "destitute" in HK 65.1 means that –

- (a) the person does not have adequate accommodation or any means of obtaining it (whether or not their other essential living needs are met); or
- (b) the person has adequate accommodation or the means of obtaining it, but cannot meet their other essential living needs.

## Appendix J: Codes of Practice for Skilled Workers

After 6 April 2018 this Appendix is only applicable for Tier 5 and Tier 1 (where appropriate) references to Tier 2 are no longer applicable.

Codes of practice for Tier 2 Sponsors (prior to 6 April 2018), Tier 5 Sponsors, employers of work permit holders and Tier 1 migrants (where appropriate).

### Introduction

1. This Appendix sets out the skill level and appropriate salary rate for jobs, as referred to elsewhere in these Rules.
2. Table 8 of this Appendix also sets out advertising and evidential requirements for creative sector jobs, as referred to elsewhere in these Rules.

### Tables

3. Table 1 sets out PhD-level occupation codes.
4. Table 2 sets out occupations skilled to Regulated Qualifications Framework level 6 or above.
5. Table 3 sets out occupations skilled to Regulated Qualifications Framework level 4 or above.
6. Table 4 sets out occupations which are ineligible for Sponsorship in Tier 2 (General) and Tier 2 (Intra-Company Transfer) applications, due to skill level, but which are still acceptable to support some indefinite leave to remain applications.
7. Table 5 sets out further lower-skilled occupations which are ineligible for Sponsorship in Tier 2 (General) and Tier 2 (Intra-Company Transfer) applications.
8. Table 6 sets out occupations which are ineligible for Sponsorship in Tier 2 (General) and Tier 2 (Intra-Company Transfer) applications, for reasons other than skill level.
9. Table 7 sets out the equivalent SOC 2010 codes in comparison to the SOC 2000 system, for all occupations that appear in Tables 1 to 5. This table is provided for applicants and Sponsors who relied on a SOC 2000 code in a previous application, and need to know the equivalent SOC 2010 code if the applicant is applying to continue working in the same occupation.
10. Table 8 sets out creative sector codes of practice.

### Occupation codes

11. The Standard Occupational Classification (SOC) codes are based on the SOC 2010 system designed by the Office for National Statistics, except where otherwise stated. This system is designed to cover all possible jobs.
12. References to "job" refer to the most appropriate match for the job in question, as it appears in the tables in this Appendix. The job description must correlate with the most appropriate match, according to the SOC 2010 system. The example job tasks and related job titles listed in Tables 1 to 4 are taken from guidance published by the Office for National Statistics. Further guidance on jobs in Tables 5 and 6 is available from the guidance published on the Office for National Statistics website. The Isle of Man Immigration Office will apply the most appropriate match based on the job description in an application, even if this is not the match stated by the applicant or their Sponsor.
13. Where Appendix A of these Rules refers to an applicant continuing to work in the same occupation, this means:
  - (i) the same SOC 2010 code as stated in the Certificate of Sponsorship Checking Service entry that led to the applicant's previous grant,
  - (ii) a SOC 2010 code which Table 7 shows as being equivalent to the SOC 2000 code stated in the Certificate of Sponsorship Checking Service entry that led to the applicant's previous grant, or

- (iii) any SOC 2010 code, providing the change is due solely to reclassification within the SOC system by the Office for National Statistics and not due to a change in the applicant's job.

### **Appropriate salary rates**

14. Where these Rules state that an applicant must be paid the appropriate rate for a job as set out in this Appendix, the rate will be determined as follows:
- (a) Where the most appropriate match for the job in question appears in Tables 1 to 4 or Table 8, the appropriate rate is as stated in the relevant Table.
  - (b) Where the most appropriate match for the job in question appears in one of Tables 1 to 4 and also appears in Table 8, the appropriate rate is as stated in Table 8, and the rates stated in Tables 1 to 4 do not apply.
  - (c) Table 7 is to be used for identifying the equivalent SOC 2010 code only. The appropriate rate must then be identified for that SOC 2010 code using the other tables, where relevant.
  - (d) Where both "new entrant" and "experienced worker" rates are stated in Tables 1 to 3, the "new entrant" rate will only apply if:
    - (i) the applicant:
      - (1) is applying as a Tier 2 (General) Migrant and scores points from the Post-Study Work provisions of Appendix A,
      - (2) is applying as a Tier 2 (General) Migrant and scores points from the Resident Labour Market Test provisions of Appendix A, on the basis that his Sponsor has carried out a university milkround,
      - (3) is applying as a Tier 2 (Intra-Company Transfer) Migrant in the Graduate Trainee sub-category, or
      - (4) was under the age of 26 on the date the application was made;
 and
    - (ii) the applicant is applying for entry clearance or leave to remain (not for indefinite leave to remain); and
    - (iii) the applicant is not applying for a grant of leave that would extend his total stay in Tier 2 beyond 3 years and 1 month.

The "experienced worker" rate will apply in all other cases.

- (e) Where Appendix K requires a job holder to have a minimum level of experience, the "experienced worker" rate will always apply.
- (f) The rates stated are per year and are based on the following weekly hours:
  - (i) where the source is the Annual Survey of Hours and Earnings, a 39-hour week;
  - (ii) where the source is NHS Agenda for Change or the Royal Institute of British Architects, a 37.5-hour week;
  - (iii) where the source is teachers' national pay scales, on the definition of a full-time teacher as used when determining those pay scales;
  - (iv) where the source is the National Grid submission to the Migration Advisory Committee, a 37-hour week;
  - (v) In all other cases, a 40-hour week.

Rates will be pro-rated based on the number of working hours stated on the Certificate of Sponsorship. The exceptions are 'Skilled chef as defined in the Shortage Occupation List in Appendix K' and 'Overhead linesworker at Linesman Erector 2 (LE2) level and above', where the appropriate rates cannot be pro-rated down for shorter working hours as they form a key part of the shortage occupation criteria recommended by the Migration Advisory Committee.

(g) In all cases, the pay must be compliant with National Minimum Wage regulations.

**Table 1 - Occupations skilled to PhD-level**

<b>SOC code and description</b>	<b>Description and appropriate salary rates</b>	<b>Skill level</b>
2111 Chemical scientists	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• develops experimental procedures, instruments and recording and testing systems;</li> <li>• conducts experiments to identify chemical composition: energy and chemical changes in natural substances and processed materials;</li> <li>• analyses results and experimental data;</li> <li>• tests techniques and processes for reliability under a variety of conditions;</li> <li>• develops procedures for quality control of manufactured products.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Analytical chemist</li> <li>• Chemist</li> <li>• Development chemist</li> <li>• Industrial chemist</li> <li>• Research chemist</li> </ul> <p>Salary rates: New entrant: £21,600 Experienced worker: £28,000</p> <p>[Source: Evidence from partners who responded to Migration Advisory Committee in 2011, uplifted based on national changes in earnings]</p>	PhD
2112 Biological scientists and biochemists	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• studies the physical and chemical form, structure, composition and function of living organisms;</li> <li>• identifies and studies the chemical substances, including microbial infections, involved in physiological processes and the progress of disease;</li> <li>• performs tests to study physiological and pathological characteristics within cells and other organisms;</li> <li>• researches the effects of internal and external environmental factors on the life processes and other functions of living organisms;</li> <li>• observes the structure of communities of organisms in the laboratory and in their natural environment;</li> <li>• advises farmers, medical staff and others, on the nature of field crops, livestock and produce and on the treatment and prevention of disease;</li> <li>• monitors the distribution, presence and behaviour of plants, animals and aquatic life, and performs other scientific tasks related to conservation not performed by jobholders in SOC codes beginning "214".</li> </ul>	PhD

	<p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Biomedical scientist</li> <li>• Forensic scientist</li> <li>• Horticulturist</li> <li>• Microbiologist</li> <li>• Pathologist</li> </ul> <p>Salary rates: Biomedical scientists working in the health sector:  Band 5 and equivalent: £21,909  Band 6 and equivalent: £26,302  Band 7 and equivalent: £31,383  Band 8a and equivalent: £40,028  Band 8b and equivalent: £46,625  Band 8c and equivalent: £56,104  Band 8d and equivalent: £66,582  Band 9 and equivalent: £78,629</p> <p>[Source: NHS Agenda for Change 2016]</p> <p>Other biomedical scientists:  New entrant: £21,600  Experienced worker: £28,000</p> <p>[Source: Evidence from partners who responded to Migration Advisory Committee in 2011, uplifted based on national changes in earnings]</p>	
2113 Physical scientists	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• conducts experiments and tests and uses mathematical models and theories to investigate the structure and properties of matter, transformations and propagations of energy, the behaviour of particles and their interaction with various forms of energy;</li> <li>• uses surveys, seismology and other methods to determine the earth's mantle, crust, rock structure and type, and to analyse and predict the occurrence of seismological activity;</li> <li>• observes, records and collates data on atmospheric conditions from weather stations, satellites, and observation vessels to plot and forecast weather conditions;</li> <li>• applies mathematical models and techniques to assist in the solution of scientific problems in industry and commerce and seeks out new applications of mathematical analysis.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Geologist • Geophysicist</li> <li>• Medical physicist</li> <li>• Meteorologist</li> <li>• Oceanographer</li> <li>• Physicist</li> <li>• Seismologist</li> </ul> <p>Salary rates:  New entrant: £21,600</p>	PhD

	<p>Experienced worker: £28,000</p> <p>[Source: Evidence from partners who responded to Migration Advisory Committee in 2011, uplifted based on national changes in earnings]</p>	
2114 Social and humanities scientists	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• studies society and the manner in which people behave and impact upon the world;</li> <li>• undertakes research across the humanities that furthers understanding of human culture and creativity;</li> <li>• traces the evolution of word and language forms, compares grammatical structures and analyses the relationships between ancient, parent and modern languages;</li> <li>• identifies, compiles and analyses economic, demographic, legal, political, social and other data to address research objectives;</li> <li>• administers questionnaires, carries out interviews, organises focus groups and implements other social research tools;</li> <li>• undertakes analyses of data, presents results of research to sponsors, the media and other interested organisations;</li> <li>• addresses conferences and publishes articles detailing the methodology and results of research undertaken.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Anthropologist</li> <li>• Archaeologist</li> <li>• Criminologist</li> <li>• Epidemiologist</li> <li>• Geographer</li> <li>• Historian</li> <li>• Political scientist</li> <li>• Social scientist</li> </ul> <p>Salary rates: New entrant: £21,600 Experienced worker: £28,000</p> <p>[Source: Evidence from partners who responded to Migration Advisory Committee in 2011, uplifted based on national changes in earnings]</p>	PhD
2119 Natural and social science professionals not elsewhere classified	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• plans, directs and undertakes research into natural phenomena;</li> <li>• provides technical advisory and consulting services;</li> <li>• designs tests and experiments to address research objective and find solutions;</li> <li>• applies models and techniques to medical, industrial, agricultural, military and similar applications;</li> <li>• analyses results and writes up results of tests and experiments undertaken;</li> <li>• presents results of scientific research to sponsors, addresses conferences and publishes articles outlining the methodology and results of research undertaken;</li> <li>• designs and develops an appropriate research methodology in order to address the research objective;</li> </ul> <p>[Note: For immigration purposes this code includes researchers in research organisations other than universities.]</p>	PhD

	<ul style="list-style-type: none"> <li>• compiles and analyses quantitative and qualitative data, prepares reports and presents results to summarise main findings and conclusions;</li> <li>• advises government, private organisations and special interest groups on policy issues;</li> <li>• writes journal articles, and books, and addresses conferences, seminars and the media to reveal research findings.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Operational research scientist</li> <li>• Research associate (medical)</li> <li>• Research fellow</li> <li>• Researcher</li> <li>• Scientific officer</li> <li>• Scientist</li> <li>• Sports scientist</li> <li>• University researcher</li> </ul> <p>Salary rates: New entrant: £21,600 Experienced worker: £28,000</p> <p>[Source: Evidence from partners who responded to Migration Advisory Committee in 2011, uplifted based on national changes in earnings]</p>	
2150 Research and development managers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• establishes product design and performance objectives in consultation with other business functions;</li> <li>• liaises with production departments to investigate and resolve manufacturing problems;</li> <li>• develops research methodology, implements and reports upon research investigations undertaken; <ul style="list-style-type: none"> <li>• plans work schedules, assigns tasks and delegates responsibilities to the research and development team;</li> </ul> </li> <li>• monitors the standards of scientific and technical research undertaken by the research team.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Creative manager (research and development)</li> <li>• Design manager</li> <li>• Market research manager</li> <li>• Research manager (broadcasting)</li> </ul> <p>Salary rates: New entrant: £27,100 Experienced worker: £35,000</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	PhD
2311 Higher education teaching professionals	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• prepares, delivers and directs lectures, seminars and tutorials;</li> <li>• prepares, administers and marks examinations, essays and other assignments;</li> <li>• advises students on academic matters and encourages</li> </ul>	PhD

	<p>independent research;</p> <ul style="list-style-type: none"> <li>• provides pastoral care or guidance to students;</li> <li>• participates in decision making processes regarding curricula, budgetary, departmental and other matters;</li> <li>• directs the work of postgraduate students;</li> <li>• undertakes research, writes articles and books and attends conferences and other meetings.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Fellow (university)</li> <li>• Lecturer (higher education, university)</li> <li>• Professor (higher education, university)</li> <li>• Tutor (higher education, university)</li> <li>• University lecturer</li> </ul> <p>Salary rates: New entrant: £25,700 Experienced worker: £32,300</p> <p>[Source: evidence from Universities UK, Universities and Colleges Employers Association and GuildHE in 2011, uplifted based on national changes in earnings]</p>	
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**Table 2 –Occupations Skilled to Regulated Qualifications Framework (RQF) level 6 and above**

<b>SOC Code and Description</b>	<b>Skill Level</b>	
All occupations in Table 1	PhD	
1115 Chief executives and senior officials	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• analyses economic, social, legal and other data, and plans, formulates and directs at strategic level the operation of a company or organisation;</li> <li>• consults with subordinates to formulate, implement and review company/organisation policy, authorises funding for policy implementation programmes and institutes reporting, auditing and control systems;</li> <li>• prepares, or arranges for the preparation of, reports, budgets, forecasts or other information;</li> <li>• plans and controls the allocation of resources and the selection of senior staff;</li> <li>• evaluates government/local authority departmental activities, discusses problems with government/local authority officials and administrators and formulates departmental policy;</li> <li>• negotiates and monitors contracted out services provided to the local authority by the private sector;</li> <li>• studies and acts upon any legislation that may affect the local authority;</li> <li>• stimulates public interest by providing publicity, giving lectures and interviews and organising appeals for a variety of</li> </ul>	RQF 6



	<p>causes;</p> <ul style="list-style-type: none"> <li>• directs or undertakes the preparation, publication and dissemination of reports and other information of interest to members and other interested parties.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Chief executive</li> <li>• Chief medical officer</li> <li>• Civil servant (grade 5 &amp; above)</li> <li>• Vice President</li> </ul> <p>Salary rates: New entrant: £41,900 Experienced worker: £60,000</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
1121 Production managers and directors in manufacturing	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• liaises with other managers to plan overall production activity and daily manufacturing activity, sets quality standards and estimates timescales and costs;</li> <li>• manages production to ensure that orders are completed to an agreed date and conform to customer and other requirements;</li> <li>• monitors production and production costs and undertakes or arranges for the preparation of reports and records;</li> <li>• oversees supervision of the production line and its staff, ensures targets are met.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Engineering manager</li> <li>• Managing director (engineering)</li> <li>• Operations manager (manufacturing)</li> <li>• Production manager</li> </ul> <p>Salary rates: New entrant: £21,700 Experienced worker: £31,900</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 6
1122 Production managers and directors in construction	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• liaises with other managers to plan overall production activity and construction activities, sets quality standards and estimates timescales and costs;</li> <li>• receives invitations to tender, arranges for estimates and liaises with client, architect and engineers for the preparation of contracts;</li> <li>• plans, directs and co-ordinates the construction and maintenance of civil and structural engineering works, including demolition, open-cast mining works and pipeline and piling;</li> <li>• receives reports upon work in progress to ensure that materials and construction methods meet with specifications and statutory requirements and that there are no deviations</li> </ul>	RQF 6

	<p>from agreed plans.</p> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Building Services manager</li> <li>• Construction manager</li> <li>• Director (building construction)</li> <li>• Owner (electrical contracting)</li> </ul> <p>Salary rates: New entrant: £25,000 Experienced worker: £33,200</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
1123 Production managers and directors in mining and energy	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• co-ordinates the activities of mines, quarries, drilling operations and offshore installations;</li> <li>• determines staffing, material and other needs;</li> <li>• co-ordinates and supervises coal-face production activities and ensures compliance with health and safety regulations;</li> <li>• ensures that all haulage, storage, purification and distribution work is performed efficiently and in compliance with statutory and other regulations;</li> <li>• arranges for the provision of gas, water and electricity supplies;</li> <li>• ensures compliance with issues relating to the environmental impact of operations. Related job titles:</li> <li>• Operations manager (mining, water &amp; energy)</li> <li>• Quarry manager</li> </ul> <p>Salary rates: New entrant: £20,000</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no equivalent 2015 or 2016 data available)]</p> <p>Experienced worker: £32,000</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 6
1131 Financial managers and directors	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• participates in the formulation of strategic and long-term business plans, assesses the implications for the organisation financial mechanisms and oversees their implementation;</li> <li>• plans external and internal audit programmes, arranges for the collection and analysis of accounting, budgetary and related information, and manages the company's financial systems;</li> <li>• determines staffing levels appropriate for accounting activities;</li> <li>• assesses and advises on factors affecting business performance. Related job titles:</li> <li>• Investment banker</li> <li>• Treasury manager</li> </ul> <p>Salary rates:</p>	RQF 6

	<p>New entrant: £29,800 Experienced worker: £42,500</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
1132 Marketing and sales directors	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• liaises with other senior staff to determine the range of goods or services to be sold;</li> <li>• discusses employer's or clients' requirements, plans and monitors surveys and analyses of customers' reactions to products;</li> <li>• examines and analyses sales figures, advises on and monitors marketing campaigns and promotional activities;</li> <li>• controls the recruitment and training of staff;</li> <li>• produces and/or assesses reports and recommendations concerning marketing and sales strategies.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Marketing director</li> <li>• Sales director</li> </ul> <p>Salary rates: New entrant: £33,300</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no 2015 or 2016 equivalent data available)]</p> <p>Experienced worker: £49,700</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 6
1133 Purchasing managers and directors	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• determines what goods, services and equipment need to be sourced;</li> <li>• devises purchasing policies, decides on whether orders should be put out to tender and evaluates suppliers' bids;</li> <li>• negotiates prices and contracts with suppliers and draws up contract documents;</li> <li>• arranges for quality checks of incoming goods and ensures suppliers deliver on time;</li> <li>• interviews suppliers' representatives and visits trade fairs;</li> <li>• researches and identifies new products and suppliers;</li> <li>• stays abreast of and ensures adherence to relevant legislation regarding tendering and procurement procedures.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Bid manager</li> <li>• Purchasing manager</li> </ul> <p>Salary rates: New entrant: £26,800 Experienced worker: £35,700</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 6

<p>1134 Advertising and public relations directors</p>	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• liaises with client to discuss product/service to be marketed and develops the most appropriate strategy to deliver the objectives;</li> <li>• defines target group and implements strategy through appropriate media planning work;</li> <li>• conceives advertising campaign to impart the desired product image in an effective and economical way;</li> <li>• reviews and revises campaign strategy in light of sales figures, surveys, etc. and takes appropriate corrective measures if necessary;</li> <li>• stays abreast of changes in media, readership or viewing figures and advertising rates;</li> <li>• directs the arranging of conferences, exhibitions, seminars, etc. to promote the image of a product, service or organisation.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Account director (advertising)</li> <li>• Head of public relations</li> </ul> <p>Salary rates: New entrant: £28,300</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no 2015 or 2016 equivalent data available)]</p> <p>Experienced worker: £40,200</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	<p>RQF 6</p>
<p>1135 Human resource managers and directors</p>	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• determines staffing needs;</li> <li>• oversees the preparation of job descriptions, drafts advertisements and interviews candidates;</li> <li>• oversees the monitoring of employee performance and career development needs;</li> <li>• provides or arranges for provision of training courses;</li> <li>• undertakes industrial relations negotiations with employees' representatives or trades unions;</li> <li>• develops and administers salary, health and safety and promotion policies;</li> <li>• examines and reports on company and departmental structures, chains of command, information flows, etc. and evaluates efficiency of existing operations;</li> <li>• considers alternative work procedures to improve productivity;</li> <li>• stays abreast of relevant legislation, considers its impact on the organisation's HR strategy and recommends appropriate action.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Human resources manager</li> <li>• Personnel manager</li> <li>• Recruitment manager</li> </ul>	<p>RQF 6</p>

	<p>Salary rates: New entrant: £27,400 Experienced worker: £37,800</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
1136 Information technology and telecommunications directors	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• develops in consultation with other senior management the IT/telecommunications strategy of the organisation;</li> <li>• directs the implementation within the organisation of IT/telecommunications strategy, infrastructure, procurement, procedures and standards;</li> <li>• develops the periodic business plan and operational budget for IT/telecommunications to deliver agreed service levels; <ul style="list-style-type: none"> <li>• considers the required IT/telecommunications staffing levels, oversees recruitment and appointment of staff and directs training policy;</li> <li>• prioritises and schedules major IT/telecommunications projects;</li> </ul> </li> <li>• ensures that new technologies are researched and evaluated in the light of the organisation's broad requirements.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• IT Director</li> <li>• Technical director (computer services)</li> <li>• Telecommunications director</li> </ul> <p>Salary rates: New entrant: £42,500 Experienced worker: £55,600</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 6
1139 Functional managers and directors not elsewhere classified	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• helps to formulate and implement local government policy and ensures legal and statutory provisions are observed;</li> <li>• organises local authority office work and resources, negotiates contracted out services;</li> <li>• plans, organises, coordinates and directs the resources of a special interest organisation;</li> <li>• formulates and directs the implementation of an organisation's policies;</li> <li>• represents union, association or charity in consultation and negotiation with government, employees and other bodies; <ul style="list-style-type: none"> <li>• stimulates public interest by providing publicity, giving lectures and interviews and organising appeals;</li> <li>• directs or undertakes the preparation, publication and dissemination of reports and other information pertaining to the organisation.</li> </ul> </li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Manager (charitable organisation)</li> <li>• Research director</li> </ul>	RQF 6

	<p>Salary rates: New entrant: £25,900 Experienced worker: £38,000</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
1150 Financial institution managers and directors	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• plans, organises, directs and co-ordinates the activities of financial institutions;</li> <li>• verifies that accounting, recording and information storage and retrieval procedures are adhered to;</li> <li>• authorises loans and mortgages in accordance with bank or building society policy;</li> <li>• promotes financial services, establishes contact with the local business community and professional firms;</li> <li>• preparing general reports and briefs on more complex cases for senior management;</li> <li>• ensures compliance with the statutory regulatory framework.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Bank manager</li> <li>• Insurance manager</li> </ul> <p>Salary rates: New entrant: £29,500 Experienced worker: £37,300</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 6
1161 Managers and directors in transport and distribution	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• plans the optimum utilisation of staff and operating equipment, and co-ordinates maintenance activities to ensure least possible disruption to services;</li> <li>• examines traffic reports, load patterns, traffic receipts and other data and revises transport services or freight rates accordingly;</li> <li>• directs the movement, handling and storage of freight in transit, and reviews space utilisation, staffing and distribution expenditure to determine future distribution policies;</li> <li>• ensures that regulations regarding hours of work, the licensing of crews and transport equipment, the operational safety and efficiency of equipment, the insurance of vehicles and other statutory regulations are complied with;</li> <li>• ensures that harbour channels and berths are maintained and liaises with ship owners, crew, customs officials, dock and harbour staff to arrange entry, berthing and servicing of ships;</li> <li>• supervises day-to-day activities in a railway station;</li> <li>• arranges for maintenance of airport runways and buildings, liaises with fuel and catering crews to ensure adequate supplies and resolves any complaints and problems raised by airport users.</li> </ul> <p>Related job titles:</p>	RQF 6

	<ul style="list-style-type: none"> <li>• Fleet manager</li> <li>• Transport manager</li> </ul> <p>Salary rates: New entrant: £25,000 Experienced worker: £29,200</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
1172 Senior police officers	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• liaises with senior officers to determine staff, financial and other short- and long-term needs;</li> <li>• plans, directs and co-ordinates general policing for an area or functional unit;</li> <li>• directs and monitors the work of subordinate officers;</li> <li>• establishes contacts and sources of information concerning crimes planned or committed;</li> <li>• directs and co-ordinates the operation of record keeping systems and the preparation of reports. Related job titles: <ul style="list-style-type: none"> <li>• Chief superintendent (police service)</li> <li>• Detective inspector</li> <li>• Police inspector</li> </ul> </li> </ul> <p>Salary rates: New entrant: £38,100</p> <p>[Source: Annual Survey of Hours and Earnings 2015 (no 2016 equivalent data available)]</p> <p>Experienced worker: £57,500</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 6
1173 Senior officers in fire, ambulance, prison and related services	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• liaises with other senior officials and/or government departments to determine staffing, financial and other short and long-term needs;</li> <li>• prepares reports for insurance companies, the Home Office, Scottish Home and Health Department, and other bodies as necessary;</li> <li>• advises on the recruitment, training and monitoring of staff;</li> <li>• fire officers plan, direct and co-ordinate an operational plan for one or more fire stations, attend fires and other emergencies to minimise danger to property and people, arrange for the salvaging of goods, immediate temporary repairs and security measures for fire damaged premises as necessary;</li> <li>• ambulance officers plan, organise, direct and co-ordinate the activities of ambulance personnel and control room assistants, for the provision of ambulance services for emergency and non-emergency cases;</li> <li>• prison officers interview prisoners on arrival and discharge/ departure, receive reports on disciplinary problems and decide on appropriate action, make periodic checks on internal and</li> </ul>	RQF 6

	<p>external security, and provide care and support to prisoners in custody;</p> <ul style="list-style-type: none"> <li>• revenue and customs, excise and immigration officers advise on the interpretation of regulations concerning taxes, duties and immigration requirements and enforce these regulations through monitoring of premises, examining goods entering the country to ensure correct duty is paid and establishing that passengers have the necessary authorisation for crossing national borders.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Fire service officer (government)</li> <li>• Prison governor</li> <li>• Station officer (ambulance service)</li> </ul> <p>Salary rates: All workers: £37,100</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
1181 Health services and public health managers and directors	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• implements policies of the board, ensures statutory procedures are followed, with particular emphasis on patient safety and the management of risk;</li> <li>• liaises with health care professionals to determine short and long-term needs and how to meet these objectives within budgetary constraints;</li> <li>• oversees the day-to-day management of the unit or service and provides leadership to staff;</li> <li>• uses statistical information to monitor performance and assist with planning;</li> <li>• negotiates and manages contracts with providers and purchasers of health care services;</li> <li>• manages staff, including recruitment, appraisal and development;</li> <li>• monitors and reports upon the effectiveness of services with a view to improving the efficiency of health care provision;</li> <li>• coordinates the promotion of public health and wellbeing in the actions and policies of public agencies and their social partners;</li> <li>• monitors and reports upon the state of public health and wellbeing.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Director of nursing</li> <li>• Health Service manager</li> <li>• Information manager (health authority: hospital service)</li> </ul> <p>Salary rates: New entrant: £25,000 Experienced worker: £35,200</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 6
1184 Social services	Example job tasks	RQF 6



managers and directors	<ul style="list-style-type: none"> <li>• provides leadership and management to ensure services are delivered in accordance with statutory requirements and in line with the local authority social services department's policies and procedures;</li> <li>• determines staffing, financial, material and other short and long-term needs;</li> <li>• plans work schedules, assigns tasks and delegates responsibilities of social services staff;</li> <li>• monitors and evaluates departmental performance with a view to improving social service provision;</li> <li>• studies and advises upon changes in legislation that will impact upon social service provision;</li> <li>• liaises with representatives of other relevant agencies.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Care manager (local government: social services)</li> <li>• Service manager (welfare services)</li> </ul> <p>Salary rates: New entrant: £23,300 Experienced worker: £28,400</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
2121 Civil engineers	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• undertakes research and advises on soil mechanics, concrete technology, hydraulics, water and waste water treatment processes and other civil engineering matters;</li> <li>• determines and specifies construction methods, materials, quality and safety standards and ensures that equipment operation and maintenance comply with design specifications;</li> <li>• designs foundations and earthworks;</li> <li>• designs structures such as roads, dams, bridges, railways, hydraulic systems, sewerage systems, industrial and other buildings and plans the layout of tunnels, wells and construction shafts;</li> <li>• organises and plans projects, arranges work schedules, carries out inspection work and plans maintenance control;</li> <li>• organises and establishes control systems to monitor operational efficiency and performance of materials and systems.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Building engineer</li> <li>• Civil engineer (professional)</li> <li>• Highways engineer</li> <li>• Petroleum engineer</li> <li>• Public health engineer</li> <li>• Site engineer</li> <li>• Structural engineer</li> </ul> <p>Salary rates: New entrant: £25,700 Experienced worker: £31,600</p>	RQF 6

	[Source: Annual Survey of Hours and Earnings 2016]	
2122 Mechanical engineers	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• undertakes research and advises on energy use, materials handling, thermodynamic processes, fluid mechanics, vehicles and environmental controls;</li> <li>• determines materials, equipment, piping, capacities, layout of plant or system and specification for manufacture;</li> <li>• designs mechanical equipment, such as steam, internal combustion and other non-electrical motors for railway locomotives, road vehicles, aeroplanes and other machinery;</li> <li>• ensures that equipment, operation and maintenance comply with design specifications and safety standards;</li> <li>• organises and establishes control systems to monitor operational efficiency and performance of materials and systems.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Aeronautical engineer (professional)</li> <li>• Aerospace engineer</li> <li>• Automotive engineer (professional)</li> <li>• Marine engineer (professional)</li> <li>• Mechanical engineer (professional)</li> </ul> <p>Salary rates: New entrant: £27,500 Experienced worker: £33,000</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 6
2123 Electrical engineers	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• supervises, controls and monitors the operation of electrical generation, transmission and distribution systems;</li> <li>• determines and specifies manufacturing methods of electrical systems;</li> <li>• ensures that manufacture, operation and maintenance comply with design specifications and contractual arrangements;</li> <li>• organises and establishes control systems to monitor the performance and safety of electrical assemblies and systems.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Electrical engineer (professional)</li> <li>• Electrical surveyor</li> <li>• Equipment engineer</li> <li>• Power engineer</li> <li>• Signal engineer (railways)</li> </ul> <p>Salary rates: Power system engineer, control engineer or protection engineer in the electricity transmission and distribution industry: £33,400</p> <p>[Source: National Grid submission to Migration Advisory</p>	RQF 6

	<p>Committee in 2011, uplifted based on national changes in earnings]</p> <p>Other electrical engineer (new entrant): £25,000 Other electrical engineer (experienced worker): £35,200</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
2124 Electronics engineers	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• undertakes research and advises on all aspects of telecommunications equipment, radar, telemetry and remote control systems, data processing equipment, microwaves and other electronic equipment;</li> <li>• determines and specifies appropriate production and/or installation methods and quality and safety standards; <ul style="list-style-type: none"> <li>• organises and establishes control systems to monitor performance and evaluate designs;</li> </ul> </li> <li>• tests, diagnoses faults and undertakes repair of electronic equipment.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Avionics engineer</li> <li>• Broadcasting engineer (professional)</li> <li>• Electronics engineer (professional)</li> <li>• Microwave engineer</li> <li>• Telecommunications engineer (professional)</li> </ul> <p>Salary rates: New entrant: £25,200 Experienced worker: £31,300</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no 2015 or 2015 equivalent data available)]</p>	RQF 6
2126 Design and development engineers	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• assesses product requirements, including costs, manufacturing feasibility and market requirements;</li> <li>• prepares working designs for steam, aero, turbine, marine and electrical engines, mechanical instruments, aircraft and missile structures, vehicle and ship structures, plant and machinery equipment, domestic electrical appliances, building systems and services, and electronic computing and telecommunications equipment;</li> <li>• arranges construction and testing of model or prototype and modifies design if necessary;</li> <li>• produces final design information for use in preparation of layouts, parts lists, etc.;</li> <li>• prepares specifications for materials and other components.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Clinical engineer</li> <li>• Design engineer</li> <li>• Development engineer</li> <li>• Ergonomist</li> <li>• Research and development engineer</li> </ul>	RQF 6

	<p>Salary rates: New entrant: £25,300</p> <p>[Source: Annual Survey of Hours and Earnings 2014 ( no 2015 or 2016 equivalent data available)]</p> <p>Experienced worker: £31,600</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
2127 Production and process engineers	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• studies existing and alternative production methods, regarding work flow, plant layout, types of machinery and cost;</li> <li>• recommends optimum equipment and layout and prepares drawings and specifications;</li> <li>• devises and implements production control methods to monitor operational efficiency;</li> <li>• investigates and eliminates potential hazards and bottlenecks in production;</li> <li>• advises management on and ensures effective implementation of new production methods, techniques and equipment;</li> <li>• liaises with materials buying, storing and controlling departments to ensure a steady flow of supplies;</li> <li>• undertakes research and develops processes to achieve physical and/or chemical change for oil, pharmaceutical, synthetic, plastic, food and other products;</li> <li>• designs, controls and constructs process plants to manufacture products.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Chemical engineer</li> <li>• Industrial engineer</li> <li>• Process engineer</li> <li>• Production consultant</li> <li>• Production engineer</li> </ul> <p>Salary rates: New entrant: £23,700 Experienced worker: £30,500 [Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 6
2129 Engineering professionals not elsewhere classified	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• researches into problem areas to advance basic knowledge, evaluate new theories and techniques and to solve specific problems;</li> <li>• establishes principles and techniques to improve the quality, durability and performance of materials such as textiles, glass, rubber, plastics, ceramics, metals and alloys;</li> <li>• designs new systems and equipment with regard to cost, market requirements and feasibility of manufacture;</li> <li>• devises and implements control systems to monitor operational efficiency and performance of system and</li> </ul>	RQF 6

	<p>materials;</p> <ul style="list-style-type: none"> <li>• prepares sketches, drawings and specifications showing materials to be used, construction and finishing methods and other details;</li> <li>• examines and advises on patent applications;</li> <li>• provides technical consultancy services.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Acoustician (professional)</li> <li>• Ceramicist</li> <li>• Food technologist</li> <li>• Metallurgist</li> <li>• Patent agent</li> <li>• Project engineer</li> <li>• Scientific consultant</li> <li>• Technical engineer</li> <li>• Technologist</li> <li>• Traffic engineer</li> </ul> <p>Salary rates: New entrant: £25,500 Experienced worker: £31,700</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
2133 IT specialist managers	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• plans, coordinates and manages the organisation's IT provision or a specialist area of IT activity;</li> <li>• liaises with users, senior staff and internal/external clients to clarify IT requirements and development needs;</li> <li>• takes responsibility for managing the development of a specialist aspect of IT provision such as user support, network operations, service delivery or quality control;</li> <li>• supervises the technical team and coordinates training;</li> <li>• plans and monitors work and maintenance schedules to ensure agreed service levels are achieved;</li> <li>• reports on IT activities to senior management.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Data centre manager</li> <li>• IT manager</li> <li>• IT support manager</li> <li>• Network operations manager (computer services)</li> <li>• Service delivery manager</li> </ul> <p>Salary rates: New entrant: £27,400</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p> <p>Experienced worker: £41,400</p> <p>[Source: Incomes Data Services in 2014, uplifted based on national changes in earnings]</p>	RQF 6

<p>2134 IT project and programme managers</p>	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• works with client or senior management to establish and clarify the aims, objectives and requirements of the IT project or programme;</li> <li>• plans the stages of the project or programme, reviews actions and amends plans as necessary;</li> <li>• coordinates and supervises the activities of the project/programme team;</li> <li>• manages third party contributions to the programme or project;</li> <li>• monitors progress including project/programme budget, timescale and quality;</li> <li>• coordinates and oversees implementation of the project or programme;</li> <li>• reports on project or programme to senior management and/or client.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Implementation manager (computing)</li> <li>• IT project manager</li> <li>• Programme manager (computing)</li> <li>• Project leader (software design)</li> </ul> <p>Salary rates: New entrant: £31,200 Experienced worker: £36,000</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	<p>RQF 6</p>
<p>2135 IT business analysts, architects and systems designers</p>	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• liaises with internal/external clients in order to analyse business procedure, clarify clients' requirements and to define the scope of existing software, hardware and network provision;</li> <li>• undertakes feasibility studies for major IT developments incorporating costs and benefits, and presents proposals to clients;</li> <li>• communicates the impact of emerging technologies to clients and advises upon the potential introduction of such technology; <ul style="list-style-type: none"> <li>• provides advice and assistance in the procurement, provision, delivery, installation, maintenance and use of IT systems and their environments;</li> </ul> </li> <li>• examines existing business models and flows of data and designs functional specifications and test plans for new systems in order to meet clients' needs;</li> <li>• researches, analyses, evaluates and monitors network infrastructure and performance; <ul style="list-style-type: none"> <li>• works closely with clients to implement new systems.</li> </ul> </li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Business analyst (computing)</li> <li>• Data communications analyst</li> <li>• Systems analyst</li> <li>• Systems consultant</li> </ul>	<p>RQF 6</p>

	<ul style="list-style-type: none"> <li>• Technical analyst (computing)</li> <li>• Technical architect</li> </ul> <p>Salary rates: New entrant: £26,500 Experienced worker: £34,700</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
2136 Programmers and software development professionals	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• examines existing software and determines requirements for new/modified systems in the light of business needs;</li> <li>• undertakes feasibility study to design software solutions;</li> <li>• writes and codes individual programs according to specifications;</li> <li>• develops user interfaces;</li> <li>• tests and corrects software programs;</li> <li>• writes code for specialist programming for computer games, (for example, artificial intelligence, 3D engine development);</li> <li>• implements and evaluates the software;</li> <li>• plans and maintains database structures;</li> <li>• writes operational documentation and provides subsequent support and training for users.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Analyst-programmer</li> <li>• Database developer</li> <li>• Games programmer</li> <li>• Programmer • Software engineer</li> </ul> <p>Salary rates: New entrant: £24,000</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no equivalent 2015 or 2016 data available)]</p> <p>Experienced worker: £32,000</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 6
2137 Web design and development professionals	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• liaises with internal/external client in order to define the requirements for the website;</li> <li>• presents design options to the client;</li> <li>• designs web pages including graphics, animation and functionality to maximise visual effectiveness and facilitate appropriate access;</li> <li>• develops the website and applications;</li> <li>• designs and develops web interfaces for relational database systems;</li> <li>• establishes methods to ensure appropriate website security and recovery;</li> <li>• writes and publishes content for the website;</li> <li>• tests website interaction and performance prior to going</li> </ul>	RQF 6

	<p>'live', and monitors and maintains functionality of the website;</p> <ul style="list-style-type: none"> <li>• activates the 'live' website.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Internet developer</li> <li>• Multimedia developer</li> <li>• Web design consultant</li> <li>• Web designer</li> </ul> <p>Salary rates: New entrant: £17,900</p> <p>[Source: Annual Survey of Hours and Earnings 2015 (no 2016 equivalent data available)]</p> <p>Experienced worker: £24,000</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
2139 Information technology and telecommunications professionals not elsewhere classified	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• undertakes the testing of software, systems or computer games for errors, identifies source of problems and proposes solutions;</li> <li>• develops, implements and documents test plans for IT software, systems and computer games;</li> <li>• develops quality standards and validation techniques;</li> <li>• makes recommendations concerning software/system quality;</li> <li>• examines IT system for potential threats to its security and integrity and draws up plans for disaster recovery if security is compromised;</li> <li>• deals with and reports on breaches in security.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• IT consultant</li> <li>• Quality analyst (computing)</li> <li>• Software tester • Systems tester (computing)</li> <li>• Telecommunications planner</li> </ul> <p>Salary rates: New entrant: £21,600 Experienced worker: £28,900</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 6
2141 Conservation professionals	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• promotes and implements local and national biodiversity action plans, particularly with regard to threatened species and habitats;</li> <li>• carries out environmental impact assessments and field surveys;</li> <li>• implements, evaluates and monitors schemes for the management and protection of natural habitats;</li> <li>• provides advice and information to government at national</li> </ul>	RQF 6



	<p>and local levels, clients, landowners, planners and developers to facilitate the protection of the natural environment;</p> <ul style="list-style-type: none"> <li>• liaises with other groups in the selection and maintenance of the Protected Site System including Special Areas of Conservation (SACs), Ramsar sites, and Sites of Special Scientific Interest (SSSIs) and National Nature Reserves (NNRs);</li> <li>• maintains and develops knowledge in relevant policy areas within a national and European legislative context;</li> <li>• promotes conservation issues via educational talks, displays, workshops and literature and liaison with the media;</li> <li>• prepares applications for funding to other organisations, and assessing applications for funding from other organisations;</li> <li>• carries out research into aspects of the natural world.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Conservation officer</li> <li>• Ecologist</li> <li>• Energy conservation officer</li> <li>• Heritage manager</li> <li>• Marine conservationist</li> </ul> <p>Salary rates: New entrant: £18,700</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no 2015 or 2016 equivalent data available)]</p> <p>Experienced worker: £27,000</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
2142 Environment professionals	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• identifies contamination of land, air or water and assesses any adverse impact on the environment;</li> <li>• advises on and provides solutions for mitigating the effects of such contamination;</li> <li>• implements remediation works;</li> <li>• carries out environment-related desk-based research and fieldwork to collect, analyse and interpret data to determine their validity, quality and significance;</li> <li>• carries out environmental audits and environmental impact assessments;</li> <li>• communicates scientific and technical information to relevant audiences in an appropriate form, via reports, workshops, educational events, public hearings;</li> <li>• assists organisations to conduct their activities in an environmentally appropriate manner;</li> <li>• implements, reviews and advises on regulatory and legislative standards, guidelines and policies;</li> <li>• provides professional guidance to clients, government agencies, regulators and other relevant bodies, having regard for sustainable approaches and solutions.</li> </ul>	RQF 6

	<p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Energy manager</li> <li>• Environmental consultant</li> <li>• Environmental engineer</li> <li>• Environmental protection officer</li> <li>• Environmental scientist</li> <li>• Landfill engineer</li> </ul> <p>Salary rates: New entrant: £20,900 Experienced worker: £26,400</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
2211 Medical practitioners	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• examines patient, arranges for any necessary x-rays or other tests and interprets results;</li> <li>• diagnoses condition and prescribes and/or administers appropriate treatment/surgery;</li> <li>• administers medical tests and inoculations against communicable diseases; <ul style="list-style-type: none"> <li>• supervises patient's progress and advises on diet, exercise and other preventative action;</li> </ul> </li> <li>• refers patient to specialist where necessary and liaises with specialist;</li> <li>• prepares and delivers lectures, undertakes research, and conducts and participates in clinical trials;</li> <li>• supervises the implementation of care and treatment plans by other healthcare providers.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Anaesthetist</li> <li>• Consultant (Hospital Service)</li> <li>• Doctor</li> <li>• General practitioner</li> <li>• Medical practitioner</li> <li>• Paediatrician</li> <li>• Psychiatrist</li> <li>• Radiologist</li> <li>• Surgeon</li> </ul> <p>Salary rates: Medical professionals on the NHS junior doctor contract in place from October 2016: Foundation year 1 (F1) and equivalent: £26,350 Foundation year 2 (F2) and equivalent: £30,500 Specialty registrar (StR) at ST/CT1-2 and equivalent: £36,100 Specialty registrar (StR) at CT/ST3 and above £45,750</p> <p>Other medical professionals: Foundation year 1 (F1) and equivalent: £22,862 Foundation year 2 (F2) and equivalent: £28,357 Specialty registrar (StR) and equivalent: £30,302 Specialty doctor and equivalent: £37,547 Salaried General practitioner (GP) and equivalent: £55,965</p>	RQF 6

	<p>Consultant and equivalent: £76,001</p> <p>[Source: NHS Employers Pay and Conditions (M&amp;D) Circulars 2016]</p>	
2212 Psychologists	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• develops and administers tests to measure intelligence, abilities, aptitudes, etc. and assesses results;</li> <li>• develops treatment and guidance methods and gives treatment or guidance using a variety of therapy and counselling techniques;</li> <li>• observes and experiments on humans and animals to measure mental and physical characteristics;</li> <li>• analyses the effect of hereditary, social and physical factors on thought and behaviour;</li> <li>• studies psychological factors in the treatment and prevention of mental illness or emotional and personality disorders;</li> <li>• maintains required contacts with family members, education or other health professionals, as appropriate, and recommends possible solutions to problems presented;</li> <li>• applies professional knowledge and techniques within the workplace, addressing issues such as job design, work groups, motivation etc.;</li> <li>• applies psychological treatment methods to help athletes achieve optimum mental health and enhance sporting performance.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Clinical psychologist</li> <li>• Educational psychologist</li> <li>• Forensic psychologist</li> <li>• Occupational psychologist</li> <li>• Psychologist</li> <li>• Psychometrist</li> </ul> <p>Salary rates:</p> <p>Band 5 and equivalent: £21,909  Band 6 and equivalent: £26,302  Band 7 and equivalent: £31,383  Band 8a and equivalent: £40,028  Band 8b and equivalent: £46,625  Band 8c and equivalent: £56,104  Band 8d and equivalent: £66,582  Band 9 and equivalent: £78,629</p> <p>[Source: NHS Agenda for Change 2016]</p>	RQF 6
2213 Pharmacists	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• prepares or directs the preparation of prescribed medicaments in liquid, powder, tablet, ointment or other form following prescriptions issued by medical doctors and other health professionals;</li> <li>• advises health professionals on the selection and appropriate use of medicines;</li> </ul>	RQF 6

	<ul style="list-style-type: none"> <li>• highlights a drug's potential side effects, identifies harmful interactions with other drugs and assesses the suitability of treatments for patients with particular health conditions;</li> <li>• checks that recommended doses are not being exceeded and that instructions are understood by patients;</li> <li>• maintains prescription files and records issue of narcotics, poisons and other habit-forming drugs;</li> <li>• liaises with other professionals regarding the development manufacturing and testing of drugs;</li> <li>• tests and analyses drugs to determine their identity, purity and strength;</li> <li>• ensures that drugs and medicaments are in good supply and are stored properly.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Chemist (pharmaceutical)</li> <li>• Dispensary manager</li> <li>• Pharmaceutical chemist</li> <li>• Pharmacist</li> <li>• Pharmacy manager</li> </ul> <p>Salary rates:</p> <p>Pre-registration and Band 5 and equivalent: £21,909  Band 6 and equivalent: £26,302  Band 7 and equivalent: £31,383  Band 8a and equivalent: £40,028  Band 8b and equivalent: £46,625  Band 8c and equivalent: £56,104 Band 8d and equivalent: £66,582  Band 9 and equivalent: £78,629</p> <p>[Source: NHS Agenda for Change 2016]</p>	
2214 Ophthalmic opticians	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• examines eyes and tests vision of patient, identifies problems, defects, injuries and ill health;</li> <li>• prescribes, supplies and fits appropriate spectacle lenses, contact lenses and other aids;</li> <li>• advises patient on proper use of glasses, contact lenses and other aids, and on appropriate lighting conditions for reading and working;</li> <li>• refers patient to a specialist, where necessary;</li> <li>• carries out research with glass and lens manufacturers.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Ophthalmic optician</li> <li>• Optician</li> <li>• Optologist</li> <li>• Optometrist</li> </ul> <p>Salary rates:</p> <p>Band 5 and equivalent: £21,909  Band 6 and equivalent: £26,302  Band 7 and equivalent: £31,383  Band 8a and equivalent: £40,028</p>	RQF 6

	<p>Band 8b and equivalent: £46,625  Band 8c and equivalent: £56,104  Band 8d and equivalent: £66,582  Band 9 and equivalent: £78,629</p> <p>[Source: NHS Agenda for Change 2016]</p>	
2215 Dental practitioners	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• examines patient's teeth, gums and jaw, using dental and x-ray equipment, diagnoses dental conditions;</li> <li>• assesses and recommends treatment options to patients;</li> <li>• administers local anaesthetics;</li> <li>• carries out clinical treatments, restores teeth affected by decay etc., treats gum disease and other disorders;</li> <li>• constructs and fits braces, inlays, dentures and other appliances;</li> <li>• supervises patient's progress and advises on preventative action;</li> <li>• educates patients on oral health care;</li> <li>• refers patient to specialist, where necessary;</li> <li>• maintains patients' dental health records;</li> <li>• prepares and delivers lectures, undertakes research, and conducts and participates in clinical trials.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Dental surgeon</li> <li>• Dentist</li> <li>• Orthodontist</li> <li>• Periodontist</li> </ul> <p>Salary rates:  Foundation year 1 (F1) (Hospital dental services) and equivalent: £30,433  Foundation year 2 (F2) (Hospital dental services) and equivalent: £29,912</p> <p>[Source: Health Education England]</p> <p>Specialty registrar (StR) and equivalent: £36,100  Specialty dentist: £37,547  Band A posts (e.g. Community practitioner) and equivalent: £38,476  Band B posts (e.g. Senior dental officer) and equivalent: £59,851  Band C posts (e.g. Specialist / managerial posts) and equivalent: £71,608  Consultant (Hospital dental services) and equivalent: £80,988</p> <p>[Source: NHS Employers Pay and Conditions (M&amp;D) Circular 1/2016]</p>	RQF 6
2216 Veterinarians	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• examines animals, diagnoses condition and prescribes and administers appropriate drugs, dressings, etc., and arranges or undertakes any necessary x-ray or other tests;</li> </ul>	RQF 6

	<ul style="list-style-type: none"> <li>• inoculates animals against communicable diseases;</li> <li>• administers local or general anaesthetics and performs surgery;</li> <li>• investigates outbreaks of animal diseases and advises owners on feeding, breeding and general care; <ul style="list-style-type: none"> <li>• euthanases old, sick, terminally ill and unwanted animals;</li> </ul> </li> <li>• performs tasks relating to food safety policy, regulation of veterinary drugs, quality control of veterinary products;</li> <li>• performs ante-mortem inspection of animals destined for the food chain, and animal post-mortem examinations; <ul style="list-style-type: none"> <li>• carries out expert witness work and undertakes teaching of veterinary students;</li> </ul> </li> <li>• maintains records, raises and forwards reports and certificates in compliance with current legislation.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Veterinarian</li> <li>• Veterinary practitioner</li> <li>• Veterinary surgeon</li> </ul> <p>Salary rates: New entrant: £25,200</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no 2015 and 2016 equivalent data available)] Experienced worker: £32,300</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
2217 Medical radiographers	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• uses a range of imaging devices for diagnostic and therapeutic purposes;</li> <li>• assesses patients and interprets clinical requirements to determine appropriate radiographic treatments;</li> <li>• verifies identity of patient and ensures that necessary preparations have been made for the examination/treatment;</li> <li>• decides length and intensity of exposure or strength of dosage of isotope;</li> <li>• positions patient and operates x-ray, scanning or fluoroscopic equipment;</li> <li>• maintains records of all radiographic/therapeutic work undertaken;</li> <li>• plans course of treatment with clinical oncologists and physicists;</li> <li>• calculates radiation dosage and maps volume to be treated;</li> <li>• explains treatment to patient and management of any side effects;</li> <li>• carries out post-treatment reviews and follow-ups.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Medical radiographer</li> <li>• Radiographer</li> <li>• Sonographer</li> <li>• Therapeutic radiographer</li> <li>• Vascular technologist</li> </ul>	RQF 6

	<p>Salary rates:</p> <p>Band 5 and equivalent: £21,909  Band 6 and equivalent: £26,302  Band 7 and equivalent: £31,383  Band 8a and equivalent: £40,028  Band 8b and equivalent: £46,625  Band 8c and equivalent: £56,104  Band 8d and equivalent: £66,582  Band 9 and equivalent: £78,629</p> <p>[Source: NHS Agenda for Change 2016]</p>	
2218 Podiatrists	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• examines patient's feet to determine the nature and extent of disorder;</li> <li>• provides vascular and neurological assessment for the long term management of chronic disorders and high risk patients;</li> <li>• administers local anaesthetic where appropriate;</li> <li>• treats conditions of the skin, nails and soft tissues of feet by minor surgery, massage and heat treatment, padding and strapping or drugs;</li> <li>• prescribes, makes and fits pads and other orthotic appliances to correct and/or protect foot disorders;</li> <li>• those with advanced training may carry out minor surgery on the feet;</li> <li>• advises patients on aspects of foot care to avoid recurrence of foot problems;</li> <li>• delivers foot health education to groups such as the elderly, children, the homeless, those with medical problems such as arthritis;</li> <li>• refers patients who require further medical or surgical attention.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Chiropodist</li> <li>• Chiropodist-podiatrist</li> <li>• Podiatrist</li> </ul> <p>Salary rates:</p> <p>Band 5 and equivalent: £21,909  Band 6 and equivalent: £26,302  Band 7 and equivalent: £31,383  Band 8a and equivalent: £40,028  Band 8b and equivalent: £46,625  Band 8c and equivalent: £56,104  Band 8d and equivalent: £66,582  Band 9 and equivalent: £78,629</p> <p>[Source: NHS Agenda for Change 2016]</p>	RQF 6
2219 Health professionals	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• provides expert technical and technological support in the</li> </ul>	RQF 6

not elsewhere classified	<p>delivery of critical care;</p> <ul style="list-style-type: none"> <li>• provides high level support within surgical teams before, during and after surgery;</li> <li>• operate heart-lung machines during surgical procedures;</li> <li>• conducts medical education relevant to specialism and provides team leadership and supervision;</li> <li>• diagnoses and treats patients with a variety of hearing-related problems;</li> <li>• carries out a range of oral/dental treatments;</li> <li>• provides prosthetic devices to patients and advises on rehabilitation.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Audiologist</li> <li>• Dental hygiene therapist</li> <li>• Dietician-nutritionist</li> <li>• Family planner</li> <li>• Occupational health adviser</li> <li>• Paramedical practitioner</li> </ul> <p>Salary rates:</p> <p>Band 5 and equivalent: £21,909  Band 6 and equivalent: £26,302  Band 7 and equivalent: £31,383  Band 8a and equivalent: £40,028  Band 8b and equivalent: £46,625  Band 8c and equivalent: £56,104  Band 8d and equivalent: £66,582  Band 9 and equivalent: £78,629</p> <p>[Source: NHS Agenda for Change 2016]</p>	
2221 Physiotherapists	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• examines medical reports and assesses patient to determine the condition of muscles, nerves or joints in need of treatment;</li> <li>• writes up patients' case notes and reports, maintains their records and manages caseload;</li> <li>• plans and undertakes therapy to improve circulation, restore joint mobility, strengthen muscles and reduce pain;</li> <li>• explains treatment to and instructs patient in posture and other exercises and adapts treatment as necessary;</li> <li>• offers advice and education on how to avoid injury and promote patient's future health and well-being;</li> <li>• supervises physiotherapy assistants;</li> <li>• monitors patient's progress and liaises with others concerned with the treatment and rehabilitation of patient, and refers patients requiring other specific medical attention.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Electro-therapist</li> <li>• Physiotherapist</li> <li>• Physiotherapy practitioner</li> </ul> <p>Salary rates:</p>	RQF 6



	<p>Band 5 and equivalent: £21,909  Band 6 and equivalent: £26,302  Band 7 and equivalent: £31,383  Band 8a and equivalent: £40,028  Band 8b and equivalent: £46,625  Band 8c and equivalent: £56,104  Band 8d and equivalent: £66,582  Band 9 and equivalent: £78,629</p> <p>[Source: NHS Agenda for Change 2016]</p>	
2222 Occupational therapists	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• considers the physical, psychological and social needs of a patient that may result from illness, injury, congenital condition or lifestyle problems;</li> <li>• devises, designs, initiates and monitors carefully selected and graded treatments and activities as part of the assessment and intervention process;</li> <li>• liaises with a wide variety of other professionals in planning and reviewing ongoing treatments;</li> <li>• trains students and supervises the work of occupational therapy assistants; <ul style="list-style-type: none"> <li>• makes home visits to clients, families and carers to organise support and rehabilitation and assist them to deal and cope with disability;</li> </ul> </li> <li>• counsels clients in ways to promote a healthy lifestyle, prevention of illness and/or preparation for coping with increasing stages of illness; <ul style="list-style-type: none"> <li>• maintains patient records, manages caseloads.</li> </ul> </li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Occupational therapist</li> </ul> <p>Salary rates:</p> <p>Band 5 and equivalent: £21,909  Band 6 and equivalent: £26,302  Band 7 and equivalent: £31,383  Band 8a and equivalent: £40,028  Band 8b and equivalent: £46,625  Band 8c and equivalent: £56,104  Band 8d and equivalent: £66,582  Band 9 and equivalent: £78,629</p> <p>[Source: NHS Agenda for Change 2016]</p>	RQF 6
2223 Speech and language therapists	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• assesses, tests and diagnoses a client's condition;</li> <li>• designs and initiates appropriate rehabilitation and/or remedial programmes of treatment; <ul style="list-style-type: none"> <li>• treats speech and language disorders by coaching and counselling clients or through the use of artificial communication devices;</li> </ul> </li> <li>• attends case conferences and liaises with other specialists such as doctors, teachers, social workers and psychologists;</li> <li>• counsels relatives to help cope with the problems created</li> </ul>	RQF 6

	<p>by a patient's disability;</p> <ul style="list-style-type: none"> <li>• writes reports and maintains client caseloads.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Language therapist</li> <li>• Speech and language therapist</li> <li>• Speech therapist</li> </ul> <p>Salary rates:</p> <p>Band 5 and equivalent: £21,909  Band 6 and equivalent: £26,302  Band 7 and equivalent: £31,383  Band 8a and equivalent: £40,028  Band 8b and equivalent: £46,625  Band 8c and equivalent: £56,104  Band 8d and equivalent: £66,582  Band 9 and equivalent: £78,629</p> <p>[Source: NHS Agenda for Change 2016]</p>	
2229 Therapy professionals not elsewhere classified	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• prescribes diet therapy and gives advice to patients, health care professionals and the public on dietetic and nutritional matters for those with special dietary requirements or to prevent illness amongst the general population;</li> <li>• diagnoses and treats disorders of vision and eye movements, monitors subsequent progress and recommends further optical, pharmacological or surgical treatment as required;</li> <li>• manipulates and massages patient to discover the cause of pain, relieve discomfort, restore function and mobility and to correct irregularities in body structure;</li> <li>• adopts a holistic approach in assessing the overall health of the patient, and treats by inserting needles under the skin at particular locations according to the disorder being treated;</li> <li>• administers aromatic herbs and oils and massage to relieve pain and restore health;</li> <li>• assesses and provides treatment for people with mental disabilities, or those suffering with mental illness, stress, and emotional and relationship problems;</li> <li>• diagnoses and treats behavioural problems in animals.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Art therapist</li> <li>• Chiropractor</li> <li>• Cognitive behavioural therapist</li> <li>• Dance movement therapist</li> <li>• Family therapist</li> <li>• Nutritionist</li> <li>• Osteopath</li> <li>• Psychotherapist</li> </ul> <p>Salary rates:</p> <p>Band 5 and equivalent: £21,909  Band 6 and equivalent: £26,302  Band 7 and equivalent: £31,383</p>	RQF 6

	<p>Band 8a and equivalent: £40,028  Band 8b and equivalent: £46,625  Band 8c and equivalent: £56,104  Band 8d and equivalent: £66,582  Band 9 and equivalent: £78,629</p> <p>[Source: NHS Agenda for Change 2016]</p>	
2231 Nurses	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• assists medical doctors and works with other healthcare professionals to deal with emergencies and pre-planned treatment of patients;</li> <li>• manages own case load;</li> <li>• monitors patient's progress, administers drugs and medicines, applies surgical dressings and gives other forms of treatment;</li> <li>• participates in the preparation for physical and psychological treatment of mentally ill patients;</li> <li>• plans duty rotas and organises and directs the work and training of ward and theatre nursing staff;</li> <li>• advises on nursing care, disease prevention, nutrition, etc. and liaises with hospital board/ management on issues concerning nursing policy;</li> <li>• plans, manages, provides and evaluates nursing care services for patients, supervises the implementation of nursing care plans;</li> <li>• delivers lectures and other forms of formal training relating to nursing practice.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• District nurse</li> <li>• Health visitor</li> <li>• Mental health practitioner</li> <li>• Nurse • Practice nurse</li> <li>• Psychiatric nurse</li> <li>• Staff nurse</li> <li>• Student nurse</li> </ul> <p>Salary rates:</p> <p>Pre-registration candidate nurses (Band 3 and equivalent):  £16,800  Band 5 and equivalent: £21,909  Band 6 and equivalent: £26,302  Band 7 and equivalent: £31,383 Band 8a and equivalent:  £40,028  Band 8b and equivalent: £46,625  Band 8c and equivalent: £56,104  Band 8d and equivalent: £66,582  Band 9 and equivalent: £78,629</p> <p>[Source: NHS Agenda for Change 2016]</p>	RQF 6
2232 Midwives	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• monitors condition and progress of patient and baby throughout pregnancy;</li> </ul>	RQF 6

	<ul style="list-style-type: none"> <li>• delivers babies in normal births and assists doctors with difficult deliveries;</li> <li>• monitors recovery of mother in postnatal period and supervises the nursing of premature and other babies requiring special attention;</li> <li>• advises on baby care, exercise, diet and family planning issues;</li> <li>• supervises more junior staff and directs the work of the midwifery unit;</li> <li>• plans and manages midwifery care services;</li> <li>• delivers lectures and other forms of training in midwifery practice.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Midwife</li> <li>• Midwifery sister</li> </ul> <p>Salary rates:</p> <p>Pre-registration candidate midwives (Band 3 and equivalent): £16,800</p> <p>Band 5 and equivalent: £21,909</p> <p>Band 6 and equivalent: £26,302</p> <p>Band 7 and equivalent: £31,383 Band 8a and equivalent: £40,028</p> <p>Band 8b and equivalent: £46,625</p> <p>Band 8c and equivalent: £56,104</p> <p>Band 8d and equivalent: £66,582</p> <p>Band 9 and equivalent: £78,629</p> <p>[Source: NHS Agenda for Change 2016]</p>	
2312 Further education teaching professionals	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• prepares, delivers and directs lectures, seminars and tutorials;</li> <li>• prepares, administers and marks examinations, essays and other assignments;</li> <li>• arranges instructional visits and periods of employment experience for students;</li> <li>• assists with the administration of teaching and the arranging of timetables;</li> <li>• liaises with other professional and commercial organisations to review course content.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• FE College lecturer</li> <li>• Lecturer (further education)</li> <li>• Teacher (further education)</li> <li>• Tutor (further education)</li> </ul> <p>Salary rates:</p> <p>Lecturer or equivalent (new entrant): £24,601</p> <p>Senior lecturer / advanced teacher and equivalent: £32,778</p> <p>Further education management / principal lecturer and equivalent: £36,524</p>	RQF 6

	[Source: Teachers' national pay scales]	
2314 Secondary education teaching professionals	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• prepares and delivers courses and lessons in accordance with curriculum requirements and teaches one or more subjects;</li> <li>• prepares, assigns and corrects exercises and examinations to record and evaluate students' progress;</li> <li>• prepares students for external examinations and administers and invigilates these examinations;</li> <li>• maintains records of students' progress and development;</li> <li>• supervises any practical work and maintains classroom discipline;</li> <li>• undertakes pastoral duties;</li> <li>• supervises teaching assistants and trainees;</li> <li>• discusses progress with student, parents and/or other education professionals;</li> <li>• assists with or plans and develops curriculum and rota of teaching duties.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Deputy head teacher (secondary school)</li> <li>• Secondary school teacher</li> <li>• Sixth form teacher</li> <li>• Teacher (secondary school)</li> </ul> <p>Salary rates:  Unqualified teachers and equivalent: £20,800  Qualified teachers and equivalent: £22,022  Post-threshold teachers and equivalent: £34,868  Leadership group, assistant head teacher, principal teacher and equivalent: £38,214</p> <p>[Source: Teachers' national pay scales]</p>	RQF 6
2315 Primary and nursery education teaching professionals	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• prepares and delivers courses and lessons in accordance with curriculum requirements and teaches a range of subjects;</li> <li>• prepares, assigns and corrects exercises and examinations to record and evaluate students' progress;</li> <li>• prepares students for external examinations and administers and invigilates these examinations;</li> <li>• maintains records of students' progress and development;</li> <li>• supervises students and maintains classroom discipline;</li> <li>• teaches simple songs and rhymes, reads stories and organises various activities to promote language, social and physical development;</li> <li>• undertakes pastoral duties;</li> <li>• supervises teaching assistants and trainees;</li> <li>• discusses progress with student, parents and/or other education professionals;</li> <li>• assists with or plans and develops curriculum and rota of teaching duties.</li> </ul>	RQF 6

	<p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Deputy head teacher (primary school)</li> <li>• Infant teacher</li> <li>• Nursery school teacher</li> <li>• Primary school teacher</li> </ul> <p>Salary rates:  Unqualified teachers and equivalent: £20,800  Qualified teachers and equivalent: £22,022  Post-threshold teachers and equivalent: £34,868  Leadership group, assistant head teacher, principal teacher and equivalent: £38,214</p> <p>[Source: Teachers' national pay scales]</p>	
2316 Special needs education teaching professionals	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• creates a safe, stimulating and supportive learning environment for students;</li> <li>• assesses student's abilities, identifies student's needs and devises curriculum and rota of teaching duties accordingly;</li> <li>• gives instruction, using techniques appropriate to the student's handicap;</li> <li>• develops and adapts conventional teaching methods to meet the individual student's needs;</li> <li>• encourages the student to develop self-help skills to circumvent the limitations imposed by their disability;</li> <li>• prepares, assigns and corrects exercises to record and evaluate students' progress;</li> <li>• supervises students in classroom and maintains discipline;</li> <li>• liaises with other professionals, such as social workers, speech and language therapists and educational psychologists;</li> <li>• updates and maintains students' records to monitor development and progress; • discusses student's progress with parents and other teaching professionals.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Deputy head teacher (special school)</li> <li>• Learning support teacher</li> <li>• Special needs coordinator</li> <li>• Special needs teacher</li> </ul> <p>Salary rates:  Unqualified teachers and equivalent: £20,800  Qualified teachers and equivalent: £22,022  Post-threshold teachers and equivalent: £34,868  Leadership group, assistant head teacher, principal teacher and equivalent: £38,241</p> <p>[Source: Teachers' national pay scales]</p>	RQF 6
2317 Senior professionals of educational establishments	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• considers staffing, financial, material and other short- and long-term needs;</li> <li>• arranges for evaluation of management, accounting,</li> </ul>	RQF 6

	<p>information storage and retrieval and other facilities;</p> <ul style="list-style-type: none"> <li>• provides administrative support to the academic team;</li> <li>• leads or contributes to decision making processes regarding curricula, budgetary, disciplinary and other matters;</li> <li>• controls administrative aspects of student admission, registration and graduation;</li> <li>• acts as secretary to statutory and other bodies/committees associated with the educational establishment;</li> <li>• drafts and interprets regulations and deals with queries and complaints procedures;</li> <li>• organises examinations, necessary invigilations and any security procedures required;</li> <li>• arranges for the preparation and publication of syllabuses and other official documents;</li> <li>• assists with recruitment, public relations and marketing activities;</li> <li>• coordinates and maintains quality assurance procedures.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Administrator (higher education, university)</li> <li>• Bursar</li> <li>• Head teacher (primary school)</li> <li>• Principal (further education)</li> <li>• Registrar (educational establishments)</li> </ul> <p>Salary rates: New entrant: £27,400 Experienced worker: £41,100</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
2318 Education advisers and school inspectors	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• advises on all aspects of education and ensures that all statutory educational requirements are being met;</li> <li>• plans and advises on the provision of special schools for children with physical or learning disabilities;</li> <li>• appoints and controls teaching staff;</li> <li>• verifies that school buildings are adequately maintained;</li> <li>• arranges for the provision of school medical and meals services;</li> <li>• observes teaching, assesses learning level and discusses any apparent faults with teachers, heads of department and head teachers;</li> <li>• prepares reports on schools concerning teaching standards, educational standards being achieved, the spiritual, moral and social development of pupils, resource management etc.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Curriculum adviser</li> <li>• Education adviser</li> <li>• Education officer</li> <li>• School inspector</li> </ul> <p>Salary rates: New entrant: £20,000</p>	RQF 6

	<p>[Source: Annual Survey of Hours and Earnings 2014 (no 2015 or 2016 equivalent data available)]</p> <p>Experienced worker: £25,800</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
2319 Teaching and other educational professionals not elsewhere classified	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• designs and implements methods of assessing the performance of students, co-ordinates and undertakes the evaluation of assessments and awards grades of merit based upon performance;</li> <li>• co-ordinates the activities of private music and dancing schools, training centres and similar establishments;</li> <li>• provides private academic, vocational and other instruction to individuals or groups;</li> <li>• teaches English as a foreign language and assists in the tuition of foreign languages.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Adult education tutor</li> <li>• Education consultant</li> <li>• Music teacher</li> <li>• Nursery manager (day nursery)</li> <li>• Owner (nursery: children's)</li> <li>• Private tutor</li> <li>• TEFL</li> </ul> <p>Salary rates: New entrant: £15,900</p> <p>[Source: Annual Survey of Hours and Earnings 2014 ( no 2015 or 2016 equivalent data available)]</p> <p>Experienced worker: £21,200</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 6
2412 Barristers and judges	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• becomes acquainted with the facts of a case through reading statements, law reports, and consulting with clients or other professionals;</li> <li>• advises client on the basis of legal knowledge, research and past precedent as to whether to proceed with legal action;</li> <li>• drafts pleadings and questions in preparation for court cases, appears in court to present evidence to the judge and jury, cross examines witnesses and sums up why the court should decide in their client's favour;</li> <li>• hears, reads and evaluates evidence, and instructs or advises the jury on points of law or procedure;</li> <li>• conducts trials according to rules of procedure, announces the verdict and passes sentence and/or awards costs and damages.</li> </ul> <p>Related job titles:</p>	RQF 6



	<ul style="list-style-type: none"> <li>• Advocate</li> <li>• Barrister</li> <li>• Chairman (appeals tribunal, inquiry)</li> <li>• Coroner</li> <li>• Crown prosecutor</li> <li>• District judge</li> </ul> <p>Salary rates: New entrant: £20,800 Pupillage: £20,800 Experienced worker (not pupillage): £33,700</p> <p>[Source: The Bar Council in 2011, uplifted based on national changes in earnings and the Tier 2 (General) minimum salary threshold]</p>	
2413 Solicitors	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• draws up contracts, leases, wills and other legal documents;</li> <li>• undertakes legal business on behalf of client in areas of business law, criminal law, probate, conveyancing and litigation, and acts as trustee or executor if required;</li> <li>• instructs counsel in higher and lower courts and pleads cases in lower courts as appropriate;</li> <li>• scrutinises statements, reports and legal documents relevant to the case being undertaken and prepares papers for court;</li> <li>• represents clients in court.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Managing clerk (qualified solicitor)</li> <li>• Solicitor • Solicitor-partner</li> <li>• Solicitor to the council</li> </ul> <p>Salary rates: New entrant: £24,700</p> <p>[Source: Annual Survey of Hours and Earnings 2014 ( no 2015 or 2016 equivalent data available)]</p> <p>Experienced worker: £32,200</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 6
2419 Legal professionals not elsewhere classified	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• co-ordinates the activities of magistrates' courts and advises magistrates on law and legal procedure;</li> <li>• provides legal advice to individuals within Citizens Advice, Law Centres and other such establishments;</li> <li>• drafts and negotiates contracts on behalf of employers;</li> <li>• advises employers, local and national government and other organisations on aspects of law and legislative implications of decisions made;</li> <li>• represents public and private organisations in court as necessary.</li> </ul>	RQF 6

	<p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Attorney</li> <li>• Justice's clerk</li> <li>• Lawyer</li> <li>• Legal adviser</li> <li>• Legal consultant</li> <li>• Legal counsel</li> <li>• Solicitor's clerk (articled)</li> </ul> <p>Salary rates: New entrant: £36,600 Experienced worker: £48,200</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
2421 Chartered and certified accountants	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• plans and oversees implementation of accountancy system and policies;</li> <li>• prepares financial documents and reports for management, shareholders, statutory or other bodies; <ul style="list-style-type: none"> <li>• audits accounts and book-keeping records;</li> <li>• prepares tax returns, advises on tax problems and contests disputed claim before tax official;</li> <li>• conducts financial investigations concerning insolvency, fraud, possible mergers, etc.;</li> </ul> </li> <li>• evaluates financial information for management purposes;</li> <li>• liaises with management and other professionals to compile budgets and other costs;</li> <li>• prepares periodic accounts, budgetary reviews and financial forecasts;</li> <li>• conducts investigations and advises management on financial <ul style="list-style-type: none"> <li>• aspects of productivity, stock holding, sales, new products, etc.</li> </ul> </li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Accountant (qualified)</li> <li>• Auditor (qualified)</li> <li>• Chartered accountant</li> <li>• Company accountant</li> <li>• Cost accountant (qualified)</li> <li>• Financial controller (qualified)</li> <li>• Management accountant (qualified)</li> </ul> <p>Salary rates: New entrant: £21,000 Experienced worker: £29,000</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 6
2423 Management consultants and business analysts	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• assesses the functions, objectives and requirements of the organisation seeking advice;</li> <li>• identifies problems concerned with business strategy,</li> </ul>	RQF 6

	<p>policy, organisation, procedures, methods and markets;</p> <ul style="list-style-type: none"> <li>• determines the appropriate method of data collection and research methodology, analyses and interprets information gained and formulates and implements recommendations and solutions;</li> <li>• advises governments, commercial enterprises, organisations and other clients in light of research findings;</li> <li>• runs workshops, and addresses seminars, conferences and the media to present results of research activity or to express professional views.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Business adviser</li> <li>• Business consultant</li> <li>• Business continuity manager</li> <li>• Financial risk analyst</li> <li>• Management consultant</li> </ul> <p>Salary rates: New entrant: £22,900 Experienced worker: £30,700</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
2424 Business and financial project management professionals	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• finds out what the client or company wants to achieve;</li> <li>• agrees timescales, costs and resources needed;</li> <li>• draws up a detailed plan for how to achieve each stage of the project;</li> <li>• selects and leads a project team;</li> <li>• negotiates with contractors and suppliers for materials and services;</li> <li>• ensures that each stage of the project is progressing on time, on budget and to the right quality standards;</li> <li>• reports regularly on progress to the client or to senior managers.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Chief knowledge officer</li> <li>• Contracts manager (security services)</li> <li>• Project manager</li> <li>• Research support officer</li> </ul> <p>Salary rates: New entrant: £25,700 Experienced worker: £35,000</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 6
2425 Actuaries, economists and statisticians	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• assesses the objectives and requirements of the organisation seeking advice;</li> <li>• uses a variety of techniques and theoretical principles to establish probability and risk in respect of e.g. life insurance or pensions;</li> </ul>	RQF 6

	<ul style="list-style-type: none"> <li>• uses appropriate techniques and theoretical principles to determine an appropriate method of data collection and research methodology, analyse and interpret information gained and formulate recommendations on issues such as future trends, improved efficiency;</li> <li>• designs and manages surveys and uses statistical techniques in order to analyse and interpret the quantitative data collected;</li> <li>• provides economic or statistical advice to governments, commercial enterprises, organisations and other clients in light of research findings;</li> <li>• addresses seminars, conferences and the media to present results of research activity or to express professional views.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Actuarial consultant</li> <li>• Actuary</li> <li>• Economist</li> <li>• Statistician</li> <li>• Statistical analyst</li> </ul> <p>Salary rates: New entrant: £28,600 Experienced worker: £35,700</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
2426 Business and related research professionals	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• liaises with production team to generate and develop ideas for film, television and radio programmes;</li> <li>• research sources for accurate factual material, finds suitable contributes to programmes or print features and deals with any copyright issues;</li> <li>• briefs presenters, scriptwriters or journalists as required via verbal or written reports;</li> <li>• provides administrative support for programme development such as booking facilities;</li> <li>• provides support to criminal intelligence or to military or other security operations by gathering and verifying intelligence data and sources;</li> <li>• presents findings in the required format, via written reports or presentations;</li> <li>• researches images for clients in a wide range of media using specialist picture libraries and archives, museums, galleries etc., or commissions new images;</li> <li>• liaises with client on the appropriate image/s to be used;</li> <li>• deals with copyright issues and negotiates fees.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Crime analyst (police force)</li> <li>• Fellow (research) • Games researcher (broadcasting)</li> <li>• Inventor</li> </ul> <p>Salary rates: New entrant: £20,000</p>	RQF 6

	<p>[Source: Annual Survey of Hours and Earnings 2014 (no 2015 or 2016 equivalent data available)]</p> <p>Experienced worker: £27,500</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
2429 Business, research and administrative professionals not elsewhere classified	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• coordinates the organisation's services and resources, liaising with other senior staff;</li> <li>• analyses internal processes and systems, recommends and implements procedural and policy changes;</li> <li>• recruits and manages staff, assigns and delegates tasks and duties, makes changes in procedures to deal with variations in workload;</li> <li>• develops plans, sets objectives and monitors and evaluates performance;</li> <li>• prepares and reviews operational and financial reports;</li> <li>• controls and administers budgets;</li> <li>• advises national and local government on the interpretation and implementation of policy decisions, acts and regulations, and provides technical assistance in the formulation of policy;</li> <li>• co-ordinates and directs the activities of Revenue and Customs offices, Job Centres, Benefits Agency offices and other local offices of national government;</li> <li>• registers and maintains records of all births, deaths and marriages in local authority area, issues appropriate certificates and reports any suspicious causes of death to the coroner;</li> <li>• negotiates and monitors contracted out services provided by the private sector to local government studies and acts upon any legislation that may affect the local authority.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Civil servant (grade 6, 7)</li> <li>• Company secretary (qualified)</li> <li>• Policy adviser (government)</li> <li>• Registrar (government)</li> </ul> <p>Salary rates: New entrant: £27,300 Experienced worker: £32,800</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 6
2431 Architect	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• liaises with client and other professionals to establish building type, style, cost limitations and landscaping requirements;</li> <li>• studies condition and characteristics of site, taking into account drainage, topsoil, trees, rock formations, etc.;</li> <li>• analyses site survey and advises client on development and construction details and ensures that proposed design blends in with the surrounding area;</li> </ul>	RQF 6

	<ul style="list-style-type: none"> <li>• prepares detailed scale drawings and specifications for design and construction and submits these for planning approval;</li> <li>• monitors construction work in progress to ensure compliance with specifications.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Architect</li> <li>• Architectural consultant</li> <li>• Chartered architect</li> <li>• Landscape architect</li> </ul> <p>Salary rates:  Part 1 graduate: £21,600  Part 2 graduate: £23,800  Part 3 graduate / newly-registered architect with less than 3 years' experience since registration: £28,000  Experienced worker: £32,100</p> <p>[Source: Royal Institute of British Architects in 2011, uplifted based on national changes in earnings]</p>	
2432 Town planning officers	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• analyses information to establish the nature, extent, growth rate and likely development requirements of the area;</li> <li>• consults statutory bodies and other interested parties to ensure that local interests are catered for and to evaluate competing development proposals;</li> <li>• drafts and presents graphic and narrative plans affecting the use of public and private land, housing and transport facilities;</li> <li>• examines and evaluates development proposals submitted and recommends acceptance, modification or rejection;</li> <li>• liaises with national and local government and other bodies to advise on urban and regional planning issues.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Planning officer (local government: building and contracting)</li> <li>• Town planner</li> <li>• Town planning consultant</li> </ul> <p>Salary rates:  New entrant: £22,800  Experienced worker: £26,700</p> <p>[Source: Annual Survey of Hours and Earnings 2014 ( no 2015 or 2016 equivalent data available)]</p>	RQF 6
2433 Quantity surveyor	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• liaises with client on project costs, formulates detailed cost plan and advises contractors and engineers to ensure that they remain within cost limit;</li> <li>• examines plans and specifications and prepares details of the material and labour required for the project;</li> </ul>	RQF 6

	<ul style="list-style-type: none"> <li>• prepares bills of quantities for use by contractors when tendering for work;</li> <li>• examines tenders received, advises client on the most acceptable and assists with preparation of a contract document;</li> <li>• measures and values work in progress and examines any deviations from original contract;</li> <li>• measures and values completed contract for authorisation of payment.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Quantity surveyor</li> <li>• Surveyor (quantity surveying)</li> </ul> <p>Salary rates: New entrant: £23,400 Experienced worker: £30,400</p> <p>[Source: Annual Survey of Hours and Earnings 2014 ( no 2015 or 2016 equivalent data available)]</p>	
2434 Chartered surveyor	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• surveys, measures and describes land surfaces to establish property boundaries and to aid with construction or cartographic work;</li> <li>• surveys mines, prepares drawings of surfaces, hazards and other features to control the extent and direction of mining;</li> <li>• surveys buildings to determine necessary alterations and repairs;</li> <li>• measures shore lines, elevations and underwater contours, establishes high and low water marks, plots shore features and defines navigable channels.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Building surveyor</li> <li>• Chartered surveyor</li> <li>• Hydrographic surveyor</li> <li>• Land surveyor</li> </ul> <p>Salary rates: New entrant: £23,100 Experienced worker: £29,100</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 6
2436 Construction project managers and related professional	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• draws up budgets and timescales for new construction projects based on clients' requirements;</li> <li>• briefs project team, contractors and suppliers;</li> <li>• assembles information for invoicing at the end of projects;</li> <li>• plans work schedules for construction projects based on prior discussion with architects, surveyors etc.;</li> <li>• hires and may supervise site staff, establishes temporary site offices, takes delivery of materials;</li> <li>• regularly inspects and monitors progress and quality of</li> </ul>	RQF 6

	<p>work, ensures legal requirements are met;</p> <ul style="list-style-type: none"> <li>• identifies defects in work and proposes corrections;</li> <li>• records, monitors and reports progress;</li> <li>• forecasts the impact on traffic and transport of new developments (e.g. shopping centre);</li> <li>• assesses schemes to manage traffic such as congestion charging and parking controls;</li> <li>• examines accident 'blackspots' to improve road safety;</li> <li>• writes reports for funding bids and planning authorities and acts as expert witness.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Contract manager (building construction)</li> <li>• Project manager (building construction)</li> <li>• Transport planner</li> </ul> <p>Salary rates: New entrant: £22,800</p> <p>[Source: Annual Survey of Hours and Earnings 2015 (no 2015 equivalent data available)]</p> <p>Experienced worker: £25,500</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no 2015 or 2016 equivalent data available)]</p>	
2442 Social worker	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• liaises with other health and social care professionals and agencies to identify those in need and at risk within the local community;</li> <li>• interviews individuals and groups to assess and review the nature and extent of difficulties;</li> <li>• undertakes and writes up assessments to specified standards;</li> <li>• arranges for further counselling or assistance in the form of financial or material help; <ul style="list-style-type: none"> <li>• organises support and develops care plans to address service users' needs;</li> <li>• keeps case records, prepares reports and participates in team meetings;</li> </ul> </li> <li>• gives evidence in court;</li> <li>• participates in training and supervision.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Psychiatric social worker</li> <li>• Senior practitioner (local government: social services)</li> <li>• Social worker</li> </ul> <p>Salary rates: Band 5 and equivalent: £21,909 Band 6 and equivalent: £26,302 Band 7 and equivalent: £31,383 Band 8a and equivalent: £40,028 Band 8b and equivalent: £46,625</p>	RQF 6



	<p>Band 8c and equivalent: £56,104  Band 8d and equivalent: £66,582  Band 9 and equivalent: £78,629</p> <p>[Source: NHS Agenda for Change 2016]</p>	
2443 Probation officer	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• produces pre-sentence reports to the court about an individual's crime, their personal circumstances, the suitability of sentencing, the likelihood of re-offending and the future risk to the public;</li> <li>• enforces court orders and serves the public by providing a wide range of supervision programmes for those in receipt of a community sentence;</li> <li>• draws up probation plans with offenders and helps them follow it, advises them on any work and helps them with any family or social problems;</li> <li>• works with prisoners in giving advice on problems such as drug and alcohol abuse, addressing training needs, finding work and getting accommodation;</li> <li>• keeps accurate and comprehensive records.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Inspector (National Probation Service)</li> <li>• Probation officer</li> <li>• Youth justice officer</li> </ul> <p>Salary rates:  New entrant: £20,800  Experienced worker: £29,300</p> <p>[Source: Annual Survey of Hours and Earnings 2014 ( no 2015 or 2016 equivalent data available)]</p>	RQF 6
2449 Welfare professionals not elsewhere classified	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• provides activities to assist young people develop and fulfil their potential as individuals and within the community;</li> <li>• advises and supports families experiencing stress or crisis;</li> <li>• acts as an advocate for and represents individuals and families at tribunals and similar hearings; <ul style="list-style-type: none"> <li>• oversees, supervises and provides counselling for the process of adoption;</li> <li>• mentors and counsels those with mental health problems;</li> </ul> </li> <li>• provides rehabilitation services to individuals;</li> <li>• manages volunteers and part-time workers, and liaises with other relevant professionals;</li> <li>• keeps records and controls budgets.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Children's guardian</li> <li>• Rehabilitation officer</li> <li>• Social services officer</li> <li>• Youth worker (professional)</li> </ul> <p>Salary rates:  New entrant: £20,800</p>	RQF 6

	<p>[Source: Annual Survey of Hours and Earnings 2014 (no 2015 or 2016 equivalent data available)]</p> <p>Experienced worker: £23,000</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
2451 Librarian	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• selects and arranges for the acquisition of books, periodicals, audio-visual and other material;</li> <li>• collects, classifies and catalogues information, books and other material;</li> <li>• prepares and circulates abstracts, bibliographies, book lists, etc.;</li> <li>• identifies the information needs of clients, seeks out and evaluates information sources;</li> <li>• establishes information storage systems to deal with queries and to maintain up to date records;</li> <li>• manages library borrowing and inter-library loan facilities;</li> <li>• promotes library services through displays and talks</li> <li>• provides learning and cultural experiences through events such as author talks, reading groups, formal and informal teaching.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Chartered librarian</li> <li>• Librarian</li> <li>• Technical librarian</li> <li>• University librarian</li> </ul> <p>Salary rates: New entrant: £17,200</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no 2015 or 2016 equivalent data available)]</p> <p>Experienced worker: £19,600</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 6
2452 Archivists and curator	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• examines, appraises and advises on the acquisition of exhibits, historic records, government papers and other material;</li> <li>• classifies material and arranges for its safe keeping and preservation;</li> <li>• maintains indexes, bibliographies and descriptive details of archive material and arranges for reproductions of items where necessary;</li> <li>• examines objects to identify any damage and carries out necessary restoration whilst preserving original characteristics;</li> <li>• makes sure that storage and display conditions protect objects from deterioration and damage;</li> </ul>	RQF 6

	<ul style="list-style-type: none"> <li>• allows access to original material or material not on display for researchers;</li> <li>• develops and promotes ideas for exhibitions and displays;</li> <li>• negotiates loans of material for specialist displays;</li> <li>• liaises with school and other groups or individuals, publicises exhibits and arranges special displays for general, specialised or educational interest;</li> <li>• answers verbal or written enquiries and gives advice on exhibits or other material.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Archivist</li> <li>• Conservator</li> <li>• Curator</li> <li>• Keeper (art gallery)</li> <li>• Museum officer</li> </ul> <p>Salary rates: New entrant: £17,200 Experienced worker: £20,800</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no 2015 or 2016 equivalent data available)]</p>	
2461 Quality control and planning engineer	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• devises inspection, testing and evaluation methods for bought-in materials, components, semi-finished and finished products;</li> <li>• ensures accuracy of machines, jigs, fixtures, gauges and other manufacturing and testing equipment;</li> <li>• prepares work flow charts for individual departments and compiles detailed instructions on processes, work methods and quality and safety standards for workers;</li> <li>• analyses plans, drawings, specifications and safety, quality, accuracy, reliability and contractual requirements;</li> <li>• prepares plan of sequence of operations and completion dates for each phase of production or processing;</li> <li>• oversees effective implementation of adopted processes, schedules and procedures.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Planning engineer</li> <li>• Quality assurance engineer</li> <li>• Quality control officer (professional)</li> <li>• Quality engineer</li> </ul> <p>Salary rates: New entrant: £23,800 Experienced worker: £29,600</p> <p>[Source: Annual Survey of Hours and Earnings 2016</p>	RQF 6
2462 Quality assurance and regulatory	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• develops and implements visual, physical, functional or</li> </ul>	RQF 6

<p>professional</p>	<p>other appropriate measures and tests of quality;</p> <ul style="list-style-type: none"> <li>• analyses and reports upon the results of quality control tests to ensure that production remains within specification;</li> <li>• considers the impact of legislation upon specification requirements;</li> <li>• examines current operating procedures to determine how quality may be improved;</li> <li>• examines operating procedures to ensure the process and the product meet regulatory standards and implements changes necessary to ensure compliance.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Compliance manager</li> <li>• Financial regulator •</li> </ul> <p>Patent attorney</p> <ul style="list-style-type: none"> <li>• Quality assurance manager</li> <li>• Quality manager</li> </ul> <p>Salary rates: New entrant: £25,000 Experienced worker: £32,400</p> <p>[Source: Annual Survey of Hours and Earnings 2016</p>	
<p>2463 Environmental health professional</p>	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• inspects businesses for compliance with legislation on health and safety, food hygiene and food standards and takes appropriate action in the event of non-compliance;</li> <li>• follows up complaints of unsafe workplaces, investigating accidents;</li> <li>• investigates outbreaks of food poisoning, infectious diseases or pests;</li> <li>• monitors radiation activity, levels of noise, air, land and water pollution and takes appropriate action when safety levels are exceeded;</li> <li>• ensures animal welfare for compliance with legislation, issues licences for premises such as pet shops, zoos and abattoirs;</li> <li>• gives talks at public enquiries and meetings, ensures compliance through education, advice and enforcement;</li> <li>• initiates legal proceedings and gives evidence in court.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Air pollution inspector</li> <li>• Environmental health officer</li> <li>• Food inspector</li> <li>• Public health inspector</li> <li>• Technical officer (environmental health)</li> </ul> <p>Salary rates: New entrant: £23,800</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no 2015 or 2016 equivalent data available)]</p>	<p>RQF 6</p>

	<p>Experienced worker: £30,800</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
2471 Journalists, newspaper and periodical editor	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• determines subject matter and undertakes research by interviewing, attending public events, seeking out records, reviewing written work, attending film and stage performances etc.;</li> <li>• writes articles and features and submits draft manuscripts to newspaper, magazine, periodical or programme editor;</li> <li>• selects material for broadcast or publication, checks style, grammar, accuracy and legality of content and arranges for any necessary revisions;</li> <li>• liaises with production staff in checking final proof copies immediately prior to printing.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Broadcast journalist</li> <li>• Editor</li> <li>• Journalist</li> <li>• Radio journalist</li> <li>• Reporter</li> </ul> <p>Salary rates: New entrant: £20,100</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no 2015 or 2016 equivalent data available)]</p> <p>Experienced worker: £25,900</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 6
2472 Public relations professional	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• discusses issues of business strategy, products, services and target client base with senior colleagues to identify public relations requirements;</li> <li>• writes, edits and arranges for the effective distribution of press releases, newsletters and other public relations material;</li> <li>• addresses individuals, clients and other target groups through meetings, presentations, the media and other events to enhance the public image of an organisation;</li> <li>• develops and implements tools to monitor and evaluate the effectiveness of public relations exercises.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Account manager (public relations)</li> <li>• Information officer (public relations)</li> <li>• PR consultant</li> <li>• Press officer</li> <li>• Public relations officer</li> </ul> <p>Salary rates:</p>	RQF 6

	<p>New entrant: £18,800 Experienced worker: £23,600</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
2473 Advertising accounts managers and creative director	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• liaises with client to discuss product service to be marketed, defines target group and assesses the suitability of various media;</li> <li>• conceives advertising campaign to impart the desired product image in an effective and economical way;</li> <li>• reviews and revises campaign in light of sales figures, surveys, etc.;</li> <li>• stays abreast of changes in media, readership or viewing figures and advertising rates;</li> <li>• arranges conferences, exhibitions, seminars, etc. to promote the image of a product, service or organisation.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Account manager (advertising)</li> <li>• Advertising Manager</li> <li>• Campaign Manager</li> <li>• Creative Director</li> <li>• Projects Manager (advertising)</li> </ul> <p>Salary rates: New entrant: £20,000</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p> <p>Experienced worker: £28,300</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 6
3213 Paramedic	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• drives ambulance or accompanies driver to respond to calls for assistance at accidents, emergencies and other incidents;</li> <li>• assesses the nature of injuries, provides first aid treatment and ascertains appropriate method of conveying patient;</li> <li>• resuscitates and/or stabilises patient using relevant techniques, equipment and drugs;</li> <li>• transports and accompanies patients who either require or potentially require skilled treatment whilst travelling;</li> <li>• briefs other medical staff when handing over the patient, and completes patient report forms describing the patient's condition and any treatment provided.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Ambulance paramedic</li> <li>• Emergency care practitioner</li> <li>• Paramedic</li> <li>• Paramedic-ECP</li> </ul> <p>Salary rates: Band 5 and equivalent: £21,909 Band 6 and equivalent: £26,302 Band 7 and equivalent: £31,383</p>	RQF 6

	[Source: NHS Agenda for Change 2016]	
3415 Musician	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• conceives and writes original music;</li> <li>• tunes instrument and studies and rehearses score;</li> <li>• plays instrument as a soloist or as a member of a group or orchestra;</li> <li>• scores music for different combinations of voices and instruments to produce desired effect;</li> <li>• auditions and selects performers and rehearses and conducts them in the performance of the composition.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Composer</li> <li>• Musician</li> <li>• Organist</li> <li>• Pianist</li> <li>• Song writer</li> <li>• Violinist</li> </ul> <p>Salary rates: New entrant: £18,600 Experienced worker: £24,200</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no 2015 or 2016 equivalent data available)]</p>	RQF 6
3416 Arts officers, producers and director	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• chooses writers, scripts, technical staff and performers, and assumes overall responsibility for completion of project on time and within budget;</li> <li>• directs actors, designers, camera team, sound crew and other production and technical staff to achieve desired effects;</li> <li>• breaks script into scenes and formulates a shooting schedule that will be most economical in terms of time, location and sets;</li> <li>• prepares rehearsal and production schedule for main events, design of sets and costumes, technical rehearsals and dress rehearsals;</li> <li>• ensures necessary equipment, props, performers and technical staff are on set when required;</li> <li>• manages health and safety issues;</li> <li>• selects, contracts, markets and arranges for the presentation and/or distribution of performance, visual and heritage arts.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Film editor</li> <li>• Production assistant (broadcasting)</li> <li>• Studio manager</li> <li>• Television producer</li> <li>• Theatrical agent</li> </ul>	RQF 6

	<p>Salary rates: New entrant: £25,000 Experienced worker: £29,700</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
3512 Aircraft pilots and flight engineer	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• studies flight plan, discusses it with flight deck crew and makes any necessary adjustments;</li> <li>• directs or undertakes routine checks on engines, instruments, control panels, cargo distribution and fuel supplies;</li> <li>• directs or undertakes the operation of controls to fly aeroplanes and helicopters, complying with air traffic control and aircraft operating procedures;</li> <li>• monitors fuel consumption, air pressure, engine performance and other indicators during flight and advises pilot of any factors that affect the navigation or performance of the aircraft;</li> <li>• maintains radio contact and discusses weather conditions with air traffic controllers;</li> <li>• performs specified tests to determine aircraft's stability, response to controls and overall performance;</li> <li>• accompanies pupil on training flights and demonstrates flying techniques.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Airline pilot</li> <li>• First officer (airlines)</li> <li>• Flight engineer</li> <li>• Flying instructor</li> <li>• Helicopter pilot</li> </ul> <p>Salary rates: New entrant: £33,100 Experienced worker: £69,600</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no 2015 or 2016 equivalent data available)]</p>	RQF 6
3532 Broker	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• advises client on the suitability of particular insurance schemes and places insurance on behalf of client;</li> <li>• discusses buying and or selling requirements of client and gives advice accordingly;</li> <li>• analyses information concerning market trends for commodities, financial assets and foreign exchange and advises client and employer on the suitability of a particular investment;</li> <li>• records and transmits buy and sell orders for stocks, shares and bonds and calculates transaction costs;</li> <li>• provides independent advice on the suitability of insurance schemes and places insurance on behalf of client;</li> <li>• arranges for the production of auction catalogues, fixes reserve prices, attends auction and bids on behalf of client, or</li> </ul>	RQF 6



	<p>negotiates purchase/sale by private treaty of goods not sold at auction;</p> <ul style="list-style-type: none"> <li>• obtains cargo space, fixes freight charges and signs and issues bills of loading;</li> <li>• collects freight charges from client and undertakes all necessary formalities concerning customs and the loading/unloading of cargo.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Foreign exchange dealer</li> <li>• Insurance broker</li> <li>• Investment administrator</li> <li>• Stockbroker</li> <li>• Trader (stock exchange)</li> </ul> <p>Salary rates: New entrant: £19,800</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p> <p>Experienced worker: £44,100</p> <p>[Source: Annual Survey of Hours and Earnings 2015 (no 2016 equivalent data available)]</p>	
3534 Finance and investment analysts and adviser	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• predicts the likely long- and short-term future performance of securities and other financial products and advises upon what will be an appropriate investment for their clients;</li> <li>• analyses the financial position of clients, taking into account outgoings, dependants and commitments;</li> <li>• advises on the relative merits of pension schemes, insurance policies and mortgages that best meet the needs of clients given their personal circumstances;</li> <li>• monitors information on the socio-economic environment and interprets the implications of such information for their clients;</li> <li>• prepares summary reports of findings for fund managers;</li> <li>• keeps up to date with financial products, legislation and requirements for compliance with the relevant regulatory authority;</li> <li>• identifies and attracts new clients by arranging visits and explaining the benefits of financial products.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Financial adviser</li> <li>• Financial analyst</li> <li>• Financial consultant</li> <li>• Mortgage adviser</li> <li>• Pensions consultant</li> </ul> <p>Salary rates: New entrant: £22,200 Experienced worker: £27,000</p>	RQF 6

	[Source: Annual Survey of Hours and Earnings 2016]	
3535 Taxation expert	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• examines accounts of industrial, commercial and other establishments to determine their tax liability and makes adjustments to claims where necessary;</li> <li>• considers particular problems concerning all forms of personal and company taxation;</li> <li>• stays abreast of all changes in tax law and precedent;</li> <li>• discusses disputed cases with accountants and other specialists;</li> <li>• represents Government, client or employer in contested claims before tax officials or an independent tribunal.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Tax adviser</li> <li>• Tax consultant</li> <li>• Tax inspector</li> <li>• Taxation specialist</li> </ul> <p>Salary rates: New entrant: £19,800</p> <p>[Source: Annual Survey of Hours and Earnings 2014 ( no 2015 or 2016 equivalent data available)]</p> <p>Experienced worker: £35,300</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 6
3538 Financial accounts manager	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• develops and manages business accounts to increase sales of financial products;</li> <li>• takes responsibility for the efficient and effective operation of several business accounts;</li> <li>• manages teams handling insurance claims;</li> <li>• checks customers' credit rating with banks and credit reference agencies, and decides whether to offer credit;</li> <li>• establishes terms of credit and ensures timely payment by customer, renegotiates payment terms and initiates legal action to recover debts if necessary;</li> <li>• carries out and/or supervises general accounting and administrative work.</li> </ul> <p>Related job titles: • Accounts manager</p> <ul style="list-style-type: none"> <li>• Audit manager</li> <li>• Credit manager</li> <li>• Fund manager</li> <li>• Relationship manager (bank)</li> </ul> <p>Salary rates: New entrant: £21,500 Experienced worker: £27,000</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 6

3545 Sales accounts and business development manager	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• liaises with other senior staff to determine the range of goods or services to be sold, contributes to the development of sales strategies and setting of sales targets;</li> <li>• discusses employer's or client's requirements, carries out surveys and analyses customers' reactions to product, packaging, price, etc.;</li> <li>• compiles and analyses sales figures, prepares proposals for marketing campaigns and promotional activities and undertakes market research;</li> <li>• handles customer accounts;</li> <li>• recruits and trains junior sales staff;</li> <li>• produces reports and recommendations concerning marketing and sales strategies for senior management;</li> <li>• keeps up to date with products and competitors. Related job titles: <ul style="list-style-type: none"> <li>• Account manager (sales)</li> <li>• Area sales manager</li> <li>• Business development manager</li> <li>• Product development manager</li> <li>• Sales manager</li> </ul> </li> </ul> <p>Salary rates: New entrant: £25,100 Experienced worker: £33,300</p> <p>[Source: Annual Survey of Hours and Earnings 2016</p>	RQF 6
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**Table 3 – Occupations skilled to Regulated Qualifications Framework (RQF) level 4 and above**

SOC Code and description		Skill Level
All occupations in Table 1	As	PhD
All occupations in Table 2	As	RQF 6
1211 Managers and proprietors in agriculture and horticulture	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• determines financial, staffing and other short and long-term needs;</li> <li>• produces and maintains records of production, finance and breeding;</li> <li>• decides or advises on the types of crops and/or produce to be grown or livestock raised;</li> <li>• plans intensity and sequence of farm or horticultural operations and orders seed, fertiliser, equipment and other supplies;</li> <li>• markets and arranges for the sale of crops, livestock and other farm or horticultural produce.</li> </ul> <p>Related job titles:</p>	RQF 4

	<ul style="list-style-type: none"> <li>• Farm manager</li> <li>• Farm owner</li> <li>• Nursery manager (horticulture)</li> </ul> <p>Salary rates: New entrant: £18,300 Experienced worker: £21,500</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
1213 Managers and proprietors in forestry, fishing and related services	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• determines financial, staffing and other short- and long-term needs;</li> <li>• manages and trains staff;</li> <li>• decides, or advises on, type of animal to be bred and/or trained, and selects, buys and trains animals accordingly; <ul style="list-style-type: none"> <li>• plans and directs the establishment and maintenance of forest /woodland areas and regularly inspects forest work;</li> <li>• liaises with neighbouring landowners, contractors and local authorities;</li> <li>• oversees facilities such as visitor centres, nature trails, footpaths, etc.;</li> </ul> </li> <li>• selects suitable breeding grounds for shellfish, sea and freshwater fish and purchases stock;</li> <li>• arranges rearing and feeding and ensures health of fish stocks;</li> <li>• oversees maintenance of equipment and fish habitats;</li> <li>• plans fishing voyages, maintains vessel/s and equipment and oversees operational safety;</li> <li>• arranges for sale of catch, liaises with onshore agents;</li> <li>• ensures observance of maritime laws and international fishing regulations.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Cattery owner</li> <li>• Forest manager</li> <li>• Racehorse trainer</li> </ul> <p>Salary rates: New entrant: £18,300 Experienced worker: £23,000</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 4
1241 Health care practice managers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• plans work schedules, assigns tasks and delegates responsibilities of practice staff;</li> <li>• oversees staff training and monitors training needs;</li> <li>• takes responsibility for health and safety matters within the practice; <ul style="list-style-type: none"> <li>• negotiates contracts for services with other health care providers and purchasers;</li> </ul> </li> <li>• maintains patient files on medical history, consultations made and treatment undertaken and/or drugs prescribed;</li> <li>• organises duty rosters for professional and support staff in</li> </ul>	RQF 4

	<p>practice;</p> <ul style="list-style-type: none"> <li>• takes responsibility for stock control of practice equipment, drugs etc.;</li> <li>• liaises with relevant outside organisations (e.g. NHS trust, PCT, social services, drug companies, professional bodies);</li> <li>• responsible for budgeting, pricing and accounting activities within the practice.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Clinic manager</li> <li>• GP practice manager</li> <li>• Veterinary practice manager</li> </ul> <p>Salary rates: New entrant: £19,600</p> <p>[Source: Annual Survey of Hours and Earnings 2014 ( no 2015 or 2016 equivalent data available)]</p> <p>Experienced worker: £25,300 [Source: Annual Survey of Hours and Earnings 2016]</p>	
1242 Residential, day and domiciliary care managers and proprietors	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• determines staffing, financial, material and other short- and long-term requirements;</li> <li>• plans work schedules, assigns tasks and delegates responsibilities to staff;</li> <li>• arranges for payment of bills, keeps accounts and adheres to health, safety and other statutory requirements;</li> <li>• maintains contact between service users and the local community and/or family and friends;</li> <li>• assesses service users' needs and ensures they have access to health and social care services as required;</li> <li>• creates a friendly, secure atmosphere to gain the trust and confidence of those using the service;</li> <li>• ensures that the physical comfort and all material needs of service users are provided and attempts to resolve problems that may arise.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Care manager</li> <li>• Day centre manager</li> <li>• Nursing home owner</li> <li>• Residential manager (residential home)</li> </ul> <p>Salary rates: New entrant: £21,100 Experienced worker: £25,500</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 4
1251 Property, housing and estate managers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• determines staffing, financial, material and other short- and long-term requirements;</li> <li>• manages general upkeep, maintenance and security of the</li> </ul>	RQF 4

	<p>estate's amenities;</p> <ul style="list-style-type: none"> <li>• makes sure that the amenities meet health and safety standards and legal requirements;</li> <li>• advises on energy efficiency;</li> <li>• discusses client's requirements and may advise client on the purchase of property and land for investment and other purposes;</li> <li>• conducts or arranges for structural surveys of properties and undertakes any necessary valuations of property or agricultural land, and deals with grant and subsidy applications;</li> <li>• negotiates land or property purchases and sales or leases and tenancy agreements and arranges legal formalities with solicitors, building societies and other parties;</li> <li>• maintains or arranges for the maintenance of estate accounts and records and produces financial forecasts;</li> <li>• acts as arbiter in disputes between landlord and tenant and ensures that both fulfil their legal obligations;</li> <li>• examines and assesses housing applications, advises on rent levels, investigates complaints and liaises with tenants' association and social workers to resolve any family problems.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Estate manager</li> <li>• Facilities manager</li> <li>• Landlord (property management)</li> <li>• Property manager</li> </ul> <p>Salary rates: New entrant: £19,400</p> <p>[Source: Annual Survey of Hours and Earnings 2014 ( no 2015 or 2016 equivalent data available)]</p> <p>Experienced worker: £25,400</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
1255 Waste disposal and environmental services managers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• determines staffing, financial, material and other short- and long-term requirements;</li> <li>• manages and delegates tasks to staff and co-ordinates the maintenance and optimum utilisation of waste disposal and related equipment to provide an efficient service;</li> <li>• monitors levels of waste disposal, recycling and related environmental services, compiles statistics and produces reports;</li> <li>• liaises with members of the local community to educate and promote the concept of recycling and appropriate waste management;</li> <li>• keeps up to date with new legislation and liaises with appropriate regulatory bodies to ensure compliance with legislation regarding waste disposal and environmental services;</li> <li>• co-ordinates the resources and activities relating to the procurement, collection, storage, processing and sale of scrap metal and related products.</li> </ul>	RQF 4

	<p>Related job titles: • Environmental manager (refuse disposal) • Manager (local government: cleansing dept.)</p> <ul style="list-style-type: none"> <li>• Recycling plant manager</li> <li>• Scrap metal dealer</li> </ul> <p>Salary rates: New entrant: £18,200 Experienced worker: £28,300</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no 2015 or 2016 equivalent data available)]</p>	
1259 Managers and proprietors in other services not elsewhere	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• determines staffing, financial, material and other short- and long-term requirements;</li> <li>• ensures that adequate reserves of merchandise are held and that stock keeping is carried out efficiently;</li> <li>• authorises payment for supplies received and decides on vending price and credit terms;</li> <li>• examines quality of merchandise and ensures that effective use is made of advertising and display facilities;</li> <li>• manages agencies to provide services out-sourced by other organisations and businesses;</li> <li>• ensures maintenance of appropriate service levels to meet the objectives of the business.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Betting shop manager</li> <li>• Graphic design classified manager</li> <li>• Library manager</li> <li>• Plant hire manager</li> <li>• Production manager (entertainment)</li> </ul> <p>Salary rates: New entrant: £18,000 Experienced worker: £23,600</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 4
2435 Chartered architectural technologists	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• develops construction project briefs and design programmes;</li> <li>• advises clients on methods of project procurement and forms of contract;</li> <li>• advises on environmental, regulatory and legal requirements and assesses environmental impact;</li> <li>• prepares and presents design proposals and manages and coordinates design team;</li> <li>• monitors compliance with design, statutory and professional requirements, undertakes stage inspections;</li> <li>• administers contracts and certification and manages project handover;</li> <li>• evaluates and advises on refurbishment, recycling and deconstruction of buildings;</li> <li>• manages health and safety and carries out design stage risk</li> </ul>	RQF 4

	<p>assessments.</p> <p>Related job tasks:</p> <ul style="list-style-type: none"> <li>• Architectural technologist</li> </ul> <p>Salary rates: New entrant: £22,800 Experienced worker: £28,500</p> <p>[Source: Annual Survey of Hours and Earnings 2014 ( no 2015 or 2016 equivalent data available)]</p>	
3116 Planning, process and production technicians	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• supports planning and production engineers in assessing existing and alternative production methods;</li> <li>• works from, and helps implement, professional engineers' drawings and specifications for equipment and layout, and helps implement modifications required for existing plant machinery/layout;</li> <li>• works with engineers on production control methods to monitor operational efficiency and helps to eliminate potential hazards and bottlenecks in production;</li> <li>• liaises with materials buying, storing and controlling departments to ensure a steady flow of supplies;</li> <li>• supports professional engineers in reviewing safety, quality, accuracy, reliability and contractual requirements;</li> <li>• supports implementation of plans of sequence of operations and completion dates for each phase of production or processing;</li> <li>• ensures implementation of inspection, testing and evaluation methods for bought-in materials, components, semi-finished and finished products;</li> <li>• ensures accuracy of manufacturing and testing equipment;</li> <li>• ensures effective completion and implementation of detailed instructions on processes, work methods and quality and safety standards for workers.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Process technician</li> <li>• Production controller</li> <li>• Production planner</li> <li>• Production technician</li> </ul> <p>Salary rates: New entrant: £19,800 Experienced worker: £23,400</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no 2015 or 2016 equivalent data available)]</p>	RQF 4
3121 Architectural and town planning technicians	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• investigates proposed design with regard to practicality, cost and use;</li> <li>• prepares building plans, drawings and specifications for use by contractors;</li> </ul>	RQF 4



	<ul style="list-style-type: none"> <li>• liaises with engineers and building contractors regarding technical construction problems and attends site meetings on behalf of architect;</li> <li>• surveys land and property uses and prepares report for planning authority;</li> <li>• issues development permits as authorised;</li> <li>• checks that completed work conforms to specifications.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Architectural assistant</li> <li>• Architectural technician</li> <li>• Construction planner</li> <li>• Planning enforcement officer</li> </ul> <p>Salary rates: New entrant: £19,500</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no 2015 or 2016 equivalent data available)]</p> <p>Experienced worker: £24,200</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
3131 IT operations technicians	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• administers, monitors and supports internal/external networks, servers, email, database and security systems;</li> <li>• configures and sets up new server systems;</li> <li>• schedules and performs system maintenance tasks, such as loading user applications, programs and data;</li> <li>• analyses systems and makes recommendations to improve performance;</li> <li>• identifies problems, agrees remedial action and undertakes emergency maintenance if required;</li> <li>• performs server backup and recovery operations and restarts systems following outages;</li> <li>• acts as a liaison between users, outside suppliers, and other technical teams.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Computer games tester</li> <li>• Database administrator</li> <li>• IT technician</li> <li>• Network administrator</li> <li>• Systems administrator</li> </ul> <p>Salary rates: New entrant: £18,200 Experienced worker:</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 4
3218 Medical and dental technicians	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• operates equipment to diagnose and record or treat hearing, heart, brain, lung and kidney ailments;</li> <li>• undertakes scaling and polishing of teeth, applies</li> </ul>	RQF 4

	<p>medicaments, carries out post-operative hygiene work and advises on preventative dentistry;</p> <ul style="list-style-type: none"> <li>• makes dentures, crowns, bridges, orthodontic and other dental appliances according to individual patient requirements;</li> <li>• measures patients for, and fits them with, surgical appliances, hearing aids and artificial limbs;</li> <li>• performs related medical tasks including treating hair and scalp disorders and conducting tests on glaucoma patients;</li> <li>• takes samples for clinical examination.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Cardiographer</li> <li>• Dental hygienist</li> <li>• Dental technician</li> <li>• Medical technical officer</li> <li>• Orthopaedic technician</li> </ul> <p>Salary rates:</p> <p>Band 3 and equivalent: £16,800  Band 4 and equivalent: £19,217  Band 5 and equivalent: £21,909  Band 6 and equivalent: £26,302  Band 7 and equivalent: £31,383</p> <p>[Source: NHS Agenda for Change 2016]</p>	
3219 Health associate professionals not elsewhere classified	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• prescribes diet therapy and gives advice to patients, health care professionals and the public on dietetic and nutritional matters for those with special dietary requirements or to prevent illness;</li> <li>• diagnoses and treats disorders of vision and eye movements,</li> <li>• monitors subsequent progress and recommends further optical, pharmacological or surgical treatment as required;</li> <li>• manipulates and massages patient to discover the cause of pain, relieve discomfort, restore function and mobility and to correct irregularities in body structure;</li> <li>• inserts needles under the skin, administers aromatic herbs and oils and massages body to relieve pain and restore health;</li> <li>• advises and prescribes in areas of complementary and alternative medicine.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Acupuncturist</li> <li>• Homeopath</li> <li>• Hypnotherapist</li> <li>• Massage therapist</li> <li>• Reflexologist</li> <li>• Sports therapist</li> </ul> <p>Salary rates:</p> <p>Band 3 and equivalent: £16,800  Band 4 and equivalent: £19,217  Band 5 and equivalent: £21,909  Band 6 and equivalent: £26,302  Band 7 and equivalent: £31,383</p>	RQF 4

	[Source: NHS Agenda for Change 2016]	
3319 Protective service associate professionals not elsewhere classified	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• examines, weighs and counts goods imported by ship or aircraft, ensures that the declared value of goods is satisfactory and that duties and taxes have been paid;</li> <li>• examines passports, visas, work permits and other immigration documents, and allows or refuses entry into the UK;</li> <li>• maintains revenue control at breweries, tobacco factories and other premises where dutiable goods are manufactured, processed or stored;</li> <li>• visits racecourses, greyhound stadiums and betting shops to ensure compliance with legal requirements;</li> <li>• broadcasts information on weather and maritime conditions, monitors shipping and provides instruction to navigators;</li> <li>• receives distress messages, alerts other appropriate rescue services and participates in search and rescue operations;</li> <li>• photographs, fingerprints and undertakes other forms of forensic examination at the scene of a crime;</li> <li>• analyses security requirements, advises clients, and develops, monitors and improves security measures;</li> <li>• supervises and assigns duties to security and detection staff.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Customs officer</li> <li>• Immigration officer</li> <li>• Operations manager (security services)</li> <li>• Scenes of crime officer</li> <li>• Security manager</li> </ul> <p>Salary rates: New entrant: £22,100 Experienced worker: £28,700</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 4
3411 Artists	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• conceives and develops ideas and ways of working for artistic composition;</li> <li>• selects appropriate materials, medium and method;</li> <li>• prepares sketches, scale drawings or colour schemes;</li> <li>• builds up composition into finished work by carving, sculpting, etching, painting, engraving, drawing, etc.;</li> <li>• approaches managers of galleries and exhibitions in order to get finished work displayed;</li> <li>• uses artistic skills to restore damaged artworks;</li> <li>• liaises with writers and publishers to produce book illustrations;</li> <li>• markets and sells finished work directly to customers;</li> <li>• produces works on commission basis for clients.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Artist</li> <li>• Illustrator</li> </ul>	RQF 4

	<ul style="list-style-type: none"> <li>• Portrait painter</li> <li>• Sculptor</li> </ul> <p>Salary rates: New entrant: £18,600</p> <p>[Source: Annual Survey of Hours and Earnings 2014 ( no 2015 or 2016 equivalent data available)]</p> <p>Experienced worker: £23,200</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
3412 Authors, writers and translators	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• determines subject matter and researches as necessary by interviewing, attending public events, seeking out records, observing etc.;</li> <li>• generates and develops creative ideas for literary material;</li> <li>• selects material for publication, checks style, grammar and accuracy of content, arranges for any necessary revisions and checks proof copies before printing;</li> <li>• negotiates contracts with freelance agents and with buyer on behalf of writer;</li> <li>• writes instruction manuals and user guides, technical reports, catalogues and indexes, prepares sales literature and writes technical articles for trade journals;</li> <li>• converts documents or spoken statements from original or source language into another language;</li> <li>• provides communication support for the hard of hearing or the visually impaired.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Copywriter</li> <li>• Editor (books)</li> <li>• Interpreter</li> <li>• Technical author</li> <li>• Translator</li> <li>• Writer</li> </ul> <p>Salary rates: New entrant: £18,600 Experienced worker: £22,800</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no 2015 or 2016 equivalent data available)]</p>	RQF 4
3413 Actors, entertainers and presenters	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• studies script, play or book and prepares and rehearses interpretation;</li> <li>• assumes character created by a playwright or author and communicates this to an audience;</li> <li>• performs singing, comedy, acrobatic, illusion and conjuring routines;</li> <li>• trains animals to perform entertaining routines and may perform with them;</li> </ul>	RQF 4

	<ul style="list-style-type: none"> <li>• introduces and presents radio and television programmes, reads news bulletins and makes announcements;</li> <li>• conducts interviews and prepares reports for news broadcasts, current affairs programmes and documentaries;</li> <li>• plays pre-recorded music at nightclubs, discotheques, and private functions.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Actor</li> <li>• Disc jockey</li> <li>• Entertainer</li> <li>• Presenter (broadcasting)</li> <li>• Singer</li> </ul> <p>Salary rates: New entrant: £18,600 Experienced worker: £24,200</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no 2015 or 2016 equivalent data available)]</p>	
3414 Dancers and choreographers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• builds and maintains stamina, physical strength, agility and general health through fitness exercises and healthy eating;</li> <li>• attends rehearsals to develop and practice dance routines for performance;</li> <li>• participates in dance performance;</li> <li>• demonstrates and directs dance moves, monitors and analyses technique and performance, and determines how improvements can be made.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Ballet dancer</li> <li>• Choreographer</li> <li>• Dancer Dance teacher</li> </ul> <p>Salary rates: New entrant: £18,600 Experienced worker: £24,200</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no 2015 or 2016 equivalent data available)]</p>	RQF 4
3422 Product, clothing and related designers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• liaises with client to determine the purpose, cost, technical specification and potential uses/users of product;</li> <li>• undertakes research to determine market trends, production requirements, availability of resources and formulates design concepts;</li> <li>• prepares sketches, designs, patterns or prototypes for textiles, clothing, footwear, jewellery, fashion accessories, set props, wigs, ceramics, plastics, motor vehicles, domestic appliances and engineering products;</li> <li>• prepares sketches, designs, mock-ups and storyboards for consideration by theatre/film director or client;</li> </ul>	RQF 4

	<ul style="list-style-type: none"> <li>• submits design to management, sales department or client for approval, communicates design rationale and makes any necessary alterations;</li> <li>• specifies materials, production method and finish for aesthetic or functional effect, and oversees production of sample and/or finished product;</li> <li>• observes and manages intellectual property issues.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Design consultant</li> <li>• Fashion designer</li> <li>• Furniture designer</li> <li>• Interior designer</li> <li>• Kitchen designer</li> <li>• Textile designer</li> </ul> <p>Salary rates: New entrant: £19,700 Experienced worker: £23,700</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
3513 Ship and hovercraft officers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• allocates duties to ship's officers and co-ordinates and directs the activities of deck and engine room ratings;</li> <li>• directs or undertakes the operation of controls to inflate air cushions, run engines and propel and steer ships, hovercraft and other vessels;</li> <li>• locates the position of vessel using electronic and other navigational aids such as charts and compasses and advises on navigation where appropriate;</li> <li>• monitors the operation of engines, generators and other mechanical and electrical equipment and undertakes any necessary minor repairs;</li> <li>• maintains radio contact with other vessels and coast stations;</li> <li>• prepares watch keeping rota and maintains a look-out for other vessels or obstacles;</li> <li>• maintains log of vessel's progress, weather conditions, conduct of crew, etc.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Chief engineer (shipping)</li> <li>• Marine engineer (shipping)</li> <li>• Merchant navy officer</li> <li>• Petty officer</li> <li>• Tug master</li> <li>• Yacht skipper</li> </ul> <p>Salary rates: New entrant: £33,100 Experienced worker: £51,500</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no 2015 or 2016 equivalent data available)]</p>	RQF 4

<p>3531 Estimators, valuers and assessors</p>	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• examines plans, drawings, specifications, parts lists, etc. and specifies the materials and components required;</li> <li>• assesses condition, location, desirability and amenities of property to be valued;</li> <li>• assesses costs of materials, labour and other factors such as required profit margins, transport costs, tariffs and fare structures, possible hazards, etc.;</li> <li>• prepares comprehensive estimates of time and costs and presents these in report or tender form;</li> <li>• examines insurance documents to assess extent of liability and gathers information about incident from police, medical records, ship's log, etc. and investigates potential fraudulent claims.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Claims assessor</li> <li>• Claims investigator</li> <li>• Engineering surveyor</li> <li>• Estimator</li> <li>• Loss adjuster</li> <li>• Valuer</li> </ul> <p>Salary rates: New entrant: £18,700 Experienced worker: £23,900</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	<p>RQF 4</p>
<p>3537 Financial and accounting technicians</p>	<p>Example job titles:</p> <ul style="list-style-type: none"> <li>• maintains profit and loss accounts, budgets, cash flow forecasts and other accounting records;</li> <li>• produces, collates and reports financial information for managers;</li> <li>• liaises with clients to ensure that payments are made on time and credit limits are not exceeded;</li> <li>• ensures invoices and payments are correct and sent out on time;</li> <li>• monitors accounting systems to determine accounts are being maintained effectively and provides information on accounting practices to auditors.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Accounting technician</li> <li>• Business associate (banking)</li> <li>• Financial controller</li> <li>• Insolvency administrator</li> <li>• Managing clerk (accountancy)</li> </ul> <p>Salary rates: New entrant: £21,500 Experienced worker: £28,800</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no 2015 or</p>	<p>RQF 4</p>

	2016 equivalent data available)]	
3539 Business and related associate professionals not elsewhere classified	<p>Example job titles:</p> <ul style="list-style-type: none"> <li>• studies particular department or problem area and assesses its interrelationships with other activities;</li> <li>• studies work methods and procedures by measuring work involved and computing standard times for specified activities, and produces report detailing suggestions for increasing efficiency and lowering costs;</li> <li>• analyses project components, organises them into a logical sequence and establishes the minimum time required for the project;</li> <li>• purchases services, receives payment from clients, processes contracts and deals with contractual arrangements;</li> <li>• canvasses political opinion, writes and distributes leaflets, writes and distributes press releases and other such material to promote the image and policies of a political party or election candidate, arranges fund raising activities, and organises and participates in election campaigns.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Business systems analyst</li> <li>• Data analyst</li> <li>• Marine consultant</li> <li>• Planning assistant</li> <li>• Project administrator</li> <li>• Project coordinator</li> </ul> <p>Salary rates: New entrant: £17,700 Experienced worker: £21,400</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 4
3541 Buyers and procurement officers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• attends trade fairs, shows and demonstrations to research new product lines and suppliers, checks catalogues;</li> <li>• keeps up with market trends and chooses products/services;</li> <li>• assesses budgetary limitations and customer requirements and decides on quantity, type, range and quality of goods or services to be bought;</li> <li>• assesses bids from suppliers, finds suppliers and negotiates prices;</li> <li>• helps negotiate contract with supplier and specifies details of goods or services required;</li> <li>• looks at ways to improve supply networks, presents new ideas to senior management team;</li> <li>• ensures that delivered items comply with order, monitors quality of incoming goods and returns unsatisfactory or faulty items, monitors performance and makes sure targets are met;</li> <li>• supervises clerical, administrative and warehouse distribution staff, deals with recruitment and training;</li> <li>• works closely with merchandisers who allocate stock and develop sales forecasts;</li> <li>• maintains records and prepares reports as necessary.</li> </ul>	RQF 4



	<p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Buyer</li> <li>• Procurement officer</li> <li>• Purchasing consultant</li> </ul> <p>Salary rates: New entrant: £20,800 Experienced worker: £25,000</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
3543 Marketing associate professionals	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>• discusses business methods, products or services and targets customer group with employer or client in order to identify marketing requirements;</li> <li>• establishes an appropriate quantitative and qualitative market research methodology and prepares proposals outlining programmes of work and details of costs;</li> <li>• collates and interprets findings of market research and presents results to clients;</li> <li>• discusses possible changes that need to be made in terms of design, price, packaging, promotion etc. in light of market research with appropriate departments;</li> <li>• briefs advertising team on client requirements, monitors the progress of advertising campaigns and liaises with client on potential modifications.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Business development executive</li> <li>• Fundraiser</li> <li>• Market research analyst</li> <li>• Marketing consultant</li> <li>• Marketing executive</li> </ul> <p>Salary rates: New entrant: £18,600 Experienced worker: £22,100</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 4
3546 Conference and exhibition managers and organisers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• discusses conference and exhibition requirements with clients and advises on facilities;</li> <li>• develops proposal for the event, and presents proposal to client;</li> <li>• allocates exhibition space to exhibitors;</li> <li>• plans work schedules, assigns tasks, and co-ordinates the activities of designers, crafts persons, technical staff, caterers and other events staff;</li> <li>• liaises closely with venue staff to ensure smooth running of the event;</li> <li>• ensures that Health and Safety and other statutory regulations are met.</li> </ul>	RQF 4

	<p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Conference coordinator</li> <li>• Event organiser</li> <li>• Events manager</li> <li>• Exhibition organiser</li> <li>• Hospitality manager</li> </ul> <p>Salary rates: New entrant: £18,400 Experienced worker: £22,700</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
<p>3561 Public services associate professionals Civil servant (HEO, SEO)</p>	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• manages the activities of government office staff, assigns tasks and responsibilities and makes changes in procedures to deal with variations in workload;</li> <li>• assists senior government officers with policy work, external liaison or general administrative work;</li> <li>• supervises a variety of administrative functions in government departments such as recruitment and training, the negotiation and arrangement of contracts, building and capital management, monitoring and authorising department expenditure etc.;</li> <li>• organises resources for the acceptance and recording of vacancy details, the selection of suitable applicants and other Job Centre activities;</li> <li>• authorises the payment of social security benefits, assesses the financial circumstances of claimants and investigates any state insurance contribution problems;</li> <li>• undertakes supervisory duties specific to the operation of Revenue and Customs offices, Job Centres, Benefits Agency offices and other local offices of national government;</li> <li>• advises the public or companies on general tax problems and arranges for the issue, receipt and examination of tax forms, assessment of PAYE codes and the computation of tax arrears and rebates;</li> <li>• discusses business strategy, products, services and target client base with management to identify public relations requirements;</li> <li>• writes, edits and arranges for the distribution of press releases and other public relations material, addresses target groups through meetings, presentations, the media and other events to enhance the public image of the organisation, and monitors and evaluates its effectiveness.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Higher executive officer (government)</li> <li>• Principle revenue officer (local government)</li> <li>• Senior executive officer (government)</li> </ul> <p>Salary rates: New entrant: £22,900 Experienced worker: £25,900</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	<p>RQF 4</p>

<p>3563 Vocational and industrial trainers and instructors</p>	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• assesses training requirements and prepares lectures, demonstrations and study aids;</li> <li>• supervises trainee development, assists trainees with difficulties and prepares regular progress reports on each trainee for management;</li> <li>• arranges work experience and instructional visits for trainees;</li> <li>• plans curriculum and rota of staff duties and updates or amends them in light of developments;</li> <li>• advises on training programmes and discusses progress or problems with staff and trainees;</li> <li>• devises general and specialised training courses in response to particular needs.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• IT trainer</li> <li>• NVQ assessor</li> <li>• Technical instructor</li> <li>• Training consultant</li> <li>• Training manager</li> </ul> <p>Salary rates: New entrant: £18,300 Experienced worker: £22,400</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	<p>RQF 4</p>
<p>3564 Careers advisers and vocational guidance specialists</p>	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• uses an interview, questionnaire and/or psychological or other test to determine the aptitude, preferences and temperament of the client;</li> <li>• advises on appropriate courses of study or avenues into employment;</li> <li>• visits educational and other establishments to give talks and distribute information regarding careers;</li> <li>• liaises with employers to determine employment opportunities and advises schools, colleges or individuals accordingly;</li> <li>• organises careers forums and exhibitions and establishes and maintains contact with local employers, colleges and training providers;</li> <li>• monitors progress and welfare of young people in employment and advises them on any difficulties.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Careers adviser</li> <li>• Careers consultant</li> <li>• Careers teacher</li> <li>• Placement officer</li> </ul> <p>Salary rates: New entrant: £19,600</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no 2015 or 2016 equivalent data available)]</p>	<p>RQF 4</p>

	Experienced worker: £23,500  [Source: Annual Survey of Hours and Earnings 2016]	
3565 Inspectors of standards and regulations	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• examines building plans to ensure compliance with local, statutory and other requirements;</li> <li>• inspects building structures, facilities and sites to determine suitability for habitation, compliance with regulations and for insurance purposes;</li> <li>• inspects measuring and similar equipment in factories and visits street traders, shops, garages and other premises to check scales, weights and measuring equipment;</li> <li>• inspects factories and other work sites to ensure adequate cleanliness, temperature, lighting and ventilation, checks for fire hazards and inspects storage and handling arrangements of dangerous materials;</li> <li>• visits sites during construction and inspects completed installations of electricity, gas or water supply;</li> <li>• draws attention to any irregularities or infringements of regulations and advises on ways of rectifying them;</li> <li>• investigates industrial accidents or any complaints made by the public;</li> <li>• verifies the weight of commercial vehicles, checks driver's licence and hours worked;</li> <li>• samples and tests river water, checks and advises on premises discharging effluent to prevent pollution;</li> <li>• checks fishing licences and prevents illegal fishing;</li> <li>• visits premises where animals are kept, advises on animal care and investigates complaints;</li> <li>• undertakes other inspections including chemicals, drugs, flight operations, etc.;</li> <li>• prepares reports and recommendations on all inspections made and recommends legal action where necessary.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Building inspector</li> <li>• Driving examiner</li> <li>• Housing inspector</li> <li>• Meat hygiene inspector</li> <li>• Trading standards officer</li> </ul> <p>Salary rates: New entrant: £22,200</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no 2015 or 2016 equivalent data available)]</p> <p>Experienced worker: £25,400</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 4
3567 Health and safety officers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• inspects workplace areas to ensure compliance with health and safety legislation;</li> </ul>	RQF 4

	<ul style="list-style-type: none"> <li>• helps to develop effective health and safety policies and procedures and carries out risk assessments;</li> <li>• instructs workers in the proper use of protective clothing and safety devices and conducts routine tests on that equipment;</li> <li>• compiles statistics on accidents and injuries, analyses their causes and makes recommendations to management accordingly;</li> <li>• maintains contact with those off work due to illness;</li> <li>• counsels individuals on any personal or domestic problems affecting their work;</li> <li>• gives talks and distributes information on accident prevention, and keeps up to date with the relevant legislation.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Fire protection engineer (professional)</li> <li>• Health and safety officer</li> <li>• Occupational hygienist</li> <li>• Safety consultant</li> <li>• Safety officer</li> </ul> <p>Salary rates: New entrant: £22,100 Experienced worker: £28,400</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
4161 Office managers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• plans work schedules, assigns tasks and delegates responsibilities;</li> <li>• advises on the handling of all correspondence and enquiries relating to accounts, sales, statistical and vacancy records;</li> <li>• ensures that procedures for considering, issuing, amending and endorsing insurance policies are adhered to;</li> <li>• plans, organises and co-ordinates the activities and resources of other offices not elsewhere classified including box offices, other ticket offices and accommodation bureaux.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Business support manager</li> <li>• Delivery office manager</li> <li>• Office manager</li> <li>• Practice manager</li> <li>• Sales administration manager</li> <li>• Sales office manager</li> </ul> <p>Salary rates: New entrant: £18,500 Experienced worker: £23,200</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 4
7220 Customer service managers and supervisors	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• develops and implements policies and procedures to deal effectively with customer requirements and complaints;</li> <li>• co-ordinates and controls the work of those within customer services departments;</li> </ul>	RQF 4

	<ul style="list-style-type: none"> <li>• discusses customer responses with other managers with a view to improving the product or service provided;</li> <li>• plans and co-ordinates the operations of help and advisory services to provide support for customers and users.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• After sales manager</li> <li>• Call centre supervisor</li> <li>• Customer service manager</li> <li>• Customer service supervisor</li> <li>• Team leader (customer care)</li> </ul> <p>Salary rates: New entrant: £16,200 Experienced worker: £19,600</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
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**Table 4 – Occupations which are ineligible for Sponsorship in Tier 2(General) and Tier 2(Intra-Company Transfer) applications, due to skill level, but which may still apply to some indefinite leave to remain applications.**

<b>SOC code and description</b>	<b>Description</b>	<b>Skill level</b>
1162 Managers and directors in storage and warehousing	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• liaises with production, maintenance, sales and other departments to determine the materials and other items required for current and future production schedules and sales commitments;</li> <li>• reviews, develops and implements stock control, handling and distribution policies to maximise use of space, money, labour and other resources;</li> <li>• advises purchasing department on type, quality and quantity of goods required and dates by which they must be available;</li> <li>• prepares reports on expenditure and advises on materials and parts standardisation, future stores and stock control policies;</li> <li>• decides on storage conditions for particular items, allocates warehouse space and arranges for regular stock inspections to detect deterioration or damage.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Logistics manager</li> <li>• Warehouse manager</li> </ul> <p>Salary rate: £22,800</p> <p>[Source: Annual Survey of Hours and Earnings 2015 (no equivalent 2016 data available)]</p>	RQF 3
1190 Managers and directors in retail and wholesale	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• appoints staff, assigns tasks and monitors and reviews staff performance;</li> </ul>	RQF 3

	<ul style="list-style-type: none"> <li>• liaises with other staff to provide information about merchandise, special promotions etc. to customers;</li> <li>• ensures that adequate reserves of merchandise are held and that stock keeping is carried out efficiently;</li> <li>• ensures customer complaints and queries regarding sales and service are appropriately handled;</li> <li>• oversees the maintenance of financial and other records and controls security arrangements for the premises;</li> <li>• authorises payment for supplies received and decides on vending price, discount rates and credit terms;</li> <li>• examines quality of merchandise and ensures that effective use is made of advertising and display facilities.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Managing director (retail trade)</li> <li>• Retail manager</li> <li>• Shop manager (charitable organisation)</li> <li>• Wholesale manager</li> </ul> <p>Salary rate: £20,000</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
1221 Hotel and accommodation managers and proprietors	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• analyses demand and decides on type, standard and cost of services to be offered;</li> <li>• determines financial, staffing, material and other short- and long-term needs;</li> <li>• ensures physical comfort of residents or passengers and makes special arrangements for children, the elderly and the infirm if required;</li> <li>• approves and arranges shipboard entertainment and shore trips and liaises with ship's agent to ensure that ship is adequately provisioned;</li> <li>• arranges for payment of bills, keeps accounts and ensures adherence to licensing and other statutory regulations.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Caravan park owner</li> <li>• Hotel manager</li> <li>• Landlady (boarding, guest, lodging house)</li> </ul> <p>Salary rate: £19,500</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 3
1223 Restaurant and catering establishment managers and proprietors	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• plans catering services and directs staff;</li> <li>• decides on range and quality of meals and beverages to be provided;</li> <li>• discusses customer's requirements for special occasions;</li> <li>• purchases or directs the purchasing of supplies and arranges for preparation of accounts;</li> <li>• verifies that quality of food, beverages and waiting service is as required, that kitchen and dining areas are kept clean and</li> </ul>	RQF3/ Lower-skilled

	<p>appropriate hygiene standards are maintained in compliance with statutory requirements;</p> <ul style="list-style-type: none"> <li>• plans and arranges food preparation in collaboration with other staff and organises the provision of waiting or counter staff;</li> <li>• checks that supplies are properly used and accounted for to prevent wastage and loss and to keep within budget limit;</li> <li>• determines staffing, financial, material and other short- and long-term requirements.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Café owner</li> <li>• Fish &amp; chip shopkeeper</li> <li>• Operations manager (catering)</li> <li>• Restaurant manager</li> <li>• Shop manager (take-away food shop)</li> </ul> <p>Jobs within SOC which are skilled to RQF 3 (other jobs are lower-skilled):</p> <ul style="list-style-type: none"> <li>• Restaurant manager</li> <li>• Fast food restaurant manager</li> <li>• Assistant restaurant manager, establishments with 80 or more covers (covers being the maximum number of customers that can be seated at any one time)</li> </ul> <p>Salary rate: £18,800</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
1224 Publicans and managers of licensed premises	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• arranges purchase of alcoholic and other beverages, bar snacks, cigarettes and other items and ensures that stocks are stored in proper conditions;</li> <li>• supervises bar, kitchen and cleaning staff and, if necessary, assists with the serving of drinks;</li> <li>• observes licensing laws and other statutory regulations and regulates behaviour of customers as necessary;</li> <li>• maintains financial records for the establishment; determines financial, staffing, material and other short- and long-term needs.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Landlady (public house) • Licensee</li> <li>• Manager (wine bar)</li> <li>• Publican</li> </ul> <p>Jobs within SOC which are skilled to RQF 3 (other jobs are lower-skilled):</p> <ul style="list-style-type: none"> <li>• Publican</li> <li>• Licensee or pub manager</li> </ul> <p>Salary rate: £20,100</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF3/ Lower-skilled



1225 Leisure and sports managers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• organises timetable of activities/schedule of programmes;</li> <li>• ensures that facilities are kept clean and in good condition and that appropriate health and safety requirements are adhered to;</li> <li>• keeps abreast of new trends and developments in recreational activities and arranges exhibitions, theatrical productions, concerts, demonstrations etc.;</li> <li>• advises on the facilities available and promotes publicity in relation to shows, games, races, new theme parks, etc.;</li> <li>• determines financial, staffing, material and other short- and long-term needs;</li> <li>• recruits, supervises and trains staff;</li> <li>• ensures custody of all cash receipts and organises regular stock checks.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Amusement arcade owner</li> <li>• Leisure centre manager • Social club manager • Theatre manager</li> </ul> <p>Salary rate: £22,700</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 3
1226 Travel agency managers and proprietors	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• plans work schedules and assigns tasks and responsibilities;</li> <li>• co-ordinates the activities of clerical, secretarial and other staff;</li> <li>• discusses client's requirements and advises on road, rail, air and sea travel and accommodation;</li> <li>• makes and confirms travel and accommodation bookings, arranges group holidays, tours and individual itineraries;</li> <li>• advises on currency and passport/visa regulations and any necessary health precautions needed;</li> <li>• determines financial, staffing, material and other short- and long-term needs.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Tourist information manager</li> <li>• Travel agency owner</li> <li>• Travel manager</li> </ul> <p>Salary rate: £20,000</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 3
1252 Garage managers and proprietors	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• determines staffing, financial, material and other short- and long-term requirements;</li> <li>• ensures that necessary spare parts, materials and equipment are available or obtainable at short notice;</li> <li>• arranges for maintenance staff to perform necessary maintenance and repair work on vehicles or motorcycles;</li> <li>• checks completed work for compliance with safety and other statutory regulations;</li> </ul>	RQF 3

	<ul style="list-style-type: none"> <li>• maintains records of repair work to detect recurrent faults;</li> <li>• provides information about garage merchandise for staff and customers;</li> <li>• ensures the business accounts are maintained. Related job titles: <ul style="list-style-type: none"> <li>• Garage director</li> <li>• Garage owner</li> <li>• Manager (repairing: motor vehicles)</li> </ul> </li> </ul> <p>Salary rate: £25,000</p> <p>[Source: Annual Survey of Hours and Earnings 2015 (no equivalent 2016 data available)]</p>	
1253 Hairdressing and beauty salon managers and proprietors	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• determines staffing, financial, material and other short- and long-term needs;</li> <li>• controls the allocation, training and remuneration of staff;</li> <li>• provides clients with information and advice on styles and treatments, and resolves any complaints or problems;</li> <li>• ensures clients' records are maintained;</li> <li>• undertakes and/or directs hair treatments and/or beauty therapy;</li> <li>• checks and maintains any equipment, and ensures that all safety requirements are met;</li> <li>• demonstrates, advises on and sells hair and/or beauty products;</li> <li>• ensures financial accounts for the business are maintained.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Hairdressing salon owner</li> <li>• Health and fitness manager</li> <li>• Manager (beauty salon)</li> </ul> <p>Salary rate: £24,000</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no equivalent 2015 or 2016 data available)]</p>	RQF 3
1254 Shopkeepers and proprietors - wholesale and retail	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• defines the market position for the business, decides what to sell, forecasts demand and develops the brand image of the business;</li> <li>• determines staffing, financial, material and other short- and long-term requirements; <ul style="list-style-type: none"> <li>• oversees staff training, rotas and the allocation of work;</li> <li>• provides information about merchandise to staff and customers and ensures customer complaints are appropriately dealt with;</li> </ul> </li> <li>• ensures that adequate reserves of merchandise are held and orders new stock as required;</li> <li>• maintains financial and other shop records and controls security arrangements for the premises;</li> <li>• authorises payment for supplies received and decides on vending price and credit terms;</li> <li>• examines quality of merchandise and ensures that effective use</li> </ul>	RQF 3

	<p>is made of advertising and display facilities.</p> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Antiques dealer</li> <li>• Fashion retailer</li> <li>• Newsagent</li> <li>• Shopkeeper</li> </ul> <p>Salary rate: £24,900</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
3111 Laboratory technicians	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• sets up and assists with the construction and the development of scientific apparatus for experimental, demonstration or other purposes;</li> <li>• prepares and analyses body fluids, secretions and/or tissue to detect infections or to examine the effects of different drugs;</li> <li>• grows cultures of bacteria and viruses, prepares tissue sections and other organic and inorganic material for examination and stains and fixes slides for microscope work;</li> <li>• operates and services specialised scientific equipment, undertakes prescribed measurements and analyses and ensures that sterile conditions necessary for some equipment are maintained;</li> <li>• records and collates data obtained from experimental work and documents all work carried out.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Laboratory analyst</li> <li>• Laboratory technician</li> <li>• Medical laboratory assistant</li> <li>• Scientific technician</li> <li>• Water tester</li> </ul> <p>Salary rate: £17,800</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 3
3112 Electrical and electronics technicians	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• plans and prepares work and test schedules based on specifications and drawings;</li> <li>• sets up equipment, undertakes tests, takes readings, performs calculations and records and interprets data;</li> <li>• plans installation methods, checks completed installation for safety and controls or undertakes the initial running of the new electrical or electronic equipment or system;</li> <li>• diagnoses and detects faults and implements procedures to maintain efficient operation of systems and equipment;</li> <li>• visits and advises clients on the use and servicing of electrical and electronic systems and equipment.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Avionics technician</li> <li>• Electrical technician</li> </ul>	RQF 3

	<ul style="list-style-type: none"> <li>• Electronics technician</li> <li>• Installation engineer (Electricity Supplier)</li> </ul> <p>Salary rate: £22,400</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
3113 Engineering technicians	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• plans and prepares work and test schedules based on specifications and drawings;</li> <li>• sets up equipment, undertakes tests, takes readings, performs calculations and records and interprets data;</li> <li>• prepares estimates of materials, equipment and labour required for engineering projects;</li> <li>• diagnoses and detects faults and implements procedures to maintain efficient operation of systems and equipment;</li> <li>• inspects completed aircraft maintenance work to certify that it meets standards and the aircraft is ready for operation;</li> <li>• visits and advises clients on the use and servicing of mechanical and chemical engineering products and services.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Aircraft technician</li> <li>• Commissioning engineer</li> <li>• Engineering technician</li> <li>• Manufacturing engineer</li> <li>• Mechanical technician</li> </ul> <p>Salary rate: £28,600</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 3
3114 Building and civil engineering technicians	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• sets up apparatus and equipment and undertakes field and laboratory tests of soil and work materials;</li> <li>• performs calculations and collects, records and interprets data;</li> <li>• sets out construction site, supervises excavations and marks out position of building work to be undertaken;</li> <li>• inspects construction materials and supervises work of contractors to ensure compliance with specifications and arranges remedial work as necessary.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Building services consultant</li> <li>• Civil engineering technician</li> <li>• Survey technician</li> <li>• Technical assistant (civil engineering)</li> </ul> <p>Salary rate: £21,900</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no equivalent 2015 or 2016 data available)]</p>	RQF 3
3115 Quality assurance	<p>Example job tasks:</p>	RQF 3

technicians	<ul style="list-style-type: none"> <li>• sets up scientific, electronic, or other technical equipment to perform functional and inspection tests;</li> <li>• analyses and interprets the results of tests undertaken and writes up reports upon completion;</li> <li>• supervises the work of routine inspection staff and notes any defects reported; <ul style="list-style-type: none"> <li>• assists quality control engineers in undertaking production audits;</li> </ul> </li> <li>• liaises with production engineers and staff to maintain the quality of output and to develop quality management systems.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Quality assurance technician</li> <li>• Quality control technician</li> <li>• Quality officer</li> <li>• Quality technician</li> <li>• Test technician</li> </ul> <p>Salary rate: £21,800</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
3119 Science, engineering and production technicians not elsewhere classified	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• sets up apparatus for experimental, demonstration or other purposes;</li> <li>• undertakes tests and takes measurements and readings;</li> <li>• performs calculations and records and interprets data;</li> <li>• otherwise assists technologists as directed. Related job titles:</li> </ul> <ul style="list-style-type: none"> <li>• School technician</li> <li>• Technical assistant</li> <li>• Technician</li> <li>• Textile consultant</li> <li>• Workshop technician</li> </ul> <p>Salary rate: £20,500</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 3
3122 Draughtspersons	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• examines design specification to determine general requirements;</li> <li>• considers the suitability of different materials with regard to the dimensions and weight and calculates the likely fatigue, stresses, tolerances, bonds and threads; <ul style="list-style-type: none"> <li>• prepares design drawings, plans or sketches and checks feasibility of construction and compliance with safety regulations;</li> </ul> </li> <li>• prepares detailed drawings, plans, charts or maps that include natural features, desired surface finish, elevations, electrical circuitry and other details as required;</li> <li>• arranges for completed drawings to be reproduced for use as working drawings.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• CAD operator</li> </ul>	RQF 3

	<ul style="list-style-type: none"> <li>• Cartographer</li> <li>• Design technician</li> <li>• Draughtsman</li> </ul> <p>Salary rate: £23,600</p> <p>[Source: Annual Survey of Hours and Earnings 2015 (no equivalent 2016 data available)]</p>	
3132 IT user support technicians	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• provides technical support to IT users;</li> <li>• advises users on how to resolve hardware and software problems; <ul style="list-style-type: none"> <li>• installs and upgrades hardware, cables, operating systems and/or appropriate software;</li> </ul> </li> <li>• facilitates user access to systems;</li> <li>• refers more complex or intractable problems to appropriate IT professionals;</li> <li>• researches possible solutions in user guides, technical manuals and other documents; <ul style="list-style-type: none"> <li>• maintains a log of work in progress, calls received, actions taken and problems detected;</li> </ul> </li> <li>• reports on commonly occurring queries to detect underlying problems.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Customer support analyst</li> <li>• Help desk operator</li> <li>• IT support technician</li> <li>• Systems support officer</li> </ul> <p>Jobs within SOC which are skilled to RQF 3 (other jobs are lower-skilled):</p> <ul style="list-style-type: none"> <li>• Senior PC support analyst</li> <li>• Senior PC support</li> <li>• Technical pre- or post-sales support</li> <li>• Senior database administrator or analyst</li> <li>• Database administrator or analyst</li> <li>• Computer engineers, installation and maintenance</li> </ul> <p>Salary rate: £23,000</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF3/ Lower-skilled
3216 Dispensing opticians	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• interprets prescription and measures patient's face to determine distance between pupil centres, height of bridge of nose, etc.;</li> <li>• advises patient on lens type and choice of spectacle frames;</li> <li>• prepares detailed instructions for workshop;</li> <li>• ensures that completed spectacles conform to specification and fit the patient correctly and comfortably;</li> <li>• fits spectacles and advises patient on lens care and any other difficulties likely to be experienced.</li> </ul>	RQF 3

	<p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Dispensing optician</li> <li>• Optical dispenser</li> </ul> <p>Salary rate: £22,000</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no equivalent 2015 or 2016 data available)]</p>	
3217 Pharmaceutical technicians	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• checks received prescriptions for legality and accuracy;</li> <li>• prepares drugs and medicines under the supervision of pharmacist;</li> <li>• prepares specialised, tailor-made drugs for intravenous administration by hospital medical staff;</li> <li>• labels and checks items prior to dispensing; • maintains records of prescriptions received and drugs issued;</li> <li>• advises patients or customers on the use of drugs prescribed or medication purchased over the counter;</li> <li>• checks stock levels, orders new stock from pharmaceutical companies and ensures that drugs are stored appropriately.</li> </ul> <p>Related job titles: • Dispensing technician</p> <ul style="list-style-type: none"> <li>• Pharmaceutical technician</li> <li>• Pharmacy technician</li> </ul> <p>Jobs within SOC which are skilled to RQF 3 (other jobs are lower-skilled):</p> <ul style="list-style-type: none"> <li>• Jobs at NHS Agenda for Change band 4 or equivalent or above</li> </ul> <p>Salary rate: £18,800</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF3/ Lower-skilled
3231 Youth and community workers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• organises social, recreational and educational activities in local community and youth groups;</li> <li>• undertakes the day-to-day running of community centres and supervises the activities of part-time and voluntary workers;</li> <li>• liaises and supports voluntary workers running groups in village halls, churches, mosques and other places of worship;</li> <li>• advises individuals with particular needs or problems through informal discussion, individual counselling or formal group discussion;</li> <li>• helps set up credit unions, encourages parents to establish playgroups, works with other groups to find solutions to shared concerns or problems.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Community development officer</li> <li>• Youth and community worker</li> <li>• Youth project coordinator</li> <li>• Youth worker</li> </ul> <p>Salary rate: £21,400</p>	RQF 3

	[Source: Annual Survey of Hours and Earnings 2016]	
3234 Housing officers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• oversees the day-to-day running of rented properties including arranging for the signing of leases, rent collection and maintenance work;</li> <li>• interviews prospective tenants and allocates properties to waiting list applicants;</li> <li>• carries out regular inspections of properties to assess and ensure they are in a good state of repair;</li> <li>• ensures that special needs accommodation is suited to the needs of particular groups such as the elderly and disabled, and that statutory requirements for providing accommodation are met;</li> <li>• refers tenants to appropriate sources of benefits and welfare;</li> <li>• deals with payment of rents and arrears, arranges for legal action where necessary;</li> <li>• supports tenants' groups;</li> <li>• works closely with other agencies such as social services departments and welfare rights groups.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Housing adviser</li> <li>• Housing officer</li> <li>• Homeless prevention officer</li> <li>• Housing support officer</li> </ul> <p>Salary rate: £23,000</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 3
3235 Counsellors	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• meets clients face-to-face, working either one-to-one or with couples or families, or by telephone or internet;</li> <li>• encourages clients to discuss their feelings in relation to their problems, aiming to ensure that an understanding of the issues is achieved;</li> <li>• presents different perspectives to the problem areas identified;</li> <li>• refers to other appropriate sources of help;</li> <li>• keeps accurate and confidential records.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Counsellor (welfare services)</li> <li>• Debt adviser</li> <li>• Drugs and alcohol counsellor</li> <li>• Student counsellor</li> </ul> <p>Salary rate: £21,000</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no equivalent 2015 or 2016 data available)]</p>	RQF 3
3239 Welfare and	Example job tasks:	RQF 3



<p>housing associate professionals not elsewhere classified</p>	<ul style="list-style-type: none"> <li>• advises on rights and entitlements in relation to benefits, health, discrimination and welfare;</li> <li>• advises individuals and families experiencing problems about available resources to assist them;</li> <li>• assists and liaises with professionals in social work, the probation service and related welfare areas;</li> <li>• organises day, residential and home care services;</li> <li>• helps to put together care plans and follows professional's care plans;</li> <li>• maintains records and compiles reports on clients;</li> <li>• keeps up to date with legislation;</li> <li>• performs pastoral care duties, preaches sermons and conducts some services in accordance with the relevant faith or denomination.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Day centre officer</li> <li>• Health coordinator</li> <li>• Key worker (welfare services)</li> <li>• Outreach worker (welfare services)</li> <li>• Probation services officer</li> <li>• Project worker (welfare services)</li> </ul> <p>Salary rate: £19,900</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
<p>3312 Police officers (sergeant and below)</p>	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• receives instructions from senior officers and patrols an assigned area on foot, horseback, motorcycle, motor car or boat to check security and enforce regulations;</li> <li>• directs and controls traffic or crowds at demonstrations and large public events; <ul style="list-style-type: none"> <li>• investigates complaints, crimes, accidents, any suspicious activities or other incidents;</li> <li>• interviews suspects, takes statements from witnesses and stops, searches and/or arrests suspects;</li> </ul> </li> <li>• attends accidents;</li> <li>• prepares briefs or reports for senior officers;</li> <li>• works on station reception desk and or in communications room;</li> <li>• gives evidence in court cases.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Detective (police service)</li> <li>• Police constable</li> <li>• Police officer</li> <li>• Sergeant</li> <li>• Transport police officer</li> </ul> <p>Salary rate: £34,400</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	<p>RQF 3</p>
<p>3313 Fire service officers (watch manager and below)</p>	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• inspects premises to identify potential fire hazards and to check that fire fighting equipment is available and in working</li> </ul>	<p>RQF 3</p>

	<p>order and that statutory fire safety regulations are met;</p> <ul style="list-style-type: none"> <li>• arranges fire drills and tests alarm systems and equipment;</li> <li>• travels to fire or other emergency by vehicle and locates water mains if necessary;</li> <li>• operates hose pipes, ladders, chemical, foam, gas or powder fire extinguishing appliances;</li> <li>• rescues people or animals trapped by fire and administers first aid;</li> <li>• removes goods from fire damaged premises, clears excess water, makes safe any structural hazards and takes any other necessary steps to reduce damage to property;</li> <li>• attends and deals with bomb alerts and accidents involving spillage of hazardous substances;</li> <li>• advises on fire safety measures in new buildings;</li> <li>• supervises a watch.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Fire engineer</li> <li>• Fire safety officer</li> <li>• Firefighter</li> <li>• Watch manager (fire service)</li> </ul> <p>Salary rate: £30,200</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
3417 Photographers, audio-visual and broadcasting equipment operators	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• selects subject and conceives composition of picture or discusses composition with colleagues;</li> <li>• arranges subject, lighting, camera equipment and any microphones;</li> <li>• inserts lenses and adjusts aperture and speed settings as necessary;</li> <li>• operates scanning equipment to transfer image to computer and manipulates image to achieve the desired effect;</li> <li>• photographs subject or follows action by moving camera;</li> <li>• takes, records and manipulates digital images and digital video footage;</li> <li>• controls transmission, broadcasting and satellite systems for television and radio programmes, identifies and solves related technical problems;</li> <li>• checks operation and positioning of projectors, vision and sound recording equipment, and mixing and dubbing equipment;</li> <li>• operates equipment to record, edit and play back films and television programmes;</li> <li>• manages health and safety issues; • operates sound mixing and dubbing equipment to obtain desired mix, level and balance of sound.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Audio visual technician</li> <li>• Cameraman</li> <li>• Photographer</li> <li>• Projectionist</li> </ul>	RQF3/ Lower-skilled

	<ul style="list-style-type: none"> <li>• Sound engineer</li> <li>• Theatre technician (entertainment)</li> </ul> <p>Jobs within SOC which are skilled to RQF 3 (other jobs are lower-skilled):</p> <ul style="list-style-type: none"> <li>• Audio visual technician</li> <li>• Senior audio visual technician</li> <li>• Photographer</li> <li>• Press photographer (regional)</li> <li>• Press photographer (National)</li> <li>• Film technician</li> <li>• Sound recordist</li> <li>• Camera operator (film, television production)</li> </ul> <p>Salary rate: £20,700</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
3421 Graphic designers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• liaises with client to clarify aims of project brief, discusses media, software and technology to be used, establishes timetable for project and defines budgetary constraints;</li> <li>• undertakes research into project, considers previous related projects and compares costs of using different processes;</li> <li>• prepares sketches, scale drawings, models, colour schemes and other mock-ups to show clients and discusses any required alterations;</li> <li>• prepares specification and instructions for realisation of the project;</li> <li>• liaises with other parts of the production team to ensure graphic design fits with other elements, processes and timescales;</li> <li>• produces or oversees creation of the final product.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Commercial artist</li> <li>• Designer (advertising)</li> <li>• Graphic artist</li> <li>• Graphic designer</li> <li>• MAC operator</li> </ul> <p>Salary rate: £21,300</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 3
3443 Fitness instructors	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• assesses the fitness levels of clients;</li> <li>• devises programmes of training appropriate to the needs of clients with varying levels of strength, fitness and ability;</li> <li>• demonstrates and leads fitness activities and supervises exercise classes;</li> <li>• ensures that clients do not injure themselves through over exertion or using incorrect training techniques;</li> <li>• plans and monitors personal fitness schedules;</li> <li>• understands the health and safety aspects of different forms</li> </ul>	RQF 3

	<p>of exercise and ensures that any statutory requirements are met.</p> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Aerobics instructor</li> <li>• Fitness instructor</li> <li>• Gym instructor</li> <li>• Lifestyle consultant</li> <li>• Personal trainer</li> <li>• Pilates instructor</li> </ul> <p>Salary rate: £14,600</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
3511 Air traffic controllers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• maintains radio and/or radar or visual contact with aircraft and liaises with other air traffic controllers and control centres to direct aircraft in and out of controlled airspace and into holding areas ready for landing;</li> <li>• directs the movement of aircraft en route to its destination and ensures minimum distances are maintained between planes;</li> <li>• gives landing instructions to pilot and monitors descent of aircraft;</li> <li>• directs movement of aircraft and motor vehicles on runways, taxiways and in parking bays;</li> <li>• obtains information regarding weather conditions, navigational hazards, landing conditions, seating arrangements, loading of cargo, fuel and catering supplies;</li> <li>• calculates fuel consumption and optimum flying height, plans route and prepares flight plan for aircraft pilot;</li> <li>• discusses operational requirements with pilot, issues duty schedules for flight deck and cabin crews, maintains records of flight progress and authorises flight departure;</li> <li>• handles emergencies, unscheduled traffic and other unanticipated incidents.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Air traffic control officer</li> <li>• Air traffic controller • Air traffic services assistant</li> <li>• Flight planner</li> </ul> <p>Salary rate: £56,200</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no equivalent 2015 or 2016 data available)]</p>	RQF 3
3520 Legal associate professionals	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• runs chambers on behalf of principals, develops the practice, manages the flow of work, decides which cases to accept, arranges appropriate fees and prepares financial records;</li> <li>• collates information, drafts briefs and other documents;</li> <li>• interviews and advises clients, undertakes preparatory work for court cases;</li> </ul>	RQF 3

	<ul style="list-style-type: none"> <li>• attends court to assist barristers and solicitors in the presentation of a case;</li> <li>• assists in all aspects of property conveyancing and probate and common law practice.</li> </ul> <p>Related job title:</p> <ul style="list-style-type: none"> <li>• Barrister's clerk</li> <li>• Compliance officer</li> <li>• Conveyancer</li> <li>• Legal executive</li> <li>• Litigator</li> <li>• Paralegal</li> </ul> <p>Salary rate: £21,300</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
3533 Insurance underwriters	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• receives and assesses proposals and propositions for insurance from brokers and clients;</li> <li>• identifies and evaluates the risks associated with a proposal;</li> <li>• liaises with insurance surveyors, actuaries and risk managers where the risks associated with a proposal are not clear;</li> <li>• calculates premiums, provides quotations and, if acceptable to the client, issues policies;</li> <li>• ensures that the insurance policy clearly defines the liabilities accepted and any exceptions or exclusions;</li> <li>• negotiates terms of reinsurance contracts.</li> </ul> <p>Related job title:</p> <ul style="list-style-type: none"> <li>• Account handler (insurance)</li> <li>• Commercial underwriter</li> <li>• Insurance inspector</li> <li>• Mortgage underwriter</li> <li>• Underwriter</li> </ul> <p>Salary rate: £26,000</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 3
3536 Importers and exporters	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• investigates and evaluates home and overseas demand for particular commodities;</li> <li>• obtains orders from buyers and arranges payment by bill of exchange, letter of credit or other means;</li> <li>• arranges for shipment of commodities overseas and ensures that insurance and export licences are in order;</li> <li>• carries out customs clearance procedures for imports, arranges their storage and delivery and sells them personally or through a commodity broker;</li> <li>• advises home and overseas producers on the likely future demand for their goods.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Export controller</li> <li>• Export coordinator</li> </ul>	RQF 3

	<ul style="list-style-type: none"> <li>• Exporter</li> <li>• Import agent</li> <li>• Importer</li> </ul> <p>Salary rate: £25,300</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no equivalent 2015 or 2016 data available)]</p>	
3542 Business sales executives	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• discusses customer requirements and advises them on the capabilities and limitations of the goods or services being sold;</li> <li>• quotes prices, credit details, delivery dates and payment arrangements and arranges for delivery and installation of goods if appropriate;</li> <li>• makes follow up visits to ensure customer satisfaction and to obtain further orders;</li> <li>• stays abreast of advances in product/field and suggests possible improvements to product or service;</li> <li>• maintains records and accounts of sales made and handles customer complaints. Related job titles:</li> </ul> <ul style="list-style-type: none"> <li>• Corporate account executive</li> <li>• Sales agent</li> <li>• Sales consultant</li> <li>• Sales executive</li> <li>• Technical representative</li> </ul> <p>Salary rate: £23,800</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 3
3544 Estate agents and auctioneers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• discusses client's requirements and may advise client on the purchase of property and land for investment and other purposes;</li> <li>• conducts or arranges for structural surveys of properties and undertakes any necessary valuations of property or agricultural land;</li> <li>• advises vendors and purchasers on market prices of property, accompanies clients to view property;</li> <li>• markets the property on behalf of the vendor, prepares written information and press advertisements;</li> <li>• negotiates land or property purchases, sales, leases or tenancy agreements and arranges legal formalities with solicitors, building societies and other parties;</li> <li>• makes inventories of property for sale, advises vendor of suitable reserve price, issues catalogues, conducts auction, notes bids and records sale.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Auctioneer</li> <li>• Auctioneer and valuer</li> <li>• Estate agent</li> <li>• Letting agent</li> <li>• Property consultant</li> </ul>	RQF 3

	<p>Salary rate: £20,800</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
3550 Conservation and environmental associate professionals	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• assists with ecological surveys to identify plant and animal species, map their habitat and draw up conservation plans;</li> <li>• implements schemes for the management and protection of natural habitats;</li> <li>• assists with environmental audits and impact assessments;</li> <li>• organises and supervises conservation projects and the work of part-time and voluntary staff;</li> <li>• provides information and education to the public through setting up displays, writing leaflets and making presentations;</li> <li>• organises guided walks and answers questions from the public about an area and its wildlife;</li> <li>• works with the emergency services in instances of fire, flood, injury or mountain rescue.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Conservation worker</li> <li>• Countryside ranger</li> <li>• National park warden</li> <li>• Park ranger</li> </ul> <p>Salary rate: £19,100</p> <p>[Source: Annual Survey of Hours and Earnings 2015]</p>	RQF 3
3562 Human resources and industrial relations officers	<p>Example job titles:</p> <ul style="list-style-type: none"> <li>• undertakes research into pay differentials, productivity and efficiency bonuses and other payments;</li> <li>• develops and recommends personnel and industrial relations policies, assists with their implementation and drafts staff handbooks;</li> <li>• assists with negotiations between management and employees or trades unions concerning pay and conditions of employment;</li> <li>• interviews candidates for jobs;</li> <li>• advises on training and recruitment, negotiating procedures, salary agreements and other personnel and industrial relations issues;</li> <li>• deals with grievance and disciplinary procedures, and with staff welfare and counselling provision.</li> </ul> <p>Related job types:</p> <ul style="list-style-type: none"> <li>• Employment adviser</li> <li>• Human resources officer • Personnel officer</li> <li>• Recruitment consultant</li> </ul> <p>Salary rate: £23,000</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 3

4112 National government administrative occupations	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• assists senior government officers with policy work, external liaison or general administrative work;</li> <li>• undertakes administrative duties specific to the operation of HM Revenue and Customs offices, Job Centres, Benefits Agency offices and other local offices of national government; <ul style="list-style-type: none"> <li>• maintains and updates correspondence, documents, data and other records for storage in files or on computer;</li> </ul> </li> <li>• classifies, sorts and files publications, correspondence etc. in offices and libraries;</li> <li>• responds to telephone enquiries and other forms of correspondence;</li> <li>• performs miscellaneous clerical tasks such as proof reading printed material, drafting letters, taking minutes etc.</li> </ul> <p>Related job types:</p> <ul style="list-style-type: none"> <li>• Administrative assistant (courts of justice)</li> <li>• Administrative officer (government)</li> <li>• Civil servant (EO)</li> <li>• Clerk (government)</li> <li>• Revenue officer (government)</li> </ul> <p>Salary rate: £19,900</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 3
4114 Officers of non-governmental organisations	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• maintains and updates records of membership details, subscription fees, mailing lists, etc.;</li> <li>• circulates and reports information of relevance to members and interested parties; <ul style="list-style-type: none"> <li>• arranges meetings, conferences and other events and circulates agenda and other relevant material;</li> </ul> </li> <li>• receives and responds to written correspondence and telephone enquiries from members and other organisations;</li> <li>• assists with fund raising activities within a specified geographical area; <ul style="list-style-type: none"> <li>• prepares and provides measures of organisational activity for senior officials.</li> </ul> </li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Administrator (charitable organisation)</li> <li>• Organiser (trade union)</li> <li>• Secretary (research association)</li> <li>• Trade union official</li> </ul> <p>Salary rate: £21,100 [Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 3
4134 Transport and distribution clerks and assistants	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• processes customer orders and forwards requisition documentation to storage and distribution personnel;</li> <li>• formulates delivery loads, vehicle schedules and routes to be followed by delivery staff;</li> <li>• monitors tachograph readings and maintains records of hours</li> </ul>	RQF 3



	<p>worked and distance travelled by drivers;</p> <ul style="list-style-type: none"> <li>• obtains customs clearance and processes import and export documentation necessary for the movement of goods between countries;</li> <li>• maintains records regarding the movement and location of freight, containers and staff.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Export clerk</li> <li>• Logistics controller</li> <li>• Shipping clerk</li> <li>• Transport administrator</li> <li>• Transport clerk</li> <li>• Transport coordinator</li> </ul> <p>Salary rates: £19,900</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
4151 Sales administrators	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• provides information to customers on products and prices;</li> <li>• fields telephone enquiries from prospective customers on behalf of the sales team;</li> <li>• prepares sales invoices and maintains records and accounts of sales activity;</li> <li>• handles customer complaints or forwards them to relevant member of sales team;</li> <li>• carries out general clerical duties.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Marketing administrator</li> <li>• Sales administrator</li> <li>• Sales clerk</li> <li>• Sales coordinator</li> </ul> <p>Salary rate: £17,500</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 3
4214 Company secretaries	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• opens, sorts, distributes and files correspondence (both hard copy and electronic);</li> <li>• uses appropriate software to produce correspondence, memoranda, reports, presentations and other documents from drafts, handwritten copy or by transcribing dictation;</li> <li>• deals directly with routine correspondence;</li> <li>• files and retrieves documents, sets up and maintains filing systems and reproduces copies of documentation as required;</li> <li>• keeps appointments diary, makes travel arrangements and arranges conference and other functions;</li> <li>• arranges meetings, circulates agenda and other meeting documents, attends meetings, and takes and prepares minutes;</li> <li>• answers, screens, handles and directs telephone requests and enquiries, takes messages and forwards to the appropriate member of staff;</li> </ul>	RQF 3

	<ul style="list-style-type: none"> <li>• undertakes reception responsibilities by greeting visitors and arranging refreshments;</li> <li>• ensures office supplies such as stationery and equipment are maintained.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Assistant secretary</li> <li>• Club secretary</li> <li>• Company secretary</li> </ul> <p>Salary rate: £22,600</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
4215 Personal assistants and other secretaries	<p>Example of tasks:</p> <ul style="list-style-type: none"> <li>• acts as a first point of contact for a manager or team with colleagues and people from outside organisations, fields telephone enquiries, takes and passes on messages;</li> <li>• arranges appointments, keeps business diary, organises travel arrangements, makes reservations and organises a variety of functions;</li> <li>• opens, sorts, distributes and files correspondence (in hard copy and electronic) and deals directly with routine correspondence; <ul style="list-style-type: none"> <li>• uses appropriate software to produce correspondence, memoranda, reports, presentations and other documents from drafts, handwritten copy or by transcribing dictation;</li> </ul> </li> <li>• arranges and attends meetings, takes minutes and prepares records of proceedings; <ul style="list-style-type: none"> <li>• translates documents and liaises with overseas clients and suppliers.</li> </ul> </li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Executive assistant</li> <li>• PA-secretary</li> <li>• Personal assistant</li> <li>• Personal secretary</li> <li>• Secretary</li> </ul> <p>Salary rate: £20,400</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 3
5111 Farmers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• feeds and waters animals, takes responsibility for livestock health and welfare, treats minor ailments and calls vet if necessary;</li> <li>• plants, propagates, sprays, fertilises and harvests field crops;</li> <li>• undertakes farm maintenance tasks such as fencing, hedging, cleaning and building maintenance; <ul style="list-style-type: none"> <li>• operates and maintains farm machinery such as combine harvesters, straw balers, milking machines and tractors;</li> </ul> </li> <li>• arranges for the sale of crops, livestock and other farm produce; <ul style="list-style-type: none"> <li>• maintains records of production, finance and breeding;</li> </ul> </li> <li>• ensures good environmental practice is observed in all tasks.</li> </ul>	RQF3/ Lower-skilled

	<p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Agricultural contractor</li> <li>• Agricultural technician</li> <li>• Crofter (farming)</li> <li>• Farmer</li> <li>• Herd manager</li> </ul> <p>Jobs within SOC which are skilled to RQF 3 (other jobs are lower-skilled):</p> <ul style="list-style-type: none"> <li>• Herd managers</li> <li>• Livestock breeders</li> <li>• Pig breeders</li> <li>• Agricultural contractor jobs that require an RQF level 3 in Agricultural Crop Production, Mixed Farming or Livestock Production, or an NPTC Advanced National Certificate in Agriculture</li> </ul> <p>Salary rate: £16,100</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no equivalent 2015 or 2016 data available)]</p>	
5112 Horticultural trades	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• prepares soil in field, bed or pot by hand or machine;</li> <li>• mixes soil, composts, fertilisers and/or organic matter and spreads fertiliser and manure;</li> <li>• sows seeds and bulbs and transplants seedlings;</li> <li>• propagates plants by taking cuttings and by grafting and budding, applies weed-killer, fungicide and insecticide to control pests and diseases;</li> <li>• prunes and thins trees and shrubs;</li> <li>• supports trees by staking and wiring.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Grower</li> <li>• Horticulturalist (market gardening)</li> <li>• Market Gardener</li> <li>• Nursery Assistant (agriculture)</li> <li>• Nurseryman</li> </ul> <p>Jobs within SOC which are skilled to RQF 3 (other jobs are lower-skilled):</p> <ul style="list-style-type: none"> <li>• Horticultural foreman</li> <li>• Horticultural nursery supervisor</li> <li>• Horticultural technician</li> <li>• Nursery stock production technician or specialist</li> </ul> <p>Salary rate: £16,100</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no equivalent 2015 or 2016 data available)]</p>	RQF3/ Lower-skilled
5113 Gardeners and landscape gardeners	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• levels ground and installs drainage system as required;</li> </ul>	RQF3/ Lower-skilled

	<ul style="list-style-type: none"> <li>• prepares soil and plants and transplants, prunes, weeds and otherwise tends plant life;</li> <li>• protects plants from pests and diseases;</li> <li>• cuts and lays turf using hand and machine tools and repairs damaged turf;</li> <li>• prepares or interprets garden design plans;</li> <li>• moves soil to alter surface contour of land using mechanical equipment and constructs paths, rockeries, ponds and other features;</li> <li>• performs general garden maintenance.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Garden designer</li> <li>• Gardener</li> <li>• Gardener-handyman</li> <li>• Landscape gardener</li> </ul> <p>Jobs within SOC which are skilled to RQF 3 (other jobs are lower-skilled):</p> <ul style="list-style-type: none"> <li>• Gardening Team Supervisor or Manager</li> <li>• Landscaper jobs, where the job requires a Registration of Land-Based Operatives (ROLO) Gold Card</li> <li>• Garden Designer</li> </ul> <p>Salary rate: £17,400</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
5114 Groundsmen and greenkeepers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• levels ground and installs drainage system as required;</li> <li>• cuts and lays turf using hand and machine tools and repairs damaged turf;</li> <li>• moves soil to alter surface contour of land using mechanical equipment and constructs appropriate landscaping features and maintains such features;</li> <li>• monitors and maintains the quality and condition of turf;</li> <li>• rolls, mows and waters grass, marks out pitches.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Greenkeeper</li> <li>• Groundsman</li> <li>• Groundsperson</li> </ul> <p>Jobs within SOC which are skilled to RQF 3 (other jobs are lower-skilled):</p> <ul style="list-style-type: none"> <li>• Head Greenkeeper</li> <li>• Ground Manager</li> <li>• Head Groundsperson</li> </ul> <p>Salary rate: £16,100</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF3/ Lower-skilled
5119 Agricultural and fishing trades not elsewhere classified	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• nets river fish and feeds and maintains them in spawning pens, cultivates and harvests oysters, mussels and clams on natural</li> </ul>	RQF3/ Lower-skilled

	<p>and artificial beds, treats water and diseased fish, and empties and cleans outdoor tanks;</p> <ul style="list-style-type: none"> <li>• navigates and maintains shipping vessels, assists with the shooting, hauling and repairing of fishing nets, prepares, lays and empties baited pots, and guts, sorts and stows fish;</li> <li>• establishes and maintains forest nurseries, forestry and woodland, and diagnoses and treats diseased trees;</li> <li>• patrols a designated area of the countryside to monitor damage, erosion, access to rights of way and the state of footpaths and other facilities, and carries out remedial maintenance work as necessary;</li> <li>• monitors and maintains the level of wildfowl on public and private estates.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Aboricultural consultant</li> <li>• Bee farmer</li> <li>• Gamekeeper</li> <li>• Share fisherman</li> <li>• Trawler skipper</li> <li>• Tree surgeon</li> </ul> <p>Jobs within SOC which are skilled to RQF 3 (other jobs are lower-skilled):</p> <ul style="list-style-type: none"> <li>• Fishing vessel skippers in inshore areas, and limited and unlimited offshore areas</li> <li>• Fishing vessel mates in unlimited offshore areas</li> <li>• Forest officers and forest or woodland managers</li> <li>• Supervising tree surgeons and supervising arbori-culturists / arborists</li> <li>• Head gamekeepers, head river keepers and head ghillies</li> <li>• Managers in animal husbandry, forestry and fishing not elsewhere classified</li> </ul> <p>Salary rate: £17,700</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
5211 Smiths and forge workers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• reads and interprets order or blueprint to determine operational requirements;</li> <li>• heats or supervises the heating in furnace of metal to be forged;</li> <li>• positions or directs the positioning of heated metal on anvil or other work surface;</li> <li>• operates or directs operation of press or hammer and repositions workpiece between strokes;</li> <li>• uses special forging tools to shape and cut metal as required;</li> <li>• bends or shapes metal by hand forging methods using hammers, punches, drifts and other hand tools;</li> <li>• tempers and hardens forged pieces, as required, by quenching in oil or water;</li> <li>• fits and secures horses shoes.</li> </ul> <p>Related job titles:</p>	RQF 3

	<ul style="list-style-type: none"> <li>• Blacksmith</li> <li>• Chain repairer • Farrier</li> <li>• Pewtersmith</li> <li>• Steel presser</li> </ul> <p>Salary rate: £20,900</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no equivalent 2015 or 2016 data available)]</p>	
5212 Moulders, core makers and die casters	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• positions moulding frame over pattern, fills it with sand, loam, or plaster and compacts by hand or machine;</li> <li>• transfers mould unit to oven for baking or hardens by injecting carbon dioxide; <ul style="list-style-type: none"> <li>• separates mould from pattern and repairs damage or imperfections in mould surfaces;</li> <li>• applies refractory bonding solution to moulds and dies to prevent molten metal fusing with sand; • fits cores in mould to form hollow parts in casting;</li> <li>• prepares casting pit with vents to allow the escape of gases, scoops molten metal from furnace using ladle and pours it into die or die casting machine.</li> </ul> </li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Core Maker (metal trades)</li> <li>• Die Caster</li> <li>• Moulder (metal trades)</li> <li>• Pipe Maker (foundry)</li> </ul> <p>Jobs within SOC which are skilled to RQF 3 (other jobs are lower-skilled):</p> <ul style="list-style-type: none"> <li>• Jobs which require an engineering technician registered with the Engineering Council</li> <li>• Jobs which require an RQF level 3 qualification in Materials Processing and Finishing</li> <li>• Foundry or casting shop foremen</li> </ul> <p>Salary rate: £20,900</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no equivalent 2015 or 2016 data available)]</p>	RQF3/ Lower-skilled
5213 Sheet metal workers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• examines drawings and specifications to assess job requirements;</li> <li>• uses template, measuring instruments and tools to mark out layout lines and reference points;</li> <li>• uses hand or machine tools to bend, roll, fold, press or beat cut sheet metal; <ul style="list-style-type: none"> <li>• assembles prepared parts and joins them by bolting, welding or soldering;</li> <li>• finishes product by grinding, filing, cleaning and polishing;</li> <li>• repairs damaged metal parts such as copper sheets and tubes by beating, riveting, soldering, welding and fitting replacement</li> </ul> </li> </ul>	RQF 3

	<p>parts;</p> <ul style="list-style-type: none"> <li>• checks final product to ensure conformity with specifications.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Coppersmith</li> <li>• Panel beater (metal trades)</li> <li>• Sheet metal fabricator</li> <li>• Sheet metal worker</li> </ul> <p>Salary rate: £19,700</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
5214 Metal plate workers, and riveters	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• examines drawings and specifications and uses rules, scribes and punches to mark out metal plate with guidelines and reference points;</li> <li>• cuts metal plate to markings using hand or machine tools;</li> <li>• uses machine tools to bend, curve, punch, drill and straighten metal plate as required;</li> <li>• uses hydraulic jacks to position and align metal platework or frame for welding and bolting;</li> <li>• selects suitable rivets and rivets together metal plates and girders;</li> <li>• seals seams with caulking compound, smoothes welds, fixes metal doors, metal collars, portholes, tank and hatch covers and performs other metal plate finishing tasks using a variety of hand and power tools.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Boiler maker</li> <li>• Metal plate worker</li> <li>• Plater</li> <li>• Plater-welder</li> </ul> <p>Jobs within SOC which are skilled to RQF 3 (other jobs are lower-skilled):</p> <ul style="list-style-type: none"> <li>• Jobs which require successful completion of the National Apprenticeship Scheme for Engineering Construction (NASEC)</li> <li>• Jobs which require successful completion of an Advanced Modern Apprenticeship in fabrication or welding</li> </ul> <p>Salary rate: £24,600</p> <p>[Source: Annual Survey of Hours and Earnings 2015 (no 2016 equivalent data available)]</p>	RQF3/ Lower-skilled
5215 Welding trades	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• selects appropriate welding equipment such as electric arc, gas torch, etc.;</li> <li>• connects wires to power supply, or hoses to oxygen, acetylene, argon, carbon dioxide, electric arc, or other source and adjusts controls to regulate gas pressure and rate of flow;</li> <li>• cuts metal pieces using gas torch or electric arc;</li> <li>• guides electrode or torch along line of weld, burns away</li> </ul>	RQF3/ Lower-skilled

	<p>damaged areas, and melts brazing alloy or solder into joints;</p> <ul style="list-style-type: none"> <li>• cleans and smooths weld;</li> <li>• checks finished workpiece for defects and conformity with specification.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Fabricator-welder</li> <li>• Fitter-welder</li> <li>• Spot welder (metal)</li> <li>• Welder</li> <li>• Welding technician</li> </ul> <p>Jobs within SOC which are skilled to RQF 3 (other jobs are lower-skilled):</p> <ul style="list-style-type: none"> <li>• High integrity pipe welders where the job requires three or more years' related on-the-job experience</li> <li>• Welding foreman</li> <li>• Welding engineer or consultant</li> <li>• Welding fitter</li> <li>• Welding supervisor</li> <li>• Welding technician</li> <li>• Jobs which require successful completion of an Advanced Modern Apprenticeship in fabrication or welding</li> </ul> <p>Salary rate: £21,200</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
5216 Pipe fitters	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• examines drawings and specifications to determine layout of piping;</li> <li>• measures and cuts required lengths of copper, lead, steel, iron, aluminium or plastic piping using hand or machine tools; <ul style="list-style-type: none"> <li>• installs pipes for heating, ventilating, fire prevention, water and similar systems in industrial and construction settings, including oil rigs and terminals, sewerage systems and other mains networks;</li> <li>• fits piping into position and joins sections by welding, soldering, cementing, fusing, screwing or by other methods;</li> <li>• tests pipe work for leaks and makes necessary adjustments.</li> </ul> </li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Pipe engineer</li> <li>• Pipe fitter</li> <li>• Pipe welder-fitter</li> </ul> <p>Jobs within SOC which are skilled to RQF 3 (other jobs are lower-skilled):</p> <ul style="list-style-type: none"> <li>• Pipe fitter / welder jobs that require an Engineering Services Gold SKILLcard in Heating and Ventilation Fitting / Welding</li> </ul> <p>Salary rate: £21,100</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF3/ Lower-skilled



5221 Metal machining setters and setter-operators	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• examines drawings and specifications to determine appropriate method, sequence of operations and machine setting;</li> <li>• selects and fixes work-holding devices and appropriate cutting, shaping, grinding and/or forming tools;</li> <li>• sets machine controls for rotation speeds, depth of cut and stroke, and adjusts machine table, stops and guides;</li> <li>• operates automatic or manual controls to feed tool to workpiece or vice versa and checks accuracy of machining;</li> <li>• repositions workpiece, changes tools and resets machine as necessary during production run;</li> <li>• instructs operators on the safe and correct method of operation of the machine.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• CNC machinist</li> <li>• CNC programmer</li> <li>• Centre lathe turner</li> <li>• Miller (metal trades)</li> <li>• Tool setter</li> <li>• Turner</li> </ul> <p>Salary rate: £21,000</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 3
5222 Tool makers, tool fitters and markers-out	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• examines drawings and specifications to determine appropriate method and sequence of operations;</li> <li>• marks out reference points using measuring instruments and tools such as punches, rules and squares;</li> <li>• operates hand and machine tools to shape workpieces to specifications and checks accuracy of machining;</li> <li>• assembles prepared parts, checks their alignment with micrometers, optical projectors and other measuring equipment and adjusts as necessary;</li> <li>• repairs damaged or worn tools.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Die maker</li> <li>• Engineer-toolmaker</li> <li>• Jig maker</li> <li>• Marker-out (engineering)</li> <li>• Tool fitter</li> <li>• Tool maker</li> </ul> <p>Salary rate: £23,700</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 3
5223 Metal working production and maintenance fitters	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• examines drawings and specifications to determine appropriate methods and sequence of operations;</li> <li>• fits and assembles parts and/or metal sub-assemblies to fine tolerances to make marine engines, prototype metal products,</li> </ul>	RQF3/ Lower-skilled

	<p>agricultural machinery and machine tools;</p> <ul style="list-style-type: none"> <li>• fits and assembles, other than to fine tolerances, prepared parts and sub-assemblies to make motor vehicles, printing and agricultural machinery, orthopaedic appliances and other metal goods;</li> <li>• examines operation of, and makes adjustments to, internal combustion engines and motor vehicles;</li> <li>• erects, installs, repairs and services plant and industrial machinery, including railway stock, textile machines, coin operated machines, locks, sewing machines, bicycles and gas and oil appliances.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Agricultural engineer</li> <li>• Bench fitter</li> <li>• Engineering machinist</li> <li>• Fabricator</li> <li>• Installation engineer</li> <li>• Maintenance fitter</li> <li>• Mechanical engineer</li> </ul> <p>Jobs within SOC which are skilled to RQF 3 (other jobs are lower-skilled):</p> <ul style="list-style-type: none"> <li>• Fitter, turner or millwright jobs that require a completed Engineering Advanced Apprenticeship with an RQF level 3 qualification in Engineering Maintenance or Engineering Technology and Maintenance</li> </ul> <p>Salary rate: £23,000</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
5224 Precision instrument makers and repairers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• examines drawings or specifications to determine appropriate methods, materials and sequence of operation;</li> <li>• marks out and machines aluminium, brass, steel and plastics using machine tools such as grinders, lathes and shapers;</li> <li>• tests watches and clocks for repair to diagnose faults and removes, repairs or replaces damaged and worn parts;</li> <li>• tests completed timepiece for accuracy using electronic or other test equipment;</li> <li>• carries out service tasks such as cleaning, oiling and regulating;</li> <li>• checks prepared parts for accuracy using measuring equipment, assembles parts and adjusts as necessary using hand and machine tools;</li> <li>• positions, aligns and secures optical lenses in mounts;</li> <li>• tests, adjusts and repairs precision and optical instruments.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Calibration engineer</li> <li>• Horologist</li> <li>• Instrument maker</li> <li>• Instrument mechanic</li> <li>• Instrument technician</li> </ul>	RQF 3

	<ul style="list-style-type: none"> <li>• Optical technician</li> <li>• Precision engineer</li> <li>• Watchmaker</li> </ul> <p>Salary rate: £21,000</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
5231 Vehicle technicians, mechanics and electricians	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• visually checks, test drives or uses test equipment to diagnose engine and mechanical faults;</li> <li>• removes, dismantles, repairs and replaces defective parts and prepares new parts using appropriate tools;</li> <li>• reassembles, tests, adjusts and tunes the appropriate parts, systems or entire engine;</li> <li>• carries out routine maintenance checks on oil and air filters, brakes and other vehicle parts/systems;</li> <li>• diagnoses faults in electrical/electronic circuitry, removes faulty components and fits replacements;</li> <li>• checks condition of electrical/electronic systems and carries out servicing tasks;</li> <li>• installs additional electrical amenities such as radio/CD players, aerials;</li> <li>• repairs and services air conditioning, heating and engine cooling systems.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Auto electrician</li> <li>• Car mechanic</li> <li>• HGV mechanic</li> <li>• Mechanic (garage)</li> <li>• MOT tester</li> <li>• Motor mechanic</li> <li>• Motor vehicle technician</li> <li>• Technician (motor vehicles)</li> <li>• Vehicle technician</li> </ul> <p>Salary rate: £20,900</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 3
5232 Vehicle body builders and repairers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• diagnoses job requirements or ascertains work specifications from drawings or instructions;</li> <li>• selects, cuts, shapes and assembles materials to form parts of vehicle underframe, framework and body;</li> <li>• repairs damage to chassis and engine mountings using hydraulic rams, jacks and jigs;</li> <li>• hammers out dents in bodywork, fills in small depressions or corroded areas in solder, plastic or other filler compound and replaces body panels using hand and power tools;</li> <li>• installs and repairs interior fittings including seats, seatbelts and fascia in cars, sinks and special features in caravans and mobile shops;</li> <li>• positions, secures and repairs external fittings including</li> </ul>	RQF 3

	<p>windows, doors, door handles, catches and roof attachments.</p> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Bodyshop technician</li> <li>• Car body repairer</li> <li>• Coach builder</li> <li>• Panel beater</li> <li>• Restoration technician (motor vehicles)</li> <li>• Vehicle builder</li> </ul> <p>Salary rate: £21,800</p> <p>[Source: Annual Survey of Hours and Earnings 2015 (no 2016 equivalent data available)]</p>	
5234 Vehicle paint technicians	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• applies masking material to protect areas not to be coated and removes any external fixtures;</li> <li>• consults vehicle colour code, chooses appropriate paint or mixes paint to achieve desired consistency and colour;</li> <li>• uses hand or electrostatic spray gun to coat surfaces, adjusting nozzle and pressure valves of the gun as required;</li> <li>• removes masking materials and refits external fittings after completion of spraying;</li> <li>• cleans and maintains spray equipment, protective clothing and spraying booth.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Car paint sprayer</li> <li>• Coach painter</li> <li>• Paint technician (motor vehicles)</li> <li>• Vehicle refinisher</li> </ul> <p>Salary rate: £20,800</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 3
5235 Aircraft maintenance and related trades	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• examines drawings, manuals and specifications to determine appropriate methods and sequence of operations;</li> <li>• fits and assembles parts and/or metal sub-assemblies to fine tolerances to make aircraft engines;</li> <li>• replaces engine components or complete engines, installs and tests electrical and electronic components and systems in aircraft;</li> <li>• examines and inspects airframes and aircraft components, including landing gear, hydraulic systems, and de-icers to detect wear, cracks, breaks, leaks, or other problems;</li> <li>• maintains, repairs and rebuilds aircraft structures, functional components, and parts;</li> <li>• maintains comprehensive repair logs.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Aeronautical engineer</li> <li>• Aircraft electrician</li> </ul>	RQF3/ Lower-skilled

	<ul style="list-style-type: none"> <li>• Aircraft engineer</li> <li>• Aircraft fitter</li> <li>• Aircraft mechanic</li> <li>• Maintenance engineer (aircraft)</li> </ul> <p>Jobs within SOC which are skilled to RQF 3 (other jobs are lower-skilled):</p> <ul style="list-style-type: none"> <li>• Aircraft engineers</li> <li>• Licensed and military certifying engineer / inspector technician</li> <li>• Airframe fitter</li> </ul> <p>Salary rate: £28,400</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
5236 Boat and ship builders and repairers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• examines drawings and specifications to determine job requirements;</li> <li>• uses rules, scribes and punches to mark out metal plate with guidelines and reference points and cuts plates using appropriate tools;</li> <li>• uses machine tools to bend, curve, punch, drill and straighten metal plate as required and positions and aligns metal platework or frame for welding and bolting;</li> <li>• rivets together metal plates and girders, seals seams, smoothes welds, fixes metal doors, collars, portholes, tank and hatch covers;</li> <li>• selects and measures appropriate wood and cuts, shapes and drills to specification using saws, planes, chisels and other power or hand tools;</li> <li>• aligns and fixes prepared wood pieces by screwing, nailing, gluing and dowelling to form decking, small wooden marine craft and their interiors and fittings;</li> <li>• maintains and repairs woodwork and fittings.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Boat builder</li> <li>• Fitter (boat building)</li> <li>• Frame turner (ship building)</li> <li>• Marine engineer</li> <li>• Ship's joiner</li> <li>• Shipwright</li> </ul> <p>Jobs within SOC which are skilled to RQF 3 (other jobs are lower-skilled):</p> <ul style="list-style-type: none"> <li>• Jobs which require successful completion of the National Apprenticeship Scheme for Engineering Construction (NASEC)</li> <li>• Jobs which require successful completion of an Advanced Modern Apprenticeship in fabrication or welding</li> </ul> <p>Salary rate: £21,400</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF3/ Lower-skilled
5241 Electricians and	Example job tasks:	RQF3/

electrical fitters	<ul style="list-style-type: none"> <li>• examines drawings, specifications and wiring diagrams to determine the method and sequence of operations;</li> <li>• selects, cuts and lays wires and connects to sockets, plugs or terminals by crimping, soldering, brazing or bolting; <ul style="list-style-type: none"> <li>• cuts, bends and installs electrical conduit;</li> </ul> </li> <li>• assembles parts and sub-assemblies using hand tools and by brazing, riveting or welding; <ul style="list-style-type: none"> <li>• installs electrical plant, machinery and other electrical fixtures and appliances such as fuse boxes, generators, light sockets etc.;</li> <li>• examines electrical plant or machinery, domestic appliances and other electrical assembly for faults using test equipment and replaces worn parts and faulty wiring.</li> </ul> </li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Electrical contractor</li> <li>• Electrical engineer</li> <li>• Electrical fitter</li> <li>• Electrician</li> </ul> <p>Jobs within SOC which are skilled to RQF 3 (other jobs are lower-skilled):</p> <ul style="list-style-type: none"> <li>• Electricians, as defined by the joint industry board (JIB) or the Scottish joint industry board (SJIB) grading definitions</li> <li>• Approved electricians, as defined by the JIB / SJIB grading definitions</li> <li>Technicians, as defined by the JIB / SJIB grading definitions</li> </ul> <p>Salary rate: £24,800</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	Lower-skilled
5242 Tele-communications engineers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• installs internal cabling and wiring for telephone systems and fits and wires junction and distribution boxes;</li> <li>• fixes connecting wires from underground and aerial lines to premises and connects cable terminals to inside wiring;</li> <li>• installs telephones, switchboards and coin operated phone boxes;</li> <li>• uses testing equipment to locate defective components of circuitry and makes any necessary repairs;</li> <li>• tests installation and makes any further necessary adjustments;</li> <li>• assists with the erection of wooden poles or steel towers to carry overhead lines; <ul style="list-style-type: none"> <li>• connects cables and tests for any defects;</li> <li>• locates and repairs faults to lines and ancillary equipment;</li> </ul> </li> <li>• erects and maintains mobile telecommunications infrastructure.</li> </ul> <p>Related titles:</p> <ul style="list-style-type: none"> <li>• Cable joiner</li> <li>• Customer service engineer (telecommunications)</li> <li>• Installation engineer (telecommunications)</li> <li>• Network officer (telecommunications)</li> </ul>	RQF 3

	<ul style="list-style-type: none"> <li>• Telecommunications engineer</li> <li>• Telephone engineer</li> </ul> <p>Salary rate: £28,800</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
5244 TV, video and audio engineers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• examines equipment and observes reception to determine nature of defect;</li> <li>• uses electronic testing equipment to diagnose faults and check voltages and resistance;</li> <li>• dismantles equipment and repairs or replaces faulty components or wiring;</li> <li>• re-assembles equipment, tests for correct functioning and makes any necessary further adjustments;</li> <li>• carries out service tasks such as cleaning and insulation testing according to schedule.</li> </ul> <p>Related titles:</p> <ul style="list-style-type: none"> <li>• Installation engineer (radio, television and video)</li> <li>• Satellite engineer</li> <li>• Service engineer (radio, television and video)</li> <li>• Technician (radio, television and video)</li> <li>• Television engineer</li> </ul> <p>Salary rate: £23,600</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no equivalent 2015 or 2016 data available)]</p>	RQF 3
5245 IT engineers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• installs, tests and maintains computer-related hardware (processors, memory chips, circuit boards, displays, sensors, data storage devices, printers, etc.) according to given specifications;</li> <li>• diagnoses hardware related faults;</li> <li>• repairs or replaces defective components;</li> <li>• advises on and installs operating soft/firm ware and may carry out upgrades;</li> <li>• maintains documentation to track and log work in progress and completed.</li> </ul> <p>Related titles:</p> <ul style="list-style-type: none"> <li>• Computer repairer</li> <li>• Computer service engineer</li> <li>• Hardware engineer (computer)</li> <li>• Maintenance engineer (computer servicing)</li> </ul> <p>Salary rate: £21,700</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 3
5249 Electrical and electronic trades not	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• examines drawings, wiring diagrams and specifications to</li> </ul>	RQF3/ Lower-skilled

elsewhere classified	<p>determine appropriate methods and sequence of operations;</p> <ul style="list-style-type: none"> <li>• places prepared parts and sub-assemblies in position, checks their alignment and secures with hand tools to install x-ray and medical equipment, aircraft instruments and other electronic equipment;</li> <li>• removes protective sheath from wires and cables and connects by brazing, soldering or crimping and applies conductor insulation and protective coverings;</li> <li>• examines for defect and repairs electronic and related equipment;</li> <li>• tests for correct functioning and makes any further necessary adjustments;</li> <li>• performs routine servicing tasks, such as cleaning and insulation testing;</li> <li>• assists with the erection of wood poles or steel towers to carry overhead lines;</li> <li>• connects and installs transformers, fuse gear, lightning arrestors, aircraft warning lights, cable boxes and other equipment;</li> <li>• connects cables to test equipment and tests for balance, resistance, insulation and any defects;</li> <li>• locates and repairs faults to lines and ancillary equipment.</li> </ul> <p>Related titles:</p> <ul style="list-style-type: none"> <li>• Alarm engineer</li> <li>• Electronics engineer</li> <li>• Field engineer</li> <li>• Linesman • Service engineer</li> </ul> <p>Jobs within SOC which are skilled to RQF 3 (other jobs are lower-skilled):</p> <ul style="list-style-type: none"> <li>• LE1-equivalent line workers and cable jointers (Chargehands or Leadhands)</li> <li>• Electrical / electronics engineers not elsewhere classified</li> </ul> <p>Salary rates: Overhead linesworker at Linesman Erector 2 (LE2) level and above: £32,000</p> <p>[Source: Migration Advisory Committee]</p> <p>Other line repairer and cable jointer (new entrant): £21,100 Other line repairer and cable jointer (experienced worker): £25,600</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
5311 Steel erectors	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• examines drawings and specifications to assess job requirements;</li> <li>• erects ladders, scaffolding or working cage;</li> <li>• directs hoisting and positioning of girders and other metal parts and checks alignment;</li> <li>• arranges for or undertakes bolting and welding of metal parts;</li> <li>• checks alignment of metal parts using spirit level and plumb</li> </ul>	RQF 3



	<p>rule.</p> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Steel erector</li> <li>• Steel fabricator</li> <li>• Steel worker (structural engineering)</li> </ul> <p>Salary rate: £20,900</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no equivalent 2015 or 2016 data available)]</p>	
5312 Bricklayers and masons	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• examines drawings, photographs and specifications to determine job requirements;</li> <li>• marks and cuts stone using hammers, mallet and hand or pneumatic chisels;</li> <li>• spreads mortar on foundations and bricks, and places, levels and aligns bricks in mortar bed;</li> <li>• uses hand and power tools to shape, trim, carve, cut letters in and polish stone;</li> <li>• levels, aligns and embeds stone in mortar and faces brick, concrete or steel frame with stone to make and repair structures.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Bricklayer</li> <li>• Dry stone waller</li> <li>• Stone mason</li> </ul> <p>Jobs within SOC which are skilled to RQF 3 (other jobs are lower-skilled):</p> <ul style="list-style-type: none"> <li>• Architectural Stone Carver</li> <li>• Stonemason</li> <li>• Bricklayer, where the job requires RQF level 3 in Bricklaying or Trowel Trades</li> </ul> <p>Salary rate: £21,400</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF3/ Lower-skilled
5313 Roofers, roof tilers and slaters	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• measures roof or exterior wall and calculates required amounts of underfelt, tiles, slates or thatching material;</li> <li>• cuts wooden battens, felt and underfelt to required size;</li> <li>• lays and secures underfelt and covers with hot bitumen or other adhesive compound;</li> <li>• lays, aligns and secures successive overlapping layers of roofing material;</li> <li>• seals edges of roof with mortar and ensures that joints are watertight.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Mastic asphalt spreader</li> <li>• Roof tiler</li> <li>• Roofer</li> </ul>	RQF 3

	<ul style="list-style-type: none"> <li>• Roofing contractor</li> <li>• Slater</li> <li>• Thatcher</li> </ul> <p>Salary rate: £21,400</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
5314 Plumbers and heating and ventilating engineers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• examines drawings and specifications to determine layout of system;</li> <li>• measures and cuts required lengths of copper, lead, steel, iron, aluminium or plastic using hand or machine tools;</li> <li>• installs fittings such as storage tanks, cookers, baths, toilets, taps and valves, refrigerators, boilers, radiators and fires;</li> <li>• tests completed installation for leaks and makes any necessary adjustments;</li> <li>• attaches fittings and joins piping by welding, soldering, cementing, fusing, screwing or other methods;</li> <li>• repairs burst pipes and mechanical and combustion faults and replaces faulty taps, washers, valves, etc.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Gas engineer</li> <li>• Gas service engineer</li> <li>• Heating and ventilating engineer</li> <li>• Heating engineer</li> <li>• Plumber</li> <li>• Plumbing and heating engineer</li> </ul> <p>Salary rate: £24,400</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 3
5319 Construction and building trades not elsewhere classified	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• selects, measures and cuts steel bars, rods and wire to required lengths, positions and fixes reinforcements into position and tensions as required using hydraulic jacks;</li> <li>• lays bricks, tiles and building blocks to construct, repair and decorate buildings;</li> <li>• pours and levels concrete, prepares surfaces for painting and plastering, and mixes and applies plaster and paint;</li> <li>• installs plumbing fixtures, woodwork structures and fittings, and sets glass in frames;</li> <li>• maintains and repairs steeples, industrial chimneys and other high structures, and installs and replaces lightning conductors;</li> <li>• erects and repairs fencing;</li> <li>• checks and puts on diving suit and equipment and descends underwater to carry out construction, maintenance and repair tasks on sites such as oil rigs, harbours, bridges etc.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Acoustician</li> <li>• Builder</li> <li>• Building contractor</li> </ul>	RQF 3

	<ul style="list-style-type: none"> <li>• Fencer</li> <li>• Maintenance manager (buildings and other structures)</li> <li>• Property developer (building construction)</li> </ul> <p>Salary rate: £20,700</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
5411 Weavers and knitters	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• prepares machine for operation by setting input packages, feeding thread, fibre or yarn through guides, rollers, tensioners and conditioning devices, and securing to output packages, spools or cards;</li> <li>• sets controls to produce article of specified size and pattern;</li> <li>• places fibre and yarn packages on machine and draws them through appropriate guides and tensioners;</li> <li>• monitors machine operation to detect broken threads of yarn, the evenness of warp tension and the quality of output;</li> <li>• removes completed garments and lengths of fabric from machine;</li> <li>• cleans and oils machine and reports any mechanical faults;</li> <li>• hand knits garments and other items according to pattern.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Carpet weaver</li> <li>• Knitter</li> <li>• Knitwear manufacturer</li> <li>• Weaver</li> </ul> <p>Salary rate: £15,800</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no equivalent 2015 or 2016 data available)]</p>	RQF 3
5412 Upholsterers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• measures frame to be covered or examines drawings or other specifications and cuts material with shears, knife or scissors;</li> <li>• tacks and staples or otherwise secures webbing to furniture frame;</li> <li>• pads springs and secures padding by stitching, stapling, tacking, etc.;</li> <li>• pins sections of coverings together, joins by sewing and inserts trims, braids and buttons as required and fits upholstery unit to frame;</li> <li>• operates machine to compress padded spring assemblies and inserts them into mattress covers;</li> <li>• encases bed springs and padding with selected covering material by hand or machine stitching and fits castors where required;</li> <li>• replaces covering, padding, webbing or springs to repair upholstered furniture;</li> <li>• measures, cuts, pins, sews and trims fabrics to make curtains, cushions, loose covers and similar soft furnishings.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Curtain fitter</li> </ul>	RQF 3

	<ul style="list-style-type: none"> <li>• Curtain maker</li> <li>• Soft furnisher</li> <li>• Trimmer (furniture mfr)</li> <li>• Upholsterer</li> </ul> <p>Salary rate: £15,700</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no equivalent 2015 or 2016 data available)]</p>	
5413 Footwear and leather working trades	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• uses hand tools or machine to cut out, trim, punch holes in or stitch guide lines on leather or leather substitute component parts;</li> <li>• positions leather and rubber footwear component parts on lasts and shapes and joins uppers to insoles and soles;</li> <li>• uses hand tools or machine to make up and repair saddles, harnesses, belts, straps and other leather products;</li> <li>• uses hand and machine tools to sew and stitch leather and/or other material in the making and decoration of footwear and leather goods other than garments;</li> <li>• prepares paper or paperboard master patterns of component parts of footwear;</li> <li>• waxes, cleans and finishes footwear and other leather goods.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Cobbler</li> <li>• Leather worker (leather goods mfr)</li> <li>• Machinist (leather goods mfr)</li> <li>• Shoe machinist</li> <li>• Shoe repairer</li> </ul> <p>Salary rate: £15,800</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no equivalent 2015 or 2016 data available)]</p>	RQF 3
5414 Tailors and dress-makers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• takes customer's measurements and discusses required style and material;</li> <li>• prepares individual or adapts stock pattern;</li> <li>• examines fabrics or skins for flaws and prepares materials for cutting;</li> <li>• arranges pattern on correct grain of fabric, marks position and cuts out garment parts with hand shears, electric knife or cutting machine;</li> <li>• pins/tacks and fits garment on customer or dummy model and makes any necessary alterations;</li> <li>• sews garment parts together by hand or machine, makes buttonholes and sews on fasteners and trimmings;</li> <li>• shapes garment by pressing seams, pleats, etc.;</li> <li>• makes alterations to finished garments according to customer's requirements.</li> </ul> <p>Related job titles:</p>	RQF3/ Lower-skilled

	<ul style="list-style-type: none"> <li>• Cutter (hosiery, knitwear mfr)</li> <li>• Dressmaker</li> <li>• Fabric cutter</li> <li>• Tailor</li> <li>• Tailoress</li> </ul> <p>Jobs within SOC which are skilled to RQF 3 (other jobs are lower-skilled):</p> <ul style="list-style-type: none"> <li>• Bespoke or handcraft tailor jobs that require a completed Bespoke Tailoring Apprenticeship leading to an RQF level 3 in Bespoke Cutting and Tailoring</li> <li>• Jobs that require a completed Modern Apprenticeship in Handicraft Tailoring leading to an RQF level 3 in Apparel Manufacturing Technology</li> </ul> <p>Salary rate: £15,800</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no equivalent 2015 or 2016 data available)]</p>	
5419 Textiles, garments and related trades not elsewhere classified	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• marks out, cuts and sews corsets, light clothing and hoods and aprons and makes and repairs sails, boat covers and other canvas goods;</li> <li>• fills and stuffs cushions, quilts, soft toys and furniture;</li> <li>• examines sketches and draws out patterns for the manufacture of garments and upholstery;</li> <li>• shapes and steams fabric into hats or hoods and gives final shape to fibre helmets and felt hats;</li> <li>• performs other tasks not elsewhere classified, for example, forms mounts for wigs, makes buttons, shapes hat brims, and staples seams of industrial gloves.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Clothing manufacturer</li> <li>• Embroiderer</li> <li>• Hand sewer</li> <li>• Sail maker</li> <li>• Upholstery cutter</li> </ul> <p>Jobs within SOC which are skilled to RQF 3 (other jobs are lower-skilled):</p> <ul style="list-style-type: none"> <li>• Jobs that require Licentiate (LTI) or Associateship (Ctext ATI) of the Textile Institute</li> <li>• Pattern cutter jobs that require an ABC Level 3 Certificate in Pattern Cutting or an RQF level 3 in Apparel Technology</li> <li>• Head pattern graders</li> <li>• Pattern grader jobs that require a completed Advanced Apprenticeship in Textiles</li> </ul> <p>Salary rate: £15,800</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no equivalent 2015 or 2016 data available)]</p>	RQF3/ Lower-skilled

5421 Pre-press technicians	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• determines from specification the kind and size of type to be used;</li> <li>• uses computer applications to generate images and text;</li> <li>• scans and retouches digital images to create sample proofs, plans and lays out artwork to match planned design;</li> <li>• examines proof copies, checks for quality and accuracy and makes any necessary alterations;</li> <li>• processes filmsetting or desktop publishing output to produce image on film and transfers to printing plates and digital output;</li> <li>• arranges and pastes printing material onto paper ready for photographing.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Compositor</li> <li>• Plate maker</li> <li>• Pre-press manager</li> <li>• Pre-press technician</li> <li>• Type setter</li> </ul> <p>Salary Rate: £18,300</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no equivalent 2015 or 2016 data available)]</p>	RQF 3
5422 Printers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• positions form or plate on machine, checks alignments and sets press;</li> <li>• mixes and loads inks and solvents, loads paper and regulates during print run;</li> <li>• prints and examines proof copies and adjusts press as necessary;</li> <li>• starts or directs start of printing run and monitors machine to ensure that printing proceeds smoothly;</li> <li>• pours colour into machine or directly on to screen and positions screen over item;</li> <li>• operates squeegee by hand or machine to press colour through screen;</li> <li>• dips wooden pattern block into colour tray and lays different colours on top of, and adjacent to, others to form the required pattern;</li> <li>• produces, transfers and outputs digital print images;</li> <li>• maintains, adjusts, repairs and cleans machine;</li> <li>• keeps production records.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Lithographic printer</li> <li>• Machine minder (printing)</li> <li>• Print manager</li> <li>• Screen printer</li> <li>• Wallpaper printer</li> </ul> <p>Salary rate: £22,700</p>	RQF 3

	[Source: Annual Survey of Hours and Earnings 2016]	
5423 Print finishing and binding workers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• folds, collates and sews printed sheets by hand or machine;</li> <li>• compresses sewn book in nipping machine to expel air and reduce swelling caused by sewing;</li> <li>• trims head, tail and fore-edge of book and gilds and marbles page edges as necessary;</li> <li>• cuts board and cloth for book cover and spine;</li> <li>• embosses lettering or decoration on cover by hand or machine;</li> <li>• repairs worn book bindings;</li> <li>• sets up and supervises automatic binding and finishing machine.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Binder's assistant</li> <li>• Book binder</li> <li>• Finishing supervisor (printing)</li> <li>• Print finisher</li> </ul> <p>Salary rate: £17,800</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 3
5431 Butchers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• slaughters animal and removes skin, hide, hairs, internal organs, etc.;</li> <li>• cuts or saws carcasses into manageable portions;</li> <li>• removes bones, gristle, surplus fat, rind and other waste material;</li> <li>• cuts carcass parts into chops, joints, steaks, etc. for sale;</li> <li>• prepares meat for curing or other processing; cleans tools and work surfaces.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Butcher</li> <li>• Butcher's assistant</li> <li>• Butchery manager</li> <li>• Master butcher</li> <li>• Slaughterman</li> </ul> <p>Salary rate: £16,800</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 3
5432 Bakers and flour confectioners	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• weighs ingredients according to recipe;</li> <li>• mixes ingredients using hand or machine to obtain the required consistency;</li> <li>• rolls and cuts pastry, stretches, kneads and moulds dough to form bread, rolls and buns;</li> <li>• fills and glazes pastry, mixes ingredients for cakes;</li> <li>• bakes bread, pastry and cakes;</li> <li>• makes cake decorations, spreads icing, fillings and toppings on</li> </ul>	RQF 3

	<p>products.</p> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Baker</li> <li>• Baker's assistant</li> <li>• Bakery manager</li> <li>• Cake decorator</li> <li>• Confectioner</li> </ul> <p>Salary rate: £16,200</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
5433 Fish-mongers and poultry dressers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• scrubs, de-scales, heads, guts, washes and bones fish;</li> <li>• cuts and slits fish for curing by hand or machine;</li> <li>• removes feathers and internal organs, extracts edible offal and cuts off feet and head from poultry carcasses and dresses as required;</li> <li>• cleans tools and work surfaces.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Butcher (fish, poultry)</li> <li>• Filleter (fish)</li> <li>• Fish processor</li> <li>• Fishmonger</li> <li>• Poultry processor</li> </ul> <p>Jobs within SOC which are skilled to RQF 3 (other jobs are lower-skilled):</p> <ul style="list-style-type: none"> <li>• Manual filleters of frozen fish, where the job requires an individual with three or more years' related on-the-job paid experience</li> <li>• Machine-trained operatives in the fish processing industry, where the job requires an individual with three or more years' related on-the-job paid experience</li> <li>• Quality controllers in the fish processing industry, where the job requires an individual with three or more years' related on-the-job paid experience</li> </ul> <p>Salary rate: £15,200</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no equivalent 2015 or 2016 data available)]</p>	RQF3/ Lower-skilled
5434 Chefs	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• requisitions or purchases and examines foodstuffs from suppliers to ensure quality;</li> <li>• plans menus, prepares, seasons and cooks foodstuffs or oversees their preparation and monitors the quality of finished dishes;</li> <li>• supervises, organises and instructs kitchen staff and manages the whole kitchen or an area of the kitchen;</li> <li>• ensures relevant hygiene and health and safety standards are maintained within the kitchen;</li> </ul>	RQF3/ Lower-skilled



	<ul style="list-style-type: none"> <li>• plans and co-ordinates kitchen work such as fetching, clearing and cleaning of equipment and utensils.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Chef</li> <li>• Chef-manager</li> <li>• Head chef</li> <li>• Pastry chef</li> </ul> <p>Jobs within SOC which are skilled to RQF 3 (other jobs are lower-skilled):</p> <ul style="list-style-type: none"> <li>• Skilled chef jobs where the pay is at least equal to the appropriate salary rates shown and the job requires three or more years relevant experience</li> </ul> <p>Salary rates: Skilled chef as defined in the Shortage Occupation List in Appendix K: £29,570</p> <p>[Source: Migration Advisory Committee]</p> <p>Other chef: £15,600</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p> <p>All rates apply after deductions for accommodation, meals, etc. Any overtime must also be paid at least at these rates.</p>	
5436 Catering and bar managers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• plans catering or bar services and supervises staff;</li> <li>• decides on range and quality of meals and beverages to be provided or discusses customer's requirements for special occasions;</li> <li>• purchases or directs the purchasing of supplies and arranges for preparation of accounts;</li> <li>• verifies that quality of food, beverages and waiting service are as required and that kitchen and dining areas are kept clean in compliance with statutory requirements;</li> <li>• checks that supplies are properly used and accounted for to prevent wastage and loss and to keep within budget limit.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Bar manager</li> <li>• Catering manager</li> <li>• Floor manager (restaurant)</li> <li>• Kitchen manager</li> <li>• Steward (club)</li> </ul> <p>Jobs within SOC which are skilled to RQF 3 (other jobs are lower-skilled):</p> <ul style="list-style-type: none"> <li>• Catering manager</li> <li>• Banqueting manager</li> <li>• Hotel food and beverage manager</li> </ul> <p>Salary rate: £16,800</p>	RQF3/ Lower-skilled

	[Source: Annual Survey of Hours and Earnings 2016]	
5441 Glass and ceramics makers, decorators and finishers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• uses hand tools and operates machinery to heat, bend, shape, press, drill and cut glass;</li> <li>• makes artificial eyes, laminated glass sheets or blocks, glass fibre tissue, wool, filament and matting, marks optical lenses and assembles rimless spectacles;</li> <li>• makes models and moulds from moulding clay and plaster for use in the making and casting of pottery and other ceramic goods;</li> <li>• throws, casts and presses clay by hand or machine to form pottery, stoneware or refractory goods such as bricks, crucibles, ornaments, sanitary furnishings, saggars, cups, saucers, plates and roofing tiles;</li> <li>• cuts and joins unfired stoneware pipes to form junctions and gullies, moulds sealing bands on clay pipes, prepares and joins porcelain or earthenware components and assists crucible makers and stone workers with their tasks;</li> <li>• applies decorative designs and finishes to glassware, optical glass and ceramic goods by grinding, smoothing, polishing, cutting, etching, dipping, painting or transferring patterns or labels.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Ceramic artist</li> <li>• Glass blower</li> <li>• Potter (ceramics mfr)</li> <li>• Pottery worker</li> <li>• Sprayer (ceramics mfr)</li> <li>• Stained glass artist</li> </ul> <p>Salary rate: £15,200</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 3
5442 Furniture makers and other craft woodworkers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• examines drawings and specifications to determine job requirements and appropriate materials;</li> <li>• selects, measures, cuts and shapes wood using saws, chisels, planes, powered hand tools and woodworking machines;</li> <li>• assembles parts with crafted joints, nails, screws, dowels or adhesives and fits locks, catches, hinges, castors, drawers, shelves and other fittings;</li> <li>• removes, replaces or repairs damaged parts of wooden furniture;</li> <li>• measures floor area to be covered and lays wood blocks, parquet panels or hardwood strips;</li> <li>• matches and marks out veneers ready for cutting and examines and repairs defects in veneer or plywood sheets.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Antiques restorer</li> <li>• Cabinet maker</li> <li>• Coffin maker</li> </ul>	RQF 3

	<ul style="list-style-type: none"> <li>• Furniture restorer</li> <li>• Picture framer</li> <li>• Sprayer (furniture mfr)</li> </ul> <p>Salary rate: £18,900</p> <p>[Source: Annual Survey of Hours and Earnings 2015 (no 2016 equivalent data available)]</p>	
5443 Florists	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• orders and purchases fresh flowers, foliage and other floristry items such as ribbons, wire, cards, artificial flowers etc. from wholesalers or growers;</li> <li>• displays and cares for flowers, plants and ready-made floral arrangements in selling premises;</li> <li>• designs and makes up wreaths, bouquets, posies, corsages, headdresses and button holes using appropriate flowers, foliage, frame and trimmings;</li> <li>• confers with and advises customers regarding their design requirements and arranges for the delivery of floral arrangements as requested by the customer;</li> <li>• decorates buildings, halls, churches or other facilities for parties, weddings, etc.;</li> <li>• sells flowers, plants, foliage etc. to the public and performs retail duties such as keeping accounts.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Floral assistant</li> <li>• Floral designer</li> <li>• Florist</li> <li>• Flower arranger</li> </ul> <p>Jobs within SOC which are skilled to RQF 3 (other jobs are lower-skilled):</p> <ul style="list-style-type: none"> <li>• Florist managers and shop managers who manage purchasing and relationships with suppliers, manage and develop staff, and ensure that the business meets health and safety standards and other legal requirements</li> <li>• Senior florists and floral designers who manage the production and design of formal displays</li> </ul> <p>Salary rate: £16,900</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no equivalent 2015 or 2016 data available)]</p>	RQF3/ Lower-skilled
5449 Other skilled trades not elsewhere classified	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• uses hand or machine tools to engrave letters, patterns and other designs on jewellery and stoneware;</li> <li>• constructs and covers wire frames for lampshades;</li> <li>• makes wigs, beards and other artificial hairpieces from human hair or synthetic materials;</li> <li>• interweaves canes of willow, withy, bamboo, rattan or similar material to make baskets and other pieces of wickerwork;</li> <li>• charges fireworks, cartridges and other munitions with</li> </ul>	RQF 3

	<p>explosive material;</p> <ul style="list-style-type: none"> <li>• makes children's toys, dolls, models, candles, artificial flowers and other fancy goods;</li> <li>• makes, maintains and adapts surgical and orthopaedic appliances;</li> <li>• makes patterns for moulds, fits metal castings, pours plaster, fills plaster mould with resin and smooths surface;</li> <li>• makes musical instruments, makes and assembles parts for musical instruments, and tunes to improve pitch, tone and volume;</li> <li>• makes and repairs jewellery and decorative precious metal ware, sets, cuts and polishes gemstones and makes master patterns for articles of jewellery.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Diamond mounter</li> <li>• Engraver</li> <li>• Goldsmith</li> <li>• Paint sprayer</li> <li>• Piano tuner</li> <li>• Sign maker</li> <li>• Silversmith</li> <li>• Wig maker</li> </ul> <p>Salary rate: £18,900</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
6121 Nursery nurses and assistants	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• baths, dresses, prepares feed for and feeds babies, changes babies clothing whenever necessary;</li> <li>• supervises young children at mealtimes;</li> <li>• plans and organises games and other activities and supervises children's play;</li> <li>• reads stories, organises counting games to help develop language and number skills;</li> <li>• writes reports on children's development and maintains awareness of health and safety issues;</li> <li>• communicates with parents and colleagues on children's development and well-being.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Crèche assistant</li> <li>• Crèche worker</li> <li>• Nursery assistant</li> <li>• Nursery nurse</li> </ul> <p>Jobs within SOC which are skilled to RQF 3 (other jobs are lower-skilled):</p> <ul style="list-style-type: none"> <li>• Nursery nurse / practitioner</li> <li>• Nursery supervisor</li> <li>• Nursery room leader</li> <li>• Montessori teacher</li> <li>• Pre-school assistant</li> </ul>	RQF3/ Lower-skilled

	Salary rate: £13,200  [Source: Annual Survey of Hours and Earnings 2016]	
6123 Play-workers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• supervises children's games and encourages the development of physical, social and language skills;</li> <li>• provides play areas and prepares materials for a wide range of children's activities;</li> <li>• encourages children's independence, self-confidence and social interaction;</li> <li>• organises and supervises children on excursions;</li> <li>• organises and supervises children's activities in accordance with Health and Safety regulations, deals accordingly with injuries and emergencies;</li> <li>• puts away equipment and cleans premises after use;</li> <li>• liaises with parents, carers and colleagues and keeps appropriate records.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Playgroup assistant</li> <li>• Playgroup leader</li> <li>• Playgroup supervisor</li> <li>• Playworker</li> </ul> <p>Jobs within SOC which are skilled to RQF 3 (other jobs are lower-skilled):</p> <ul style="list-style-type: none"> <li>• Playgroup leader</li> <li>• Playgroup supervisor</li> </ul> <p>Salary rate: £13,400  [Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)]</p>	RQF3/ Lower-skilled
6131 Veterinary nurses	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• assists the veterinary surgeon during surgical and medical treatments of animals;</li> <li>• prepares operating theatre, sterilises equipment and assists in theatre as required;</li> <li>• dispenses and administers medication and applies dressings to animals under direction from the veterinarian;</li> <li>• handles animals during treatment;</li> <li>• collects and analyses blood, urine and other samples;</li> <li>• cares for animals in hospital accommodation and keeps accurate records;</li> <li>• maintains the biosecurity of the veterinary premises;</li> <li>• advises clients on preventative medicine to maintain appropriate animal health and welfare.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Animal nurse</li> <li>• Veterinary nurse</li> </ul> <p>Salary rate: £16,100</p>	RQF 3

	[Source: Annual Survey of Hours and Earnings 2016]	
6139 Animal care services occupations not elsewhere classified	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• feeds, washes, grooms, trims and exercises animals;</li> <li>• cleans animals' quarters and renews bedding as necessary;</li> <li>• houses, feeds, exercises, trains, grooms horses, dogs and other animals in preparation for entry to shows, races and other events;</li> <li>• checks animals for illness, treats minor ailments or calls for vet if further treatment is required;</li> <li>• meets prospective owners and advises on animal selection and animal care;</li> <li>• patrols public areas to search for and capture stray or nuisance dogs, and transports captured animals to kennels.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Animal technician</li> <li>• Canine beautician</li> <li>• Groom</li> <li>• Kennel assistant</li> <li>• Kennel maid</li> <li>• Stable hand</li> </ul> <p>Jobs within SOC which are skilled to RQF 3 (other jobs are lower-skilled):</p> <ul style="list-style-type: none"> <li>• Head lad and travelling head lad for horseracing stables</li> <li>• Head groom for horseracing stables and performance horse stud farms <ul style="list-style-type: none"> <li>• Competition groom</li> </ul> </li> <li>• Stud hand, stallion handler, foaling specialists in performance horse • stud farms <ul style="list-style-type: none"> <li>• Head riding instructor</li> <li>• Work rider</li> </ul> </li> </ul> <p>Salary rate: £14,200</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF3/ Lower-skilled
6141 Nursing auxiliaries and assistants	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• performs basic clinical tasks such as taking patients' temperature and pulse, weighing and measuring, performing urine tests and extracting blood samples;</li> <li>• prepares patient for examination and treatment;</li> <li>• distributes and serves food, assists patients in feeding and prepares snacks and hot drinks;</li> <li>• assists patients in washing, dressing, toiletry activities and general mobility;</li> <li>• changes bed linen, makes beds and tidies wards.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Auxiliary nurse</li> <li>• Health care assistant (hospital service)</li> <li>• Health care support worker</li> <li>• Nursing assistant</li> </ul>	RQF3/ Lower-skilled

	<ul style="list-style-type: none"> <li>• Nursing auxiliary</li> </ul> <p>Jobs within SOC which are skilled to RQF 3 (other jobs are lower-skilled):</p> <ul style="list-style-type: none"> <li>• Jobs at NHS Agenda for Change band 3 or equivalent or above</li> </ul> <p>Salary rates: Band 3 and equivalent: £16,800 Band 4 and equivalent: £19,217</p> <p>[Source: NHS Agenda for Change 2016]</p>	
6143 Dental nurses	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• prepares patient for examination;</li> <li>• prepares and sterilises instruments and follows guidelines to maintain sterile conditions within the surgery;</li> <li>• hands required equipment and medication to dentist during examination;</li> <li>• assists with minor treatment, such as preparing materials for fillings;</li> <li>• removes water and saliva from patient's mouth during treatment;</li> <li>• maintains records, processes and mounts x ray films and undertakes reception duties.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Dental assistant</li> <li>• Dental nurse</li> <li>• Dental nurse-receptionist</li> <li>• Dental surgery assistant</li> </ul> <p>Jobs within SOC which are skilled to RQF 3 (other jobs are lower-skilled):</p> <ul style="list-style-type: none"> <li>• Registered dental nursing jobs that require registration with the General Dental Council (GDC) (Dental nurse is a protected title)</li> </ul> <p>Salary rates: Band 3 and equivalent: £16,800 Band 4 and equivalent: £19,217 Band 5 and equivalent: £21,909 Band 6 and equivalent: £26,303</p> <p>[Source: NHS Agenda for Change 2016]</p>	RQF3/ Lower-skilled
6144 Houseparents and residential wardens	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• creates friendly, secure atmosphere and tries to gain the trust and confidence of those in the home or under supervision;</li> <li>• plans and participates in games and leisure activities to encourage emotional, social, physical and intellectual development;</li> <li>• ensures that all material needs of residents are provided and endeavours to resolve any problems that they may have;</li> <li>• provides one-to-one counselling or group therapy;</li> <li>• establishes and maintains contact with members of the</li> </ul>	RQF 3

	<p>neighbouring community and/or the residents' family and friends;</p> <ul style="list-style-type: none"> <li>• maintains contact and discusses problems/progress with other staff and social workers;</li> <li>• keeps records and writes reports.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Foster carer</li> <li>• Matron (residential home)</li> <li>• Resident warden</li> <li>• Team leader (residential care home)</li> <li>• Warden (sheltered housing)</li> </ul> <p>Salary rate: £17,700</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
6146 Senior care workers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• routinely oversees and monitors care workers and home carers;</li> <li>• takes responsibility for the shift and for the service while on duty;</li> <li>• responds to emergencies and provides guidance and support to care workers;</li> <li>• assists and enables service users to dress, undress, wash, use the toilet and bathe;</li> <li>• serves meals to service users at table or in bed, assists with feeding if required;</li> <li>• generally assists with service users' overall comfort and well being;</li> <li>• provides interest and activities to stimulate and engage the service user;</li> <li>• helps with daily activities such as letter writing, paying bills, collecting benefits;</li> <li>• undertakes light cleaning and domestic duties including meal preparation as required;</li> <li>• monitors service users' conditions by taking temperature, pulse, respiration and weight, and contributes to record keeping;</li> <li>• liaises with professional staff in carrying out care plans etc.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Senior care assistant</li> <li>• Senior carer</li> <li>• Senior support worker (Local government: welfare services)</li> <li>• Team leader (nursing home)</li> </ul> <p>Jobs within SOC which are skilled to RQF 3 (other jobs are lower-skilled):</p> <ul style="list-style-type: none"> <li>• Skilled senior care worker jobs in England and Northern Ireland which include responsibility for supervising staff, and require a relevant RQF level 2 or equivalent qualification in care and two or more years relevant experience</li> <li>• Skilled senior care worker jobs in Scotland which include responsibility for supervising staff, and require a relevant</li> </ul>	RQF3/ Lower-skilled



	<p>Scottish Credit and Qualifications Framework level 6 or equivalent qualification in care and registration with the Scottish Social Services Council as a Supervisor</p> <ul style="list-style-type: none"> <li>• Skilled senior care worker jobs in Wales which require a relevant RQF level 3 or equivalent qualification in care and registration with the Care Council for Wales as an Assistant Manager, Senior Care Worker, Senior Care Officer or Senior Care Assistant</li> <li>• Senior care worker jobs where the individual has (or previously had) leave as a work permit holder which was granted for them to do the job</li> </ul> <p>Salary rate: £14,900 This rate applies after deductions for accommodation, meals, etc. Any overtime must also be paid at least at this rate.</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
6214 Air travel assistants	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• passengers at airport terminal, examines tickets and other documentation, checks in luggage and distributes boarding passes;</li> <li>• checks emergency equipment, distributes reading material, blankets and other items, and ensures that the aircraft is ready for the receipt of passengers;</li> <li>• welcomes passengers on board the aircraft, guides them to their seats and assists with any hand luggage;</li> <li>• ensures that sufficient stocks of meals and beverages are on board the aircraft prior to take off and serves passengers during the flight;</li> <li>• sells duty-free goods during the flight;</li> <li>• makes announcements on behalf of the pilot, demonstrates the use of emergency equipment and checks that safety belts are fastened;</li> <li>• directs and instructs passengers in the event of an emergency, ensures safety procedures are followed.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Air hostess</li> <li>• Cabin crew</li> <li>• Customer service agent (travel)</li> <li>• Flight attendant</li> <li>• Passenger service agent</li> </ul> <p>Salary rate: £18,500</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 3
6215 Rail travel assistants	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• examines and collects tickets at the ticket barrier of a railway station;</li> <li>• helps with passenger enquiries and makes announcements over a public address system at stations;</li> <li>• loads and unloads mail, goods and luggage, operates lifts and hoists and drives small trucks;</li> </ul>	RQF 3

	<ul style="list-style-type: none"> <li>• assists passengers with special needs to board and leave trains;</li> <li>• attends to the safety, welfare and comfort of passengers on trains and manages train crew;</li> <li>• checks control panel operation before start of journey, operates train door controls and signals to driver to start or stop train;</li> <li>• inspects and issues tickets on trains, deals with passenger enquiries, and takes charge of goods being transported on train.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Retail service manager (railways)</li> <li>• Station assistant (underground railway)</li> <li>• Ticket inspector (railways)</li> <li>• Train conductor</li> <li>• Train manager</li> </ul> <p>Salary rate: £25,800</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
7125 Merchandisers and window dressers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• monitors stock movements, considers customer requirements and assists customers in completing orders;</li> <li>• supplies information about the product to the retailer and sales staff and deals with customer enquiries;</li> <li>• consults with advertising and sales staff and advises retailers on the optimal display of a product and of any promotions;</li> <li>• implements plans from display designers or display managers or develops ideas and plans for merchandise display or window dressing;</li> <li>• prepares area for new display, constructs or assembles displays from a variety of materials, and dismantles existing displays and returns merchandise to relevant departments;</li> <li>• provides feedback about displays to senior managers.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Merchandiser</li> <li>• Sales merchandiser</li> <li>• Visual merchandising manager</li> <li>• Window dresser</li> </ul> <p>Salary rate: £18,200</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 3
7130 Sales supervisors	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• directly supervises and coordinates the activities of sales and related workers;</li> <li>• establishes and monitors work schedules to meet sales and productivity targets;</li> <li>• liaises with managers and other departments to resolve operational problems;</li> <li>• determines or recommends staffing and other needs to meet sales and productivity targets;</li> </ul>	RQF 3

	<ul style="list-style-type: none"> <li>• reports as required to managerial staff on departmental activities.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Sales supervisor (retail trade: delivery round)</li> <li>• Section manager (retail trade)</li> <li>• Shop supervisor (retail trade)</li> <li>• Supervisor (retail, wholesale trade)</li> <li>• Team leader (retail trade)</li> </ul> <p>Salary rate: £16,600</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
7215 Market research interviewers	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• approaches members of the public, individuals, households and organisations to arrange and conduct face-to-face interviews, telephone interviews, focus groups, panel interviews etc.;</li> <li>• records progress of interviews by noting answers, completing questionnaires, making audio or visual recordings or inputting responses into a computer;</li> <li>• collects questionnaires, diaries, and other research materials left with interviewees and conducts follow-up interviews;</li> <li>• collates and reviews information collected and compiles reports to pass back to the organisation/individual commissioning the market research.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Interviewer (market research)</li> <li>• Market researcher (interviewing)</li> <li>• Telephone interviewer</li> <li>• Telephone researcher</li> <li>• Traffic enumerator</li> </ul> <p>Salary rate: £15,600</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no equivalent 2015 or 2016 data available)]</p>	RQF 3
8124 Energy plant operatives	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• determines job requirements from switchboard attendant or operating instructions;</li> <li>• opens valves and operates controls to regulate the flow of fuel to boiler or generating equipment;</li> <li>• operates remote control panel to load fuel and remove discharged fuel elements from nuclear reactors;</li> <li>• adjusts controls to maintain correct running speed of turbine or generator and monitors temperature and pressure controls on boilers;</li> <li>• records instrument readings periodically and shuts down turbine/generator or boiler as demand decreases;</li> <li>• carries out minor maintenance tasks and prescribed tests and reports any faults.</li> </ul>	RQF 3

	<p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Boilerman</li> <li>• Control room operator(electric)</li> <li>• Hydraulic engineman</li> <li>• Plant operator (electricity supplier)</li> <li>• Power station operator</li> </ul> <p>Salary rate: £22,100</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	
8126 Water and sewerage plant operatives	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• attends water filtration and purification plant, monitors chemical treatment and regulates treatment of water supply within strict guidelines;</li> <li>• opens and closes valves to regulate quantity and pressure of water and reports defective valves or abnormal water pressure;</li> <li>• stops water supply in an emergency and informs consumers likely to be affected;</li> <li>• regulates flow of raw sewage into screening plant, releases screened sewage and regulates its flow into detritus pits, sedimentation tanks and filtration beds;</li> <li>• cleans out screen compartments, sedimentation tanks and filtration beds manually or using mechanical scraper;</li> <li>• patrols sections of sewer, examines for any blockages or gas releases and clears blockages by flushing or by using boring rods;</li> <li>• digs trench and assists pipe layers to lay, renew or repair sewerage pipes.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Controller (water treatment)</li> <li>• Plant operator (sewage works)</li> <li>• Pump attendant</li> <li>• Water treatment engineer</li> <li>• Water treatment operator</li> </ul> <p>Salary rate: £21,000</p> <p>[Source: Annual Survey of Hours and Earnings 2016]</p>	RQF 3
8215 Driving instructors	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• checks instruction and learning standards and discusses teaching plans with other instructors;</li> <li>• plans lessons in accordance with the needs and abilities of individual pupils;</li> <li>• explains driving techniques and assists pupil with difficulties;</li> <li>• familiarises pupil with the Highway Code and different road and traffic conditions;</li> <li>• advises pupil when to apply for theoretical and practical driving tests and familiarises them with test procedures and standards.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Driving instructor</li> </ul>	RQF 3

	<ul style="list-style-type: none"> <li>• HGV instructor</li> <li>• Instructor (driving school)</li> <li>• Motorcycle instructor</li> </ul> <p>Salary rate: £18,400</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no equivalent 2015 or 2016 data available)]</p>	
8232 Marine and waterways transport operatives	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• ensures that necessary fuel supplies are on board and inspects engine, boilers and other mechanisms for correct functioning;</li> <li>• removes and repairs or replaces damaged or worn parts of plant and machinery and ensures that engine and plant machinery are well lubricated;</li> <li>• stows cargo, assists passengers to embark and disembark, watches for hazards and moors or casts off mooring ropes as required;</li> <li>• steers ship, under the supervision of a duty officer, checks navigational aids and keeps bridge, wheel and chartroom clean and tidy;</li> <li>• performs other deck duties, including servicing and maintaining deck gear and rigging, splicing wire and fibre ropes, greasing winches and derricks, opening up and battening down hatches, securing gangways and ladders and lowering and raising lifeboats.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Engine room attendant (shipping)</li> <li>• Engineer, nos (boat, barge)</li> <li>• Ferryman</li> <li>• Merchant seaman</li> <li>• Seaman (shipping)</li> </ul> <p>Jobs within SOC which are skilled to RQF 3 (other jobs are lower-skilled):</p> <ul style="list-style-type: none"> <li>• Merchant navy master</li> <li>• Merchant navy chief officer</li> <li>• Merchant navy 2nd officer</li> <li>• Merchant navy 3rd officer</li> <li>• Merchant navy chief engineer officer</li> <li>• Merchant navy 2nd engineer officer</li> <li>• Merchant navy 3rd engineer officer</li> <li>• Merchant navy 4th engineer officer</li> <li>• Officer of the watch</li> <li>• Chief mate</li> <li>• Ship master</li> </ul> <p>Salary rate: £28,800</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no equivalent 2015 or 2016 data available)]</p>	RQF3/ Lower-skilled
9119 Fishing and other elementary agriculture	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• assists with the shooting, hauling and repairing of nets,</li> </ul>	RQF3/ Lower-skilled

occupations not elsewhere classified	<p>prepares, lays and empties baited pots at intervals, operates winches and lifting gear, and guts, sorts and stows fish;</p> <ul style="list-style-type: none"> <li>• harvests oysters, mussels, clams and seaweed off natural or artificial beds, nets river fish and maintains them in spawning pens, assists with feeding and water treatment, and empties and cleans outdoor tanks;</li> <li>• cleans animals' quarters and renews bedding as necessary;</li> <li>• extracts semen for storage, selects appropriate semen from store, injects recipient animal and issues certificate giving pedigree and date of insemination;</li> <li>• incubates eggs in hatchery and supplies chicks for meat and egg production and game birds for reserves;</li> <li>• plants cuttings or shrubs, maintains hedges by clipping, pruning and re-planting, and picks fruit, vegetables, hops and flowers;</li> <li>• performs other farming and related tasks not elsewhere classified including sorting and marking livestock, catching rabbits, cutting peat, shearing sheep and sexing chickens.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Horticultural worker</li> <li>• Labourer (landscape gardening)</li> <li>• Mushroom picker</li> <li>• Nursery worker</li> </ul> <p>Jobs within SOC which are skilled to RQF 3 (other jobs are lower-skilled):</p> <ul style="list-style-type: none"> <li>• Sheep Shearers with a recognised qualification equivalent to British Wool Marketing Board (BWMB) Bronze, Silver or Gold Seal</li> <li>• Chick sexers (vent sexers)</li> </ul> <p>Salary rate: £14,300</p> <p>[Source: Annual Survey of Hours and Earnings 2014 (no equivalent 2015 or 2016 data available)]</p>	
9273 Waiters and waitresses	<p>Example job tasks:</p> <ul style="list-style-type: none"> <li>• sets tables with clean linen, cutlery, crockery and glassware;</li> <li>• presents menus and wine lists to patrons and may describe dishes and advise on selection of food or wines;</li> <li>• takes down orders for food and/or drinks and passes order to kitchen and/or bar;</li> <li>• serves food and drinks;</li> <li>• presents bill and accepts payment at end of the meal.</li> </ul> <p>Related job titles:</p> <ul style="list-style-type: none"> <li>• Head waiter</li> <li>• Silver service waiter</li> <li>• Steward (catering)</li> <li>• Waiter</li> <li>• Waitress</li> </ul> <p>Jobs within SOC which are skilled to RQF 3 (other jobs are lower-skilled):</p>	RQF3/ Lower-skilled

	<ul style="list-style-type: none"> <li>• Head waiter or waitress, establishments with 80 or more covers (covers being the maximum number of customers that can be seated at any one time)</li> <li>• Sommelier</li> </ul> <p>Salary rate: £10,800</p> <p>[Source: Annual Survey of Hours and Earnings 2015 (no equivalent 2016 data available)]</p>	
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**Table 5 – Further lower-skilled occupations which are ineligible for Sponsorship in Tier 2 (General) and Tier 2 (Intra-Company Transfer) applications**

<b>SOC code and description</b>	<b>Related job titles</b>	<b>Skill level</b>
3233 Child and early years officers	Child protection officer Education welfare officer Portage worker (educational establishments)	Lower-skilled
3315 Police community support officers	Civilian support officer (police service) Community support officer (police service) Police community support officer	Lower-skilled
4113 Local government administrative occupations	Administrative assistant (local government) Administrative officer (police service) Benefits assistant (local government) Clerical officer (local government) Local government officer nos	Lower-skilled
4121 Credit controllers	Credit control clerk Credit controller Debt management associate Loans administrator	Lower-skilled
4122 Book-keepers, payroll managers and wages clerks	Accounts administrator Accounts assistant Accounts clerk Auditor Bookkeeper Payroll clerk	Lower-skilled
4123 Bank and post office clerks	Bank clerk Cashier (bank) Customer adviser (building society) Customer service officer (bank) Post office clerk	Lower-skilled
4124 Finance officers	Deputy finance officer Finance officer Regional finance officer (PO)	Lower-skilled
4129 Financial administrative occupations not	Cashier Finance administrator Finance assistant	Lower-skilled

elsewhere classified	Finance clerk Tax assistant Treasurer Valuation assistant	
4131 Records clerks and assistants	Admissions officer Clerical officer (hospital service) Filing clerk Records clerk Ward clerk	Lower-skilled
4132 Pensions and insurance clerks and assistants	Administrator (insurance) Claims handler Clerical assistant (insurance) Insurance clerk Pensions administrator	Lower-skilled
4133 Stock control clerks and assistants	Despatch clerk Material controller Stock control clerk Stock controller Stores administrator	Lower-skilled
4135 Library clerks and assistants	Information assistant (library) Learning resource assistant Library assistant Library clerk Library supervisor	Lower-skilled
4138 Human resources administrative occupations	Course administrator Human resources administrator Personnel administrator Personnel clerk	Lower-skilled
4159 Other administrative occupations not elsewhere classified	Administrative assistant Clerical assistant Clerical officer Clerk Office administrator	Lower-skilled
4162 Office supervisors	Administration supervisor Clerical supervisor Facilities supervisor Office supervisor	Lower-skilled
4211 Medical secretaries	Clinic coordinator Clinic administrator Medical administrator Medical secretary Secretary (medical practice)	Lower-skilled
4212 Legal secretaries	Legal administrator Legal clerk Legal secretary Secretary (legal services)	Lower-skilled
4213 School secretaries	Clerical assistant (schools) School administrator School secretary	Lower-skilled



	Secretary (schools)	
4216 Receptionists	Dental receptionist Doctor's receptionist Medical receptionist Receptionist Receptionist-secretary	Lower-skilled
4217 Typists and related keyboard occupations	Audio typist Computer operator Typist Typist-clerk Word processor	Lower-skilled
5225 Air-conditioning and refrigeration engineers	Air conditioning engineer Air conditioning fitter Refrigeration engineer Refrigeration technician Service engineer (refrigeration)	Lower-skilled
5237 Rail and rolling stock builders and repairers	Coach repairer (railways) Mechanical fitter (railway and rolling stock) Railway engineer Rolling stock technician	Lower-skilled
5250 Skilled metal, electrical and electronic trades supervisors	Electrical supervisor Maintenance supervisor (manufacturing) Workshop manager	Lower-skilled
5315 Carpenters and joiners	Carpenter Carpenter and joiner Joiner Kitchen fitter Shop fitter	Lower-skilled
5316 Glaziers, window fabricators and fitters	Glass Cutter Glazier Installer (double glazing) Window fabricator Window fitter	Lower-skilled
5321 Plasterers	Fibrous plasterer Plasterer Plastering contractor	Lower-skilled
5322 Floorers and wall tilers	Carpet fitter Ceramic tiler Flooring contractor Mosaic floor layer	Lower-skilled
5323 Painters and decorators	Artexer French polisher Paper hanger Ship sprayer	Lower-skilled

	Wood stainer	
5330 Construction and building trades supervisors	Builder's foreman Construction foreman Construction supervisor Maintenance supervisor Site foreman	Lower-skilled
5435 Cooks	Cook Cook-supervisor Head cook	Lower-skilled
6122 Childminders and related occupations	Au pair Child care assistant Child minder Nanny	Lower-skilled
6125 Teaching assistants	Classroom assistant School assistant Teaching assistant	Lower-skilled
6126 Educational support assistants	Education support assistant Learning support assistant Non-teaching assistant (schools) Special needs assistant (educational establishments) Support assistant (educational establishments)	Lower-skilled
6132 Pest control officers	Fumigator Pest control officer Pest control technician Pest controller	Lower-skilled
6142 Ambulance staff (excluding paramedics)	Ambulance care assistant Ambulance driver Ambulance technician Emergency medical technician	Lower-skilled
6145 Care workers and home carers	Care assistant Care worker Carer Home care assistant Home carer Support worker (nursing home)	Lower-skilled
6147 Care escorts	Bus escort Escort Escort-driver School escort	Lower-skilled
6148 Undertakers, mortuary and crematorium assistants	Crematorium technician Funeral director Pall bearer Undertaker	Lower-skilled
6211 Sports and leisure assistants	Croupier Leisure attendant Lifeguard	Lower-skilled

	Sports assistant	
6212 Travel agents	Reservations clerk (travel) Sales consultant (travel agents) Travel adviser Travel agent Travel consultant	Lower-skilled
6219 Leisure and travel service occupations not elsewhere classified	Bus conductor Holiday representative Information assistant (tourism) Steward (shipping) Tour guide	Lower-skilled
6221 Hairdressers and barbers	Barber Colourist (hairdressing) Hair stylist Hairdresser	Lower-skilled
6222 Beauticians and related occupations	Beautician Beauty therapist Nail technician Tattooist	Lower-skilled
6231 Housekeepers and related occupations	Cook-housekeeper House keeper Lifestyle manager	Lower-skilled
6232 Caretakers	Caretaker Janitor Porter (college) Site manager (educational establishments)	Lower-skilled
6240 Cleaning and housekeeping managers and supervisors	Butler Cleaner-in-charge Cleaning supervisor Domestic supervisor Head house keeper Supervisor (cleaning)	Lower-skilled
7111 Sales and retail assistants	Retail assistant Sales adviser Sales assistant Sales consultant (retail trade) Shop assistant	Lower-skilled
7112 Retail cashiers and check-out operators	Check-out operator Forecourt attendant General assistant (retail trade: check-out) Till operator	Lower-skilled
7113 Telephone salespersons	Sales adviser (telephone sales) Telesales executive Telesales operator	Lower-skilled
7114 Pharmacy and other dispensing	Dispenser Health care assistant (retail chemist)	Lower-skilled

assistants	Optical assistant Pharmacy assistant	
7115 Vehicle and parts salespersons and advisers	Car sales executive Car salesman Parts adviser (retail trade) Parts salesman (motor vehicle repair)	Lower-skilled
7121 Collector salespersons and credit agents	Agent (insurance) Canvasser Collector (insurance) Distributor (door-to-door sales) Insurance agent	Lower-skilled
7122 Debt, rent and other cash collectors	Collecting agent Collector (gas supplier) Debt collector Meter reader Vending operator	Lower-skilled
7123 Roundspersons and van salespersons	Dairyman (retail trade: delivery round) Ice-cream salesman Milkman (milk retailing) Roundsman Van salesman	Lower-skilled
7124 Market and street traders and assistants	Market assistant Market trader Owner (market stall) Stall holder Street trader	Lower-skilled
7129 Sales related occupations not elsewhere classified	Demonstrator Hire controller Sales representative (retail trade)	Lower-skilled
7211 Call and contact centre occupations	Call centre agent Call centre operator Customer service adviser (call centre) Customer service operator	Lower-skilled
7213 Telephonists	Call handler (motoring organisation) Operator (telephone) Switchboard operator (telephone) Telephonist Telephonist-receptionist	Lower-skilled
7214 Communication operators	Call handler (emergency services) Communications operator Control room operator (emergency services) Controller (taxi service)	Lower-skilled
7219 Customer service occupations not elsewhere classified	Customer adviser Customer service administrator Customer service adviser Customer service assistant	Lower-skilled

	Customer services representative	
8111 Food, drink and tobacco process operatives	Baker (food products mfr) Bakery assistant Factory worker (food products mfr) Meat processor Process worker (brewery) Process worker (dairy)	Lower-skilled
8112 Glass and ceramics process operatives	Glass worker Kiln man (glass mfr) Process worker (fibre glass mfr)	Lower-skilled
8113 Textile process operatives	Hosiery worker Machinist (rope, twine mfr) Process worker (textile mfr) Spinner (paper twine mfr)	Lower-skilled
8114 Chemical and related process operatives	Gas producer operator Process technician (chemical mfr) Process worker (cement mfr) Process worker (nuclear fuel production)	Lower-skilled
8115 Rubber process operatives	Disc cutter (rubber mfr) Moulder (rubber goods mfr) Process worker (rubber reclamation) Tyre builder	Lower-skilled
8116 Plastics process operatives	Extrusion operator (plastics mfr) Fabricator (plastics mfr) Injection moulder Laminator (fibreglass) Process worker (plastic goods mfr)	Lower-skilled
8117 Metal making and treating process operatives	Degreaser (metal trades) Foreman (metal refining) Furnaceman (metal trades) Process worker (nickel mfr) Wire drawer	Lower-skilled
8118 Electroplaters	Electroplater Galvaniser Metal sprayer Powder coater	Lower-skilled
8119 Process operatives not elsewhere classified	Melting pot assistant (electric cable) Mixing plant foreman (asphalt mfr) Process worker (electrical engineering) Stone finisher (cast concrete products mfr)	Lower-skilled
8121 Paper and wood machine operatives	Box maker (cardboard) Guillotine operator (printing) Machinist (paper goods mfr) Sawyer Wood machinist	Lower-skilled

8122 Coal mine operatives	Coal miner Colliery worker Driller (coal mine)	Lower-skilled
8123 Quarry workers and related operatives	Derrickman (oil wells) Diamond driller (well sinking) Plant operator (quarry) Quarry operative	Lower-skilled
8125 Metal working machine operatives	Engineer, nos Machinist (metal trades) Metal polisher Process worker (metal trades)	Lower-skilled
8127 Printing machine assistants	Finishing operative (printing) Lithographer (printing) Machinist (printing) Print operator Printer's assistant	Lower-skilled
8129 Plant and machine operatives not elsewhere classified	Bench hand (metal trades) Cable maker (spring mfr) Laser operator Manufacturer (metal goods mfr) Saw doctor	Lower-skilled
8131 Assemblers (electrical and electronic products)	Assembler (electrical, electronic equipment mfr) Line operator (electrical) Solderer Team leader (electrical, electronic equipment mfr: assembly) Technical operator (circuit board mfr)	Lower-skilled
8132 Assemblers (vehicles and metal goods)	Assembler (metal trades) Lineworker (vehicle mfr) Manufacturing operator (metal trades) Process worker (metal trades: assembly) Team leader (motor vehicle mfr: assembly)	Lower-skilled
8133 Routine inspectors and testers	Quality assurance inspector Quality auditor Quality controller Quality inspector Test engineer	Lower-skilled
8134 Weighers, graders and sorters	Grader (food products mfr) Metal sorter Selector (ceramics mfr) Weighbridge clerk Weighbridge operator	Lower-skilled
8135 Tyre, exhaust and windscreen fitters	Tyre and exhaust fitter Tyre fitter Tyre technician Windscreen fitter	Lower-skilled

8137 Sewing machinists	Overlocker Seamstress Sewing machinist Stitcher Upholstery machinist	Lower-skilled
8139 Assemblers and routine operatives not elsewhere classified	Assembler Gluer (furniture mfr) Paint line operator Production assistant Riveter (soft toy mfr)	Lower-skilled
8141 Scaffolders, staggers and riggers	Bell hanger (church bells) Stage rigger (shipbuilding) Tackleman (steelworks)	Lower-skilled
8142 Road construction operatives	Asphalter Concrete finisher (building construction) Highways maintenance hand Paver Road worker	Lower-skilled
8143 Rail construction and maintenance operatives	Line Inspector (railways) Maintenance man (railway maintenance and repair) Relayer (railways) Trackman (railways) Ultrasonic engineer (railway maintenance and repair)	Lower-skilled
8149 Construction operatives not elsewhere classified	Asbestos remover Cable layer Demolition worker Dry liner General handyman Maintenance man Thermal insulation engineer	Lower-skilled
8211 Large goods vehicle drivers	Haulage contractor HGV driver Lorry driver Owner (heavy goods vehicle) Tanker driver	Lower-skilled
8212 Van drivers	Bus driver Coach driver Coach operator Minibus driver PSV driver	Lower-skilled
8213 Bus and coach drivers	Bus driver Coach driver Coach operator Minibus driver PSV driver	Lower-skilled
8214 Taxi and cab	Chauffeur	Lower-skilled

drivers and chauffeurs	Mini cab driver Taxi driver Taxi owner	
8221 Crane drivers	Crane driver Crane operator Haulage engine driver Winchman	Lower-skilled
8222 Fork-lift truck drivers	Fork lift driver Fork lift truck driver Fork truck operator Stacker-driver	Lower-skilled
8223 Agricultural machinery drivers	Agricultural machinist Attendant (agricultural machinery) Operator (agricultural machinery) Tractor driver (agriculture)	Lower-skilled
8229 Mobile machine drivers and operatives not elsewhere classified	Digger driver Dredger Excavator driver JCB driver Plant operator Rig operator	Lower-skilled
8231 Train and tram drivers	Train driver Train operator Tram driver	Lower-skilled
8233 Air transport operatives	Aircraft dispatcher Baggage handler Cargo handler (airport) Ramp agent Refueller (airport)	Lower-skilled
8234 Rail transport operatives	Railway worker Shunter Signalman (railways) Transport supervisor (railways)	Lower-skilled
8239 Other drivers and transport operatives not elsewhere classified	Bus inspector Operations assistant (freight handling) Test driver (motor vehicle mfr) Transport supervisor Yard foreman (road transport)	Lower-skilled
9111 Farm workers	Agricultural worker Farm labourer Farm worker Herdsman Shepherd	Lower-skilled
9112 Forestry workers	Forestry contractor Forestry worker Lumberjack	Lower-skilled



9120 Elementary construction occupations	Electrician's mate (building construction) Ground worker (building construction) Hod carrier Labourer (building construction)	Lower-skilled
9132 Industrial cleaning process occupations	Cleaner and greaser Factory cleaner Hygiene operator Industrial cleaner	Lower-skilled
9134 Packers, bottlers, canners and fillers	Factory worker (packing) Packaging operator Packer Paint filler	Lower-skilled
9139 Elementary process plant occupations not elsewhere classified	Factory worker Fitter's mate Labourer (engineering) Material handler	Lower-skilled
9211 Postal workers, mail sorters, messengers and couriers	Courier Leaflet distributor Mail sorter Messenger Postman	Lower-skilled
9219 Elementary administration occupations not elsewhere classified	General assistant Office junior Office worker Reprographic technician	Lower-skilled
9231 Window cleaners	Window cleaner Window cleaning contractor	Lower-skilled
9232 Street cleaners	Cleansing operative (street cleaning) Road sweeper Street cleaner	Lower-skilled
9233 Cleaners and domestics	Chambermaid Cleaner Domestic Home help School cleaner	Lower-skilled
9234 Launderers, dry cleaners and pressers	Carpet cleaner Dry cleaner Garment presser Laundry assistant Laundry worker	Lower-skilled
9235 Refuse and salvage occupations	Binman (local government: cleansing department) Hopper attendant (refuse destruction) Refuse disposal operative Salvage worker	Lower-skilled

9236 Vehicle valeters and cleaners	Car wash assistant Carriage service man (railways) Motor car polisher (garage) Vehicle valet	Lower-skilled
9239 Elementary cleaning occupations not elsewhere classified	Amenity block attendant Chimney cleaner Sweep (chimney) Toilet attendant	Lower-skilled
9241 Security guards and related occupations	CCTV operator Park keeper Private investigator Security guard Security officer	Lower-skilled
9242 Parking and civil enforcement occupations	Car park attendant Community warden Parking attendant Traffic warden	Lower-skilled
9244 School midday and crossing patrol occupations	Dinner lady (schools) Lollipop man Lunchtime supervisor Midday supervisor School crossing patrol	Lower-skilled
9249 Elementary security occupations not elsewhere classified	Bailiff Commissionaire Court usher Door supervisor Doorman	Lower-skilled
9251 Shelf fillers	General assistant (retail trade) Grocery assistant Shelf filler Shelf stacker	Lower-skilled
9259 Elementary sales occupations not elsewhere classified	Code controller (wholesale, retail trade) Home shopper Order picker (retail trade) Trolley assistant (wholesale, retail trade)	Lower-skilled
9260 Elementary storage occupations	Labourer (haulage contractor) Order picker Warehouse assistant Warehouse operator Warehouse supervisor Warehouseman	Lower-skilled
9271 Hospital porters	Hospital porter Porter (hospital service) Portering supervisor (hospital services)	Lower-skilled
9272 Kitchen and	Catering assistant	Lower-skilled

catering assistants	Crew member (fast food outlet) Kitchen assistant Kitchen porter	
9274 Bar staff	Bar supervisor Barmaid Barperson  Bartender Glass collector (public house)	Lower-skilled
9275 Leisure and theme park attendants	Arcade assistant Cinema attendant Ride operator Steward (sports ground) Usher Usherette	Lower-skilled
9279 Other elementary services occupations not elsewhere classified	Bingo caller Hotel assistant Night porter Porter (residential buildings) Stage hand (entertainment)	Lower-skilled

**Table 6 – Occupations which are ineligible for Tier 2 (General) and Tier 2 (Intra Company Transfer) applications for reasons other than skill level**

<b>SOC code and description</b>	<b>Related job titles</b>	<b>Reason for ineligibility</b>
1116 Elected officers and representatives	Councillor (local government) Member of Parliament	Those subject to immigration control cannot stand for elections.
1171 Officers in armed forces	Army officer Flight-lieutenant Squadron-leader	Those subject to immigration control cannot apply for jobs in this occupation.
2444 Clergy	Chaplain Minister (religious organisation) Pastor Priest Vicar	Tier 2 applicants for this occupation must apply in the Tier 2 (Minister of Religion) category.
3311 NCOs and other ranks	Aircraftman Aircraft technician (armed forces) Lance-corporal Sergeant (armed forces) Soldier Weapons engineer (armed forces)	Those subject to immigration control cannot apply for jobs in this occupation.
3314 Prison service officers (below principal officer)	Prison custodial officer Prison escort officer Prison officer Prison warden	Those subject to immigration control cannot apply for jobs in this occupation.
3441 Sports players	Cricketer Footballer	Applicants for this occupation must be sponsored in the Tier 2

	Golfer	(Sportsperson) category or Tier 5 (Temporary Worker) Creative and Sporting category.
3442 Sports coaches, instructors and officials	Referee Riding instructor Sports development officer Swimming teacher	Applicants for this occupation must be sponsored in the Tier 2 (Sportsperson) category or Tier 5 (Temporary Worker) Creative and Sporting category.

**Table 7 – Transition from SOC 2000 to SOC 2010 for applicant continuing to work in the same occupation**

<b>SOC 2000 code and description, as stated on previous Certificate of Sponsorship</b>	<b>Skill level (SOC 2000)</b>	<b>SOC 2010 code(s) and description(s), the most relevant of which must be stated on new Certificate of Sponsorship</b>	<b>Skill level (SOC 2010)</b>
1111 Senior officials in national government	RQF 6	1115 Chief executives and senior officials	RQF 6
1112 Directors and chief executives of major organisations	RQF 6	1115 Chief executives and senior officials 1131 Financial managers and directors	RQF 6
1113 Senior officials in local government	RQF 6	1139 Functional managers and directors not elsewhere classified 2424 Business and financial project management professionals	RQF 6
1114 Senior officials of special interest organisations	RQF 6	1139 Functional managers and directors not elsewhere classified 2424 Business and financial project management professionals	RQF 6
1121 Production, works and maintenance managers	RQF 6	1121 Production managers and directors in manufacturing	RQF 6
1122 Managers in construction	RQF 6	1122 Production managers and directors in construction 2436 Construction project managers and related professionals	RQF 6

1123 Managers in mining and energy	RQF 6	1123 Production managers and directors in mining and energy 2424 Business and financial project management professionals	RQF 6
1131 Financial managers and chartered secretaries	RQF 6	1131 Financial managers and directors	RQF 6
1132 Marketing and sales managers	RQF 6	1132 Marketing and sales directors	RQF 6
1132 Marketing and sales managers	RQF 6	3545 Sales accounts and business development managers	RQF 6
1133 Purchasing managers	RQF 6	1133 Purchasing managers and directors	RQF 6
1134 Advertising and public relations directors	RQF 6	1134 Advertising and public relations managers 2473 Advertising accounts managers and creative directors	RQF 6
1135 Personnel, training and industrial relations managers	RQF 6	1135 Human resource managers and directors	RQF 6
1135 Personnel, training and industrial relations managers	RQF 6	3563 Vocational and industrial trainers and instructors	RQF 4
1136 Information technology and telecommunications directors	RQF 6	1136 Information and communication technology managers 2133 IT specialist managers 2134 IT project and programme managers	RQF 6
1137 Research and development managers	PhD	1139 Functional managers and directors not elsewhere classified	RQF 6
1137 Research and development managers	PhD	2150 Research and development managers	PhD
1141 Quality assurance managers	RQF 6	2462 Quality assurance and regulatory professionals	RQF 6
1142 Customer care managers	RQF 4	7220 Customer service managers and supervisors	RQF 6
1151 Financial institution	RQF 6	1150 Financial institution	RQF 6

managers		managers and directors 2424 Business and financial project management professionals 3538 Financial accounts managers	
1152 Office managers	RQF 4	3538 Financial accounts managers	RQF 6
1152 Office managers	RQF 4	4161 Office managers	RQF 4
1161 Transport and distribution managers	RQF 6	1161 Managers and directors in transport and distribution	RQF 6
1162 Storage and warehouse managers	RQF 3	1162 Managers and directors in storage and warehousing	RQF 3
1163 Retail and wholesale managers	RQF 3	1190 Managers and directors in retail and wholesale 7130 Sales supervisors	RQF 3
1172 Police officers (inspectors and above)	RQF 6	1172 Senior police officers	RQF 6
1173 Senior officers in fire, ambulance, prison and related services	RQF 6	1173 Senior officers in fire, ambulance, prison and related services	RQF 6
1174 Security managers	RQF 4	3319 Protective service associate professionals not elsewhere classified	RQF 4
1181 Health services and public health managers and directors	RQF 6	1181 Hospital and health service managers 2231 Nurses	RQF 6
1182 Pharmacy managers	RQF 6	2213 Pharmacists	RQF 6
1183 Healthcare practice managers	RQF 4	1241 Health care practice managers	RQF 4
1184 Social services managers and directors	RQF 6	1184 Social services managers 2424 Business and financial project management professionals	RQF 6
1185 Residential and day care managers	RQF 4	1242 Residential, day and domiciliary care managers and proprietors	RQF 4

1211 Farm managers	RQF 3	1211 Managers and proprietors in agriculture and horticulture	RQF 4
1212 Natural environment and conservation managers	RQF 6	2141 Conservation professionals 2142 Environment professionals	RQF 6
1219 Managers in animal husbandry, forestry and fishing not elsewhere classified	RQF 4	1211 Managers and proprietors in agriculture and horticulture 1213 Managers and proprietors in forestry, fishing and related services	RQF 4
1219 Managers in animal husbandry, forestry and fishing not elsewhere classified	RQF 4	5119 Agricultural and fishing trades not elsewhere classified	RQF3/ Lower-skilled
1221 Hotel and accommodation managers	RQF 3	1221 Hotel and accommodation managers and proprietors	RQF 3
1222 Conference and exhibition managers	RQF 4	3546 Conference and exhibition managers and organisers	RQF 4
1223 Restaurant and catering managers	RQF 3/ Lower-skilled	1223 Restaurant and catering establishment managers and proprietors 5436 Catering and bar managers	RQF 3/ Lower-skilled
1224 Publicans and managers of licensed premises	RQF 3/ Lower-skilled	1224 Publicans and managers of licensed premises	RQF 3/ Lower-skilled
1225 Leisure and sports managers	RQF 3	1225 Leisure and sports managers	RQF 3
1226 Travel agency managers	RQF 3	1226 Travel agency managers and proprietors	RQF 3
1231 Property, housing and land managers	RQF 4	1251 Property, housing and estate managers	RQF 4
1232 Garage managers and proprietors	RQF 3	1252 Garage managers and proprietors	RQF 3
1233 Hairdressing and beauty salon managers and proprietors	RQF 3	1253 Hairdressing and beauty salon managers and proprietors	RQF 3

1234 Shopkeepers and wholesale / retail dealers	RQF 3	1254 Shopkeepers and proprietors - wholesale and retail	RQF 3
1235 Recycling and refuse disposal managers	RQF 4	1255 Waste disposal and environmental services managers	RQF 4
1239 Managers and proprietors in other services not elsewhere classified	RQF 4	1259 Managers and proprietors in other services not elsewhere classified	RQF 4
2111 Chemists	PhD	2111 Chemical scientists	PhD
2112 Biological scientists and research chemists	PhD	2112 Biological scientists and biochemists	PhD
2113 Physicists, geologists and meteorologists	PhD	2113 Physical scientists	PhD
2121 Civil engineers	RQF 6	2121 Civil engineers	RQF 6
2122 Mechanical engineers	RQF 6	2122 Mechanical engineers	RQF 6
2123 Electrical engineers	RQF 6	2123 Electrical engineers	RQF 6
2124 Electronics engineers	RQF 6	2124 Electronics engineers	RQF 6
2125 Chemical engineers	RQF 6	2127 Production and process engineers	RQF 6
2126 Design and development engineers	RQF 6	2126 Design and development engineers	RQF 6
2127 Production and process engineers	RQF 6	2127 Production and process engineers	RQF 6
2128 Planning and quality control engineers	RQF 6	2127 Production and process engineers 2461 Quality control and planning engineers	RQF 6
2128 Planning and quality control engineers	RQF 6	3116 Planning, process and production technicians	RQF 4
2129 Engineering professionals not elsewhere classified	RQF 6	2129 Engineering professionals not elsewhere classified	RQF 6
2131 IT strategy and planning professionals	RQF 6	2139 Information technology and telecommunications professionals not elsewhere classified	RQF 6



2132 Software professionals	RQF 6	2135 IT business analysts, architects and systems designers 2136 Programmers and software development professionals 2139 Information technology and telecommunications professionals not elsewhere classified	RQF 6
2211 Medical practitioners	RQF 6	2211 Medical practitioners	RQF 6
2212 Psychologists	RQF 6	2212 Psychologists	RQF 6
2213 Pharmacists / pharmacologists	RQF 6	2213 Pharmacists	RQF 6
2214 Ophthalmic opticians	RQF 6	2214 Ophthalmic opticians	RQF 6
2215 Dental practitioners	RQF 6	2215 Dental practitioners	RQF 6
2216 Veterinarians	RQF 6	2216 Veterinarians	RQF 6
2311 Higher education teaching professionals	PhD	2311 Higher education teaching professionals	PhD
2312 Further education teaching professionals	RQF 6	2312 Further education teaching professionals	RQF 6
2313 Education officers, school inspectors	RQF 6	2318 Education advisers and school inspectors	RQF 6
2314 Secondary education teaching professionals	RQF 6	2314 Secondary education teaching professionals	RQF 6
2315 Primary and nursery education teaching professionals	RQF 6	2315 Primary and nursery education teaching professionals	RQF 6
2316 Special needs education teaching professionals	RQF 6	2316 Special needs education teaching professionals	RQF 6
2317 Registrars and senior administrators of educational establishments	RQF 6	2317 Senior professionals of educational establishments	RQF 6
2319 Teaching professionals not elsewhere classified	RQF 6	2319 Teaching and other educational professionals not elsewhere classified	RQF 6
2321 Scientific researchers	PhD	2119 Natural and social science professionals not	PhD

		elsewhere classified	
2322 Social science researchers	PhD	2114 Social and humanities scientists	PhD
2329 Researchers not elsewhere classified	PhD	2119 Natural and social science professionals not elsewhere classified	PhD
2329 Researchers not elsewhere classified	PhD	2426 Business and related research professionals	RQF 6
2411 Solicitors and lawyers, judges and coroners	RQF 6	2412 Barristers and judges 2413 Solicitors 2419 Legal professionals not elsewhere classified	RQF 6
2419 Legal professionals not elsewhere classified	RQF 6	2419 Legal professionals not elsewhere classified	RQF 6
2421 Chartered and certified accountants	RQF 6	2421 Chartered and certified accountants	RQF 6
2422 Management accountants	RQF 6	2421 Chartered and certified accountants	RQF 6
2423 Management consultants, actuaries, economists and statisticians	RQF 6	2423 Management consultants and business analysts 2425 Actuaries, economists and statisticians	RQF 6
2431 Architects	RQF 6	2431 Architects	RQF 6
2432 Town planners	RQF 6	2432 Town planning officers	RQF 6
2433 Quantity surveyors	RQF 6	2433 Quantity surveyors	RQF 6
2434 Chartered surveyors (not quantity surveyors)	RQF 6	2434 Chartered surveyors	RQF 6
2441 Public service administrative professionals	RQF 6	2429 Business, research and administrative professionals not elsewhere classified	RQF 6
2442 Social workers	RQF 6	2442 Social workers	RQF 6
2443 Probation officers	RQF 6	2443 Probation officers	RQF 6
2451 Librarians	RQF 6	2451 Librarians	RQF 6
2452 Archivists and	RQF 6	2452 Archivists and	RQF 6

curators		curators	
3111 Laboratory technicians	RQF 3	3111 Laboratory technicians	RQF 3
3112 Electrical / electronics technicians	RQF 3	3112 Electrical and electronics technicians	RQF 3
3113 Engineering technicians	RQF 3	3113 Engineering technicians	RQF 3
3114 Building and civil engineering technicians	RQF 3	3114 Building and civil engineering technicians	RQF 3
3115 Quality assurance technicians	RQF 3	3115 Quality assurance technicians	RQF 3
3119 Science, engineering and production technicians not elsewhere classified	RQF 3	3116 Planning, process and production technicians	RQF 4
3119 Science, engineering and production technicians not elsewhere classified	RQF 3	3119 Science and engineering technicians not elsewhere classified	RQF 3
3121 Architectural and town planning technicians	RQF 4	2435 Chartered architectural technologists 3121 Architectural technologists and town planning technicians	RQF 4
3122 Draughtspersons	RQF 3	3122 Draughtspersons	RQF 3
3123 Building inspectors	RQF 4	3565 Inspectors of standards and regulations	RQF 4
3131 IT operations technicians	RQF 4	3131 IT operations technicians	RQF 4
3132 IT user support technicians	RQF 3/ Lower-skilled	3132 IT user support technicians	RQF 3/ Lower-skilled
3211 Nurses	RQF 6	2231 Nurses	RQF 6
3212 Midwives	RQF 6	2232 Midwives	RQF 6
3213 Paramedics	RQF 4	3213 Paramedics	RQF 6
3214 Medical radiographers	RQF 6	2217 Medical radiographers	RQF 6
3215 Chiropodists	RQF 6	2218 Podiatrists	RQF 6
3216 Dispensing opticians	RQF 3	3216 Dispensing opticians	RQF 3
3217 Pharmaceutical dispensers	RQF3/ Lower-skilled	3217 Pharmaceutical technicians	RQF3/ Lower-skilled

3218 Medical and dental technicians	RQF 4	2219 Health professionals not elsewhere classified	RQF 6
3218 Medical and dental technicians	RQF 4	3218 Medical and dental technicians	RQF 4
3221 Physiotherapists	RQF 6	2221 Physiotherapists	RQF 6
3222 Occupational therapists	RQF 6	2222 Occupational therapists	RQF 6
3223 Speech and language therapists	RQF 6	2223 Speech and language therapists	RQF 6
3229 Therapists not elsewhere classified	RQF 6	2229 Therapy professionals not elsewhere classified	RQF 6
3229 Therapists not elsewhere classified	RQF 6	3219 Health associate professionals not elsewhere classified	RQF 4
3231 Youth and community workers	RQF 3	2449 Welfare professionals not elsewhere classified	RQF 6
3231 Youth and community workers	RQF 3	3231 Youth and community workers 3239 Welfare and housing associate professionals not elsewhere classified	RQF 3
3232 Housing and welfare officers	RQF 3	3234 Housing officers 3235 Counsellors 3239 Welfare and housing associate professionals not elsewhere classified	RQF 3
3312 Police officers (sergeant and below)	RQF 3	3312 Police officers (sergeant and below)	RQF 3
3313 Fire service officers (leading fire officer and below)	RQF 3	3313 Fire service officers (watch manager and below)	RQF 3
3319 Protective service associate professionals not elsewhere classified	RQF 4	3319 Protective service associate professionals not elsewhere classified	RQF 4
3411 Artists	RQF 4	3411 Artists	RQF 4
3412 Authors, writers	RQF 4	3412 Authors, writers and translators	RQF 4
3413 Actors, entertainers	RQF 4	3413 Actors, entertainers and presenters	RQF 4

3414 Dancers and choreographers	RQF 4	3414 Dancers and choreographers	RQF 4
3415 Musicians	RQF 6	3415 Musicians	RQF 6
3416 Arts officers, producers and directors	RQF 6	3416 Arts officers, producers and directors	RQF 6
3421 Graphic designers	RQF 3	2137 Web design and development professionals	RQF 6
3421 Graphic designers	RQF 3	3421 Graphic designers	RQF 3
3422 Product, clothing and related designers	RQF 4	3422 Product, clothing and related designers	RQF 4
3431 Journalists, newspaper and periodical editors	RQF 6	2471 Journalists, newspaper and periodical editors	RQF 6
3432 Broadcasting associate	RQF 6	3416 Arts officers, producers and professionals directors	RQF 6
3433 Public relations officers	RQF 6	2472 Public relations professionals	RQF 6
3434 Photographers and audio-visual equipment operators	RQF3/ Lower-skilled	3417 Photographers, audio-visual and broadcasting equipment operators	RQF3/ Lower-skilled
3443 Fitness instructors	RQF 3	3511 Air traffic controllers	RQF 3
3512 Aircraft pilots and flight engineers	RQF 3	3512 Aircraft pilots and flight engineers	RQF 3
3513 Ship and hovercraft officers	RQF 4	3513 Ship and hovercraft officers	RQF 4
3520 Legal associate professionals	RQF 3	3520 Legal associate professionals	RQF 3
3531 Estimators, valuers and assessors	RQF 4	3531 Estimators, valuers and assessors	RQF 4
3532 Brokers	RQF 6	3532 Brokers	RQF 6
3533 Insurance underwriters	RQF 3	3533 Insurance underwriters	RQF 3
3534 Finance and investment analysts / advisers	RQF 6	3534 Finance and investment analysts and advisers	RQF 6
3535 Taxation experts	RQF 6	3535 Taxation experts	RQF 6

3536 Importers, exporters	RQF 3	3536 Importers and exporters	RQF 3
3537 Financial and accounting technicians	RQF 4	3537 Financial and accounting technicians	RQF 4
3539 Business and related associate professionals not elsewhere classified	RQF 4	3539 Business and related associate professionals not elsewhere classified 3546 Conference and exhibition managers and organisers	RQF 4
3541 Buyers and purchasing officers	RQF 4	3541 Buyers and procurement officers	RQF 4
3542 Sales representatives	RQF 3	3542 Business sales executives 4151 Sales administrators	RQF 3
3543 Marketing associate professionals	RQF 4	3543 Marketing associate professionals	RQF 4
3544 Estate agents, auctioneers	RQF 3	3544 Estate agents and auctioneers	RQF 3
3551 Conservation and environmental protection officers	RQF 4	2141 Conservation professionals 2142 Environment professionals	RQF 6
3552 Countryside and park rangers	RQF 3	3550 Conservation and environmental associate professionals	RQF 3
3561 Public services associate professionals	RQF 4	2429 Business, research and administrative professionals not elsewhere classified	RQF 6
3561 Public services associate professionals	RQF 4	3561 Public service associate professionals	RQF 4
3562 Personnel and industrial relations officers	RQF 3	3562 Human resources and industrial relations officers	RQF 3
3563 Vocational and industrial trainers and instructors	RQF 3	3563 Vocational and industrial trainers and instructors	RQF 4
3564 Careers advisers and vocational guidance specialists	RQF 4	3564 Careers advisers and vocational guidance specialists	RQF 4

3565 Inspectors of factories, utilities and trading standards	RQF 6	3565 Inspectors of standards and regulations	RQF 4
3566 Statutory examiners	RQF 4	3565 Inspectors of standards and regulations	RQF 4
3567 Occupational hygienists and safety officers (health and safety)	RQF 4	2219 Health professionals not elsewhere classified	RQF 6
3567 Occupational hygienists and safety officers (health and safety)	RQF 4	3567 Health and safety officers	RQF 4
3568 Environmental health officers	RQF6	2463 Environmental health professionals 3565 Inspectors of standards and regulations	RQF 6
4111 Civil Service executive officers	RQF 3	3561 Public services associate professionals	RQF 4
4111 Civil Service executive officers	RQF 3	4112 National government administrative occupations	RQF 3
4114 Officers of non-governmental organisations	RQF 3	4114 Officers of non-governmental organisations	RQF 3
4134 Transport and distribution clerks	RQF 3	4134 Transport and distribution clerks and assistants	RQF 3
4137 Market research interviewers	RQF 3	7215 Market research interviewers	RQF 3
4214 Company secretaries	RQF 3	4214 Company secretaries	RQF 3
4215 Personal assistants and other secretaries	RQF 3	4215 Personal assistants and other secretaries	RQF 3
5111 Farmers	RQF 3/ Lower-skilled	5111 Farmers	RQF3/ Lower-skilled
5112 Horticultural trades	RQF3/ Lower-skilled	5112 Horticultural trades	RQF3/ Lower-skilled
5113 Gardeners and landscape gardeners	RQF3/ Lower-skilled	5113 Gardeners and groundsmen / groundswomen 5114 Groundsmen and greenkeepers	RQF3/ Lower-skilled
5119 Agricultural and fishing trades not elsewhere classified	RQF3/ Lower-skilled	5119 Agricultural and fishing trades not elsewhere classified 6139 Animal care services	RQF3/ Lower-skilled

		occupations not elsewhere classified	
5211 Smiths and forge workers	RQF 3	5211 Smiths and forge workers	RQF 3
5212 Moulders, core makers, die casters	RQF3/ Lower-skilled	5212 Moulders, core makers and die casters	RQF3/ Lower-skilled
5213 Sheet metal workers	RQF 3	5213 Sheet metal workers	RQF 3
5214 Metal plate workers, and riveters	RQF3/ Lower-skilled	5214 Metal plate workers, shipwrights, riveters 5236 Boat and ship builders and repairers	RQF3/ Lower-skilled
5215 Welding trades	RQF3/ Lower-skilled	5215 Welding trades	RQF3/ Lower-skilled
5216 Pipe fitters	RQF3/ Lower-skilled	5216 Pipe fitters	RQF3/ Lower-skilled
5221 Metal machining setters and setter-operators	RQF 3	5221 Metal machining setters and setter-operators	RQF 3
5222 Tool makers, tool fitters and markers-out	RQF 3	5222 Tool makers, tool fitters and markers-out	RQF 3
5223 Metal working production and maintenance fitters	RQF3/ Lower-skilled	5223 Metal working production and maintenance fitters 5235 Aircraft maintenance and related trades	RQF3/ Lower-skilled
5224 Precision instrument makers and repairers	RQF 3	5224 Precision instrument makers and repairers	RQF 3
5231 Motor mechanics, auto engineers	RQF 3	5231 Vehicle technicians, mechanics and electricians	RQF 3
5232 Vehicle body builders and repairers	RQF 3	5232 Skilled metal, electrical and electronic trades supervisors	RQF 3
5233 Auto electricians	RQF 3	5231 Vehicle technicians, mechanics and electricians	RQF 3
5234 Vehicle spray painters	RQF 3	5234 Vehicle paint technicians	RQF 3
5241 Electricians, electrical fitters	RQF3/ Lower-skilled	5241 Electricians and electrical fitters	RQF3/ Lower-skilled
5242 Telecommunications engineers	RQF 3	5242 Telecommunications engineers	RQF 3
5243 Lines repairers and cable jointers	RQF3/ Lower-skilled	5249 Electrical and electronic trades not	RQF3/ Lower-skilled



		elsewhere classified	
5244 TV, video and audio engineers	RQF 3	5244 TV, video and audio engineers	RQF 3
5245 Computer engineers, installation and maintenance	RQF 3	3132 IT user support technicians	RQF 3
5245 Computer engineers, installation and maintenance	RQF 3	5245 IT engineers	RQF3/ Lower-skilled
5249 Electrical / electronics engineers not elsewhere classified	RQF 3	5249 Electrical and electronic trades not elsewhere classified	RQF3/ Lower-skilled
5311 Steel erectors	RQF 3	5311 Steel erectors	RQF 3
5312 Bricklayers, masons	RQF3/ Lower-skilled	5312 Bricklayers and masons	RQF3/ Lower-skilled
5313 Roofers, roof tilers and slaters	RQF 3	5313 Roofers, roof tilers and slaters	RQF 3
5314 Plumbers, heating and ventilating engineers	RQF 3	5314 Plumbers and heating and ventilating engineers	RQF 3
5319 Construction trades not elsewhere classified	RQF 3	5319 Construction and building trades not elsewhere classified	RQF 3
5411 Weavers and knitters	RQF 3	5411 Weavers and knitters	RQF 3
5412 Upholsterers	RQF 3	5412 Upholsterers	RQF 3
5413 Leather and related trades	RQF 3	5413 Footwear and leather working trades	RQF 3
5414 Tailors and dressmakers	RQF3/ Lower- skilled	5414 Tailors and dressmakers	RQF3/ Lower- skilled
5419 Textiles, garments and related trades not elsewhere classified	RQF3/ Lower- skilled	5419 Textiles, garments and related trades not elsewhere classified	RQF3/ Lower- skilled
5421 Originators, compositors and print preparers	RQF 3	5421 Pre-press technicians	RQF 3
5422 Printers	RQF 3	5422 Printers	RQF 3
5423 Bookbinders and print finishers	RQF 3	5423 Print finishing and binding workers	RQF 3
5424 Screen printers	RQF 3	5422 Printers	RQF 3

5431 Butchers, meat cutters	RQF 3	5431 Butchers	RQF 3
5432 Bakers, flour confectioners	RQF 3	5432 Bakers and flour confectioners	RQF 3
5433 Fishmongers, poultry dressers	RQF3/ Lower-skilled	5433 Fishmongers and poultry dressers	RQF3/ Lower-skilled
5434 Chefs, cooks	RQF3/ Lower-skilled	5434 Chefs	RQF3/ Lower-skilled
5491 Glass and ceramics makers, decorators and finishers	RQF 3	5441 Glass and ceramics makers, decorators and finishers	RQF 3
5492 Furniture makers, other craft woodworkers	RQF 3	5442 Furniture makers and other craft woodworkers	RQF 3
5493 Pattern makers (moulds)	RQF 3	5449 Other skilled trades not elsewhere classified	RQF 3
5494 Musical instrument makers and tuners	RQF 3	5449 Other skilled trades not elsewhere classified	RQF 3
5495 Goldsmiths, silversmiths, precious stone workers	RQF 3	5449 Other skilled trades not elsewhere classified	RQF 3
5496 Floral arrangers, florists	RQF3/ Lower-skilled	5443 Florists	RQF3/ Lower-skilled
5499 Hand craft occupations not elsewhere classified	RQF 3	5449 Other skilled trades not elsewhere classified	RQF 3
6111 Nursing auxiliaries and assistants	RQF3/ Lower-skilled	6141 Nursing auxiliaries and assistants	RQF3/ Lower-skilled
6113 Dental nurses	RQF3/ Lower-skilled	6143 Dental nurses	RQF3/ Lower-skilled
6114 Houseparents and residential wardens	RQF 3	6144 Houseparents and residential wardens	RQF 3
6115 Care assistants and home carers	RQF3/ Lower-skilled	6146 Senior care workers	RQF3/ Lower-skilled
6121 Nursery nurses	RQF3/ Lower-skilled	6121 Nursery nurses and assistants	RQF3/ Lower-skilled
6123 Playgroup leaders / assistants	RQF3/ Lower-skilled	6123 Playworkers	RQF3/ Lower-skilled
6131 Veterinary nurses	RQF 3	6131 Veterinary nurses	RQF 3

6131 Veterinary nurses	RQF 3	6139 Animal care services occupations not elsewhere classified	RQF3/ Lower-skilled
6214 Air travel assistants	RQF 3	6214 Air travel assistants	RQF 3
6215 Rail travel assistants	RQF 3	6215 Rail travel assistants	RQF 3
7125 Merchandisers and window dressers	RQF 3	7125 Merchandisers and window dressers	RQF 3
8124 Energy plant operatives	RQF 3	8124 Energy plant operatives	RQF 3
8126 Water and sewerage plant operatives	RQF 3	8126 Water and sewerage plant operatives	RQF 3
8215 Driving instructors	RQF 3	8215 Driving instructors	RQF 3
8217 Seafarers (merchant navy); barge, lighter and boat operatives	RQF3/ Lower-skilled	8232 Marine and waterways transport operatives	RQF3/ Lower-skilled
9119 Fishing and agriculture related occupations not elsewhere classified	RQF3/ Lower-skilled	9119 Fishing and other elementary agriculture occupations not elsewhere classified	RQF3/ Lower-skilled
9224 Waiters, Waitresses	RQF3/ Lower-skilled	9273 Waiters and waitresses	RQF3/ Lower-skilled

**Table 8 – Creative Sector Codes of Practice**

<b>Ballet</b>	
Appropriate salary rate	Payment should be commensurate with industry standards set out at: <a href="http://www.equity.org.uk">www.equity.org.uk</a> ;
Exemptions from advertising for those deemed to be making an additional contribution to the UK labour market	1. The dancer is required for continuity The applicant has worked for a period of one month or more during the past year on the same production outside the UK prior to coming to the UK. The "same production" means one which is largely the same in terms of direction and design as the production outside the UK. The Sponsor must be able to supply proof that the dancer is currently working, or has worked, on the same production outside the UK and has done so, or did so, for at least one month during the past year, e.g. contract of employment, press cuttings, cast list.
	2. The dancer has international status The applicant is internationally famous in their field. (This is different to being well-known only in one country). The Sponsor must be able to supply proof that the dancer has international status, e.g. press cuttings, awards, publicity material, television/radio interviews, programmes.

	<p>3. The dancer is engaged by a unit company A unit company is a ballet company which exists in a country outside the UK and has put on at least one production in that country. The Sponsor must be able to supply proof that the company has put on at least one production in its home country, e.g. press cuttings, awards, publicity material, television/radio interviews, programmes; and proof that the applicant is engaged by the unit company for the production in the UK, e.g. contract of employment.</p>
	<p>4. The dancer is recruited from a specified school for a specified company The applicant is recruited from: (a) the English National Ballet School for English National Ballet; (b) the Royal Ballet School for the Royal Ballet; or (c) the Royal Ballet School or Elmhurst School for Dance for Birmingham Royal Ballet. The Sponsor must be able to supply proof that, at the time of recruitment, the applicant was or recently had been a student at the school concerned, e.g. a letter of confirmation from the school, and proof that the applicant has been engaged by the company concerned, e.g. contract of employment, letter of confirmation from the company.</p>
Required advertising media for other posts	<p>At least one of:</p> <ul style="list-style-type: none"> <li>• The Stage</li> <li>• Dance Europe</li> <li>• The Spotlight Link</li> </ul>
<b>Dancers (in dance forms other than ballet)</b>	
Appropriate salary rate	Payment should be commensurate with industry standards set out at: <a href="http://www.equity.org.uk">www.equity.org.uk</a> ;
Exemptions from advertising for those deemed to be making an additional contribution to the UK labour market	<p>1. The dancer is required for continuity The applicant has worked for a period of one month or more during the past year on the same production outside the UK prior to it coming to the UK. The "same production" means one which is largely the same in terms of direction and design as the production outside the UK. The Sponsor must be able to supply proof that the dancer is currently working or has worked on the same production outside the UK and has done so, or did so, for at least one month during the past year, e.g. contract of employment, press cuttings, cast list.</p>
	<p>2. The dancer has international status The applicant is internationally famous in their field. (This is different to being well-known only in one country.) The Sponsor must be able to supply proof that the dancer has international status, e.g. press cuttings, awards, publicity material, television/radio interviews, programmes.</p>
	<p>3. The dancer is engaged by a unit company A unit company is a dance company which exists in a country outside the UK and has put on at least one production in that country. The Sponsor must be able to supply proof that the company has put on at least one production in its home country, e.g. press cuttings, awards, publicity material, television/radio interviews, programmes; and proof that the individual is engaged by the unit company for the production in the UK,</p>

	e.g. contract of employment.
	<p>4. The dancer performs in a certain style unlikely to be available in the EEA</p> <p>It would not be reasonable to expect the sponsor to engage an EEA national because a style is required which would be unlikely to be available in the EEA labour force. The Sponsor must be able to supply proof that:</p> <p>(a) a certain style is required; and</p> <p>(b) the individual performs in that style, e.g. press cuttings, awards, publicity material, proof of training.</p>
Required advertising media for other posts At least one of:	<p>Dance agencies</p> <p>The Stage</p> <p>Dance Europe</p> <p>Juice</p> <p>The Spotlight</p>
<b>Performers in film and television</b>	
Appropriate salary rate	Payment should be at least at the level of the appropriate UK market rates, which can be obtained from Equity at <a href="http://www.equity.org.uk">www.equity.org.uk</a> or from 020 767 00246. No worker may be paid less
Exemptions from advertising for those deemed to be making an additional contribution to the UK labour market	<p>1. The work is for continuity</p> <p>The Sponsor must be able to supply proof that the overseas national has worked on, or will be working on the same production overseas for at least one month. Where a Sponsor wishes to issue a Certificate of Sponsorship for reasons of continuity involving a performer that has worked on the same piece of work overseas for less than one month, the Sponsor must notify Equity at least 5 working days prior to the issuing of the certificate with details of the filming schedules. This is in order to verify that the migrant is being genuinely engaged for reasons of continuity. Sponsors may issue Certificates of Sponsorship for performers to enter the UK to undertake post-production work only and provided that such post-production work solely relates to their own role in the film or TV production. For such Certificate of Sponsorship, neither the one month requirement nor prior notice to Equity procedure applies. The Sponsor must be able to supply documentary proof that the performer has worked on, or will be working on, the same production outside the UK for at least a month e.g. contracts, press cuttings, cast lists, etc.</p>
	<p>2. The performer has international status</p> <p>The Sponsor must be able to provide proof the applicant is known internationally, or they have demonstrable international box-office appeal e.g. press cuttings, awards, accolades, publicity material, television/radio interviews, film and TV credits; or documentary proof that the performer has demonstrable international box-office appeal through international box office figures for films they have starred in or led as a principal performer.</p>
	<p>3. Highly specialist or unusual roles</p> <p>For certain highly specialist or unusual roles, it may not be possible or reasonable to recruit from the EEA because the role requires specific or specialist attributes, including but not limited to: physical appearance; physical talent and linguistic or vocal skills. In such circumstances, where appropriate, Sponsors should first attempt to conduct searches in the EEA</p>

	<p>as set out in category 3 to a reasonable degree. However, it is recognised that the extent of such searches within the EEA shall be proportionate to the rarity and specialty of the attributes of the role. The Sponsor must be able to provide proof:</p> <ul style="list-style-type: none"> <li>• that the role requires certain highly specialist attributes; and</li> <li>• that the performer possesses those attributes; and</li> <li>• of the casting process and casting considerations; and</li> <li>• of reasonable and appropriate searches in the EEA (if applicable); and</li> <li>• a list of any EEA candidates who were unavailable at the required time.</li> </ul>
	<p>4. Featured guest in an entertainment programme, or subject of a factual programme</p> <p>The applicant must be a featured guest on an entertainment programme or subject of a factual programme. For example, actors, comedians or other performers booked to appear on a chat show or a professional variety show, or scheduled to be subject of an arts programme or documentary. The Sponsor must be able to provide:</p> <ul style="list-style-type: none"> <li>• A formal letter from the broadcaster or producer or copy of the relevant section of the commissioning agreement confirming the reason the migrant is required (e.g. to feature in an entertainment programme); and</li> <li>• The name of the programme concerned; and</li> <li>• Details of any recording or filming schedules.</li> </ul>
	<p>5. Performers who are tied to the finance of the production</p> <p>The applicant must be necessary to a production because the finance is contingent on the particular performer being cast in the film or TV production. The Sponsor must be able to provide a formal letter of confirmation from the production's principal financier.</p>
	<p>6. Performers who do not meet the key criteria but who are commercially important</p> <p>The applicant must be commercially important to the production. This may be demonstrated by a formal letter in support from a principal financier, or distributor. The Sponsor must give prior notice to Equity providing supporting evidence detailing: description of the role and film, and the reasons why advertising was not appropriate and a letter in support. The sponsor must provide Equity with:</p> <ul style="list-style-type: none"> <li>• the details of the performer(s) required, role, description of the production; and</li> <li>• the reasons why the role has not been advertised; and,</li> <li>• a formal letter in support of the migrant from a financier or distributor; and</li> <li>• if the performer is an up-and-coming performer, or cast to appeal to a particular overseas audience, then evidence of their CV, reviews, previous work, awards/accolades, and/or evidence of audience appeal would be required.</li> </ul>
	<p>7. International Co-productions</p> <p>Sponsors issuing CoSs to performers taking part in international co-productions structured under one of the UK's bilateral co-production treaties, or under the European Convention on Cinematographic Co-Production, need to provide the following evidence:</p> <ul style="list-style-type: none"> <li>• Provisional approval from the UK Film Council certification department that the film is being structured as an official co-production; or</li> <li>• Interim certification from the UK Film Council Certification Department.</li> </ul>

Required advertising media for other posts	A resident labour search in accordance with standard industry practice, which will normally involve engagement of casting agents within the EEA and contacting performers' agents, and may include advertising on Equity's job information service
Additional evidence required for stunt performers	The sponsor must also demonstrate that the applicant possesses the equivalent qualifications, skills and competence to UK industry standards. This may be demonstrated by either 1) a reference in support from a UK-based expert with demonstrable knowledge of the UK stunt industry; or 2) evidence of competence at a level equivalent to UK industry
<b>Performers in theatre or opera</b>	
Appropriate salary rate	Payment should be commensurate with industry standards set out at: <a href="http://www.equity.org.uk">www.equity.org.uk</a> ;
Exemptions from advertising for those deemed to be making an additional contribution to the UK labour market	1. The performer is required for continuity The applicant has worked for a period of one month or more during the past year, on the same production outside the UK prior to it coming to the UK. The "same production" means one which is largely the same in terms of direction and design as the production outside the UK. The Sponsor must be able to provide proof that the performer is currently working, or has worked, on the same production outside the UK and has done so, or did so, for at least one month during the past year, e.g. contract of employment, press cuttings, cast list.
	2. The performer has international status The applicant is internationally famous in his field. (This is different to being well-known only in one country.) The Sponsor must be able to provide proof that the performer has international status, e.g. press cuttings, awards, publicity material, television/radio interviews, programmes.
	3. The performer is engaged by a unit company A unit company is a theatre or opera company which exists in a country outside the UK and has put on at least one production in that country. The Sponsor must be able to provide proof that the company has put on at least one production in its home country, e.g. press cuttings, awards, publicity material, television/radio interviews, programmes; and proof that the individual is engaged by the unit company for the production in the UK, e.g. contract of employment.
	4. The performer has a certain attribute unlikely to be available in the EEA The role requires an attribute which would be unlikely to be available in the EEA labour force, e.g. a certain physical appearance, physical talent, or linguistic or vocal skill. The Sponsor must be able to provide proof that (a) the role requires a certain attribute; and (b) the individual has that attribute.
	5. The performer is the subject of an exchange under one of the UK theatre industry's exchange programmes The applicant satisfies the requirements of either of the exchange programmes with the United States and Australia operated by the theatre industry. Sponsors wishing to use this category must contact Equity in the

	first instance: Stephen Spence at <a href="mailto:sspence@equity.org.uk">sspence@equity.org.uk</a> or on 020 76700233.
Required advertising media for other posts	At least one of: <ul style="list-style-type: none"> <li>• The Stage</li> <li>• PCR</li> </ul>
<b>Workers in film and television</b>	
Appropriate salary rate	Payment of migrant workers in all cases must not be below the UK market rates found on the PACT and BECTU websites at <a href="http://www.pact.co.uk">www.pact.co.uk</a> and <a href="http://www.bectu.org.uk">www.bectu.org.uk</a> . No worker may be paid less
Exemptions from advertising for those deemed to be making an additional contribution to the UK labour market	<p>1. The worker is a Senior Creative Grade The applicant must possess the skills and experience of a Senior Creative Grade for the following roles:</p> <ul style="list-style-type: none"> <li>• Producer</li> <li>• Director</li> <li>• Director of Photography (Cinematographer)</li> <li>• Production Designer</li> <li>• Costumer Designer</li> <li>• Hair/Make Up Supervisor <ul style="list-style-type: none"> <li>• Editor</li> </ul> </li> <li>• Composer</li> <li>• Visual Effects Supervisor</li> <li>• Sound Designer</li> <li>• Script Writer</li> </ul> <p>The Sponsor must be able to provide documentary proof that the worker has the skills and experience in that role e.g. film and TV credits, qualifications, CV, press cuttings, awards, accolades, publicity material, television/radio interviews.</p>
	<p>2. The worker is required for production continuity The applicant must be providing significant creative input and have worked on or will be working in a post involving creative input on the same piece of work overseas for at least one month. The sponsor must demonstrate that the applicant has a direct working relationship with a Senior Creative Grade as listed in Category 1. For example, a first assistant editor might work directly with an Editor on the same piece of work overseas. No more than one additional worker may be sponsored in addition to a Senior Creative Grade, other than in exceptional circumstances, where there is a case based on production continuity. Sponsors must be able to provide:</p> <ul style="list-style-type: none"> <li>• Evidence that the role involves creative input and the worker possesses the skills and qualifications for the role, e.g. copies of qualifications, CV, credits, press cuttings, awards, accolades; and <ul style="list-style-type: none"> <li>• Evidence that the worker is currently, or has worked on, or will be working on the same production outside the UK for at least a month and evidence of current working relationship with a key Creative grade in Category 1 i.e. contracts, letters of engagement, casting lists, CV, references in support, credits, press cuttings; and <ul style="list-style-type: none"> <li>• In the circumstances where more than one additional worker is sponsored, the case must be set out in supporting documentation from the Sponsor.</li> </ul> </li> </ul> </li> </ul>



	<p><b>3. Other key creative workers</b> The applicant must be providing key creative input and have a significant previous working relationship with a Senior Creative Grade as listed in Category 1. A "significant" previous working relationship entails an established pattern of joint working on a number of previous productions rather than isolated or random examples. No more than one additional worker may be sponsored in addition to a Senior Creative Grade, other than in exceptional circumstances, where there is a creative case.</p> <p>The Home Office will notify BECTU promptly of the issuing of certificates of sponsorship for camera, editing and grip grades, and 1st Assistant Directors and BECTU may request sight of the evidence in support for such grades.</p> <p>The Home Office will notify the Production Guild promptly of the issuing of certificates of sponsorship for the following grades: Executive Producer (when providing the functions of a Line Producer or Financial Controller/Production Accountant), Line Producer, Co-Producer, 1st Assistant Director, Unit Production Manager, Production Supervisor, Financial Controller, Production Accountant and the Production Guild may request sight of the evidence in support for such roles.</p> <p>Sponsors must be able to provide:</p> <ul style="list-style-type: none"> <li>• Evidence that the applicant is in a creative or technical role and possesses the skills and qualifications for the role, e.g. copies of qualifications, CV, credits, press cuttings, awards, accolades etc; and</li> <li>• Evidence of the applicant's previous working relationship with a key Creative Grade in category 1.e.g. CV, references in support, credits, press cuttings; and</li> <li>• In the circumstances where more than one additional worker is sponsored per Department head, the case must be set out in a supporting documentation from the Sponsor.</li> </ul>
	<p><b>4. The role is highly specialist, where advertising is demonstrably not appropriate</b> For certain highly specialist roles, it would not be reasonable to expect an employer to undertake a resident labour market search. One example would be a role which requires particular attributes considered unlikely to be available from the resident labour force, for example where the role involves the application of highly specialist skills or new technology or proprietary technology or special effect, or unique knowledge. The Sponsor must be able to provide documentary proof that it would not be reasonable to expect the sponsor to undertake a resident labour market search e.g. in relation to the above example, proof that the role requires certain highly specialised skills e.g. job description; and that the applicant possesses those skills e.g. qualifications, CV, credits. For all roles under this category, UKBA will notify BECTU promptly of the issuing of certificates of sponsorship and BECTU may request sight of the evidence in support for such grades.</p>
	<p><b>5. International Co-productions</b> Sponsors issuing certificates of sponsorship to workers taking part in international co-productions structured under one of the UK's bilateral co-production treaties, or under the European Convention on Cinematographic Co-Production, need to provide the following evidence:</p>

	<ul style="list-style-type: none"> <li>• Provisional approval from the UK Film Council certification department that the film is being structured as an official co-production; or</li> <li>• Interim certification from the UK Film Council Certification Department.</li> </ul>
<p>Required advertising media for other posts</p>	<ul style="list-style-type: none"> <li>• For roles where formal advertising is not the usual industry practice for recruiting for a particular role: For these roles, the sponsor must carry out suitable and reasonable searches of the resident labour market, such as contacting agents, organisations, diary services or semi-formal worker networks. Where such informal recruitment methods are used, the sponsor must demonstrate a reasonable period within which it has searched the resident labour market, this should be for a least a period of two weeks.</li> <li>• Where formal advertising is usual for a role: For these roles, the sponsor must advertise the role to suitably qualified resident workers in an appropriate journal, newspaper, website or online directory. The choice of advertising medium should be appropriate for the particular role. The following advertising media may be appropriate: searching relevant online directories such as the Knowledge Online, Production Base, or through industry organisations such as the Production Guild. Other forms of advertising may be appropriate depending on the type of role. For longer terms contracts, advertisements in Guardian Media, Broadcast, Screen International, Marketing Week would be appropriate.</li> </ul> <p>Under this category, in the case of camera, editing and grip grades, and 1st Assistant Directors, the Home Office shall promptly notify BECTU of the issuing of certificates of sponsorship and BECTU may request sight of the evidence of the steps to search for resident labour for these roles.</p> <p>Under this category, in the case of Executive Producer (when providing the functions of a Line Producer or Financial Controller/Production Accountant) Line Producer, Co-Producer, 1st Assistant Director, Unit Production Manager, Production Supervisor, Financial Controller, Production Accountant grades, the Home Office will promptly notify the Production Guild of the issuing of a certificate of sponsorship and the Production Guild may request sight of the</p>
<p>Additional evidence required for Personal Assistants to Directors and Producers of international status</p>	<p>Sponsors may issue a Certificate of Sponsorship to a single, non-technical, non-creative personal assistant who supports a Director or Producer under category 1, who has demonstrable international status i.e. are known worldwide for international box office success.</p> <p>The Sponsor must notify BECTU promptly of the issuing of a certificate under this category for a PA to a Director and must notify the Production Guild promptly of the issuing of a certificate for a PA to a Producer. They may request sight of the evidence in support for such roles. Sponsors issuing certificates to migrants under this category must be able to supply proof that:</p> <ul style="list-style-type: none"> <li>• the migrant has a significant previous working relationship with the Director or Producer (a "significant" previous working relationship entails an established pattern of joint working on a number of previous productions rather than isolated or random examples); and</li> <li>• the migrant works only as a personal assistant to the Director/Producer and does not undertake creative or technical duties; and</li> </ul>

	<ul style="list-style-type: none"><li>• the Director or Producer is of international status i.e. known worldwide , or they have demonstrable box-office appeal worldwide.</li><li>• the worker has the skills and experience in that role e.g. a reference in support from the Director or Producer, film and TV credits, qualifications, and CV</li><li>• the Director or Producer has international status e.g. press cuttings, awards, accolades, publicity material, television/radio interviews, film and TV credits; or, documentary proof that they have demonstrable worldwide box-office appeal through box</li></ul>
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**Appendix K: Shortage Occupation List**

[Deleted]

## Appendix KOL IOM

*This Appendix sets out how the Knowledge of Life in the UK and Islands requirement is met by a person applying for settlement.*

*It applies only to applications under Appendix Hong Kong British Nationals (Overseas) and Appendix ECAA Extension of Stay.*

*Applications for settlement under other routes must continue to apply Appendix KoLL.*

### Exemption

- KOL.1.1. An applicant is exempt from the Knowledge in the Life in the UK and Islands requirement if at the date of application they—
- (a) are aged 65 or over;
  - (b) are under 18; or
  - (c) have a disability (physical or mental condition) which prevents them from meeting the requirement.

### Knowledge of Life in the UK and Islands requirement

- KOL.2.1. An applicant will meet the Knowledge of Life in the UK and Islands requirement if they—
- (a) provide a valid certificate from an educational institution or other person approved for this purpose by the Minister showing they have passed the Life in the United Kingdom and Islands test;
  - (b) provide a valid certificate or valid digital reference number from an educational institution or other person approved for this purpose by the Secretary of State showing they have passed the Life in the UK test; or
  - (c) provide a valid digital reference number or certificate from an educational institution or other person approved for that purpose by the Lieutenant Governor of Guernsey or Jersey showing they have passed the Citizenship Test.

**APPENDIX KOLL****PART 1. GENERAL**

## 1.1

## Purpose

This Appendix sets out how an applicant for indefinite leave to enter or remain must demonstrate sufficient knowledge of the English language and about life in the United Kingdom and Islands where it is a requirement of the Rules to demonstrate this for the purposes of an application for indefinite leave to enter or remain. It also sets out general exemptions to the requirement on grounds of age and enables the decision maker to waive the requirement in light of special circumstances in any particular case.

“Specified” in this Appendix means “specified in Part 4 of this appendix”

**PART 2 - KNOWLEDGE OF LANGUAGE AND LIFE**

2.1 An applicant for leave to enter or remain demonstrates sufficient knowledge of the English language and about life in the United Kingdom and Islands for the purpose of an application for indefinite leave to enter or remain made under these Rules if the requirements set out in paragraphs 2.2 and 2.3 are met unless the exceptions set out in Part 3 apply.

2.2 For the purposes of paragraph 2.1, an applicant has sufficient knowledge of the English language if:

(a) the applicant has provided specified documentary evidence that:

(i) the applicant is a national or citizen of one of the following countries:

Antigua and Barbuda

Australia

The Bahamas

Barbados

Belize

Canada

Dominica

Grenada

Guyana

Jamaica

Malta

New Zealand

St Kitts and Nevis

St Lucia

St Vincent and the Grenadines

Trinidad and Tobago

USA.

or

(iii) the applicant has obtained an academic qualification (not a professional or vocational qualification), which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Master's degree or PhD in the UK, from an educational establishment in one of the following countries: Antigua and Barbuda; Australia; The Bahamas; Barbados; Belize; Dominica; Grenada; Guyana; Ireland; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and The Grenadines; Trinidad and Tobago; the UK; the USA; and provides the specified documents; or

(iv) the applicant has obtained an academic qualification (not a professional or vocational qualification) which is deemed by Ecctis to meet the recognised standard of a Bachelor's or Master's degree or PhD in the UK, and

- (1) provides the specified documentary evidence to show he has the qualification, and
- (2) Ecctis has confirmed that the qualification was taught or researched in English; or

(b) the applicant-

- (i) has limited leave to enter or remain in the Isle of Man, and
- (ii) that leave (or a grant of leave which preceded it provided any periods of leave since have been unbroken) was given on the basis that the applicant had an English language qualification at a minimum level of B1 on the Common European Framework of Reference for Languages, and
- (iii) at the date of application, the provider of that qualification continues to be approved by the Minister.

or

(c) the on line verification system operated by an approved English language test provider, as published on the UK Visas and Immigration pages of Gov.uk, confirms that the applicant has passed an English language test in speaking and listening, at a minimum level B1 of the Common European Framework of Reference for Languages, which is approved by the Minister, and taken at a test centre approved by the Secretary of State as a Secure English Language Test Centre no more than two years before the date of application

2.3 For the purposes of sub-paragraph (1), an applicant demonstrates sufficient knowledge about life in the United Kingdom and Islands if:

- (a) the applicant has passed the test known as the "Life in the UK test" administered by learndirect limited; or
- (b) in respect of an applicant who was resident in the Isle of Man, the applicant took and passed the test in the Isle of Man known as the "Life in the UK and Islands test" and which was administered by an educational institution or other person approved for that purpose by the Minister; or
- (c) in respect of an applicant who was resident in the Bailiwick of Guernsey or in the Bailiwick of Jersey, the applicant took and passed the test known as the "Citizenship Test" and which was administered by an educational institution or other person approved for that purpose by the Minister of Guernsey or Jersey (as the case may be).

### **Part 3 - Exceptions**

3.1 Notwithstanding any requirement to the contrary in these Rules, for the purposes of this appendix, an applicant will not be required to demonstrate sufficient knowledge of the English language and about life in the UK and Islands where:

- a) the applicant is under 18 years of age at the date of his or her application, or
- b) the applicant is at least 65 years of age at the date of his or her application, or
- c) in all the circumstances of the case, the decision maker considers that, because of the applicant's mental or physical condition, it would be unreasonable to expect the applicant to fulfil that requirement.

3.2 In the following circumstances an applicant will be deemed to have demonstrated sufficient knowledge of the English language and about life in the UK and Islands:

- (a) Where the application for indefinite leave to enter or remain in the Isle of Man is made under:
  - (i) paragraph 196D and the applicant has had, as at the day on which the application is made, continuous leave to enter or remain in the Isle of Man for at least 15 years as the spouse or civil partner of a person who has or has had leave to enter or remain under paragraphs 128-193 or
  - (ii) paragraph 199 and the applicant has had, as at the day on which the application was made, continuous leave to enter or remain in the Isle of Man for at least 15 years as the child of a person

who has or has had leave to enter or remain in the Isle of Man under paragraphs 128–193 (but not paragraphs 135I-135K), or

(iii) paragraph 248D and the applicant has had, as at the day on which the application was made, continuous leave to enter or remain in the Isle of Man for at least 15 years as a person exercising rights of access to a child resident in the Isle of Man and that child is under the age of 18 at the day on which the applicant's application for indefinite leave is made under paragraph 248D, or

(iv) paragraph 273D and the applicant has had, as at the day on which the application is made, continuous leave to enter or remain in the Isle of Man for at least 15 years as a spouse or civil partner of a person who has or has had leave to enter or remain in the Isle of Man as a retired person of independent means, or

(v) paragraph 275A and the applicant has had, as at the day on which the application was made, continuous leave to enter or remain in the Isle of Man for at least 15 years as the child of a person who has or has had leave to enter or remain in the Isle of Man as a retired person of independent means, or

(vi) paragraph 287 and the applicant has had, as at the day on which the application is made, continuous leave to enter or remain in the Isle of Man for at least 15 years under paragraph 281 or paragraph 284, or

(vii) paragraph 295G and the applicant has had, as at the day on which the application is made, continuous leave to enter or remain in the Isle of Man for at least 15 years under paragraph 295B or paragraph 295D, or

(viii) paragraph 298 and the applicant has had, as at the day on which the application is made, continuous leave to enter or remain in the Isle of Man for at least 15 years under paragraph 302 or Appendix FM or paragraph 319R, or

(ix) paragraph 319E and the applicant has had, as at the day on which the application is made, continuous leave to enter or remain in the Isle of Man for at least 15 years as the partner of a relevant points based system migrant

(x) paragraph 319J and the applicant has had, as at the day on which the application is made, continuous leave to enter or remain in the Isle of Man for at least 15 years as the child of a relevant points based system migrant

(xi) section E-ILRP of Appendix FM and the applicant has had, as at the day on which the application is made, continuous leave to enter or remain in the Isle of Man for at least 15 years on the day on which the application is made as a partner (except where leave is as a fiancé or proposed civil partner) under section D-LTRP of Appendix FM; or

xii) section E-ILRPT of Appendix FM and the applicant has had, as at the day on which the application is made, continuous leave to enter or remain in the Isle of Man for at least 15 years on the day on which the application is made as a parent under section D-ILRPT of Appendix FM, and

(b)(i) the applicant has provided specified documentary evidence of an English language speaking and listening qualification at A2 CEFR or ESOL entry level 2 or Scottish Credit and Qualification Framework level 3; or

(ii) where paragraph 39C(c) of these Rules applies, the on-line verification system operated by an approved English language test provider, as published on the UK Visas and Immigration pages of Gov.uk, confirms that the applicant has passed an English language test in speaking and listening, at a minimum level A2 of the Common European Framework of Reference for Languages, which is approved by the Secretary of State, and taken at a test centre approved by the Secretary of State as a Secure English Language Test Centre no more than two years before the date of application.

(c) the applicant has provided specified documentary evidence from a qualified English language teacher that the applicant has made efforts to learn English but does not yet have sufficient knowledge of the English language to pass a qualification at B1 CEFR; and

d) the applicant is not a national or a citizen of one of the following countries:



Antigua and Barbuda  
 Australia  
 The Bahamas  
 Barbados  
 Belize  
 Canada  
 Dominica  
 Grenada  
 Guyana  
 Jamaica  
 Malta  
 New Zealand  
 St Kitts and Nevis  
 St Lucia  
 St Vincent and the Grenadines  
 Trinidad and Tobago  
 USA.

3.3 Where paragraph 39C(c) of these Rules applies subject to paragraph 3.2 of this Appendix, an applicant demonstrates sufficient knowledge of the English language and about life in the UK where:

(i) in cases where the applicant failed to satisfy paragraph 2.2 of this Appendix, the on-line verification system operated by an approved English language test provider, as published on the UK Visas and Immigration pages of Gov.uk, confirms that the applicant has passed an English language test in speaking and listening, at a minimum level B1 of the Common European Framework of Reference for Languages, which is approved by the Secretary of State, and taken at a test centre approved by the Secretary of State as a Secure English Language Test Centre no more than two years before the date of application; or

(ii) in cases where the applicant failed to satisfy paragraph 2.3 of this Appendix, he or she has provided specified evidence that he or she has passed the test known as the "Life in the UK test"

(iii) in cases where the applicant failed to satisfy paragraphs 2.2 and 2.3 of this Appendix, the requirements set out in sub-paragraphs (i) and (ii) are met.

## **PART 4 - SPECIFIED DOCUMENTS**

4.1 Where these Rules require an applicant to demonstrate sufficient knowledge of the English language and of life in the UK and Islands, the applicant must supply the documents or information specified in paragraphs 4.6 to 4.14 below.

4.2 The decision maker will only consider evidence submitted after the date on which an application is made where the circumstances in paragraph 39(C)(c) of these Rules or paragraphs 4.3 or 4.6 of this Appendix apply.

4.3 Where an applicant has submitted:

- (i) a document in the wrong format (for example, if a letter is not on letterhead paper as specified); or
- (ii) a document that is a copy and not an original document, or
- (iii) a document which does not contain all of the specified information, or

(iv) fails to submit a specified document, the decision-maker may contact the applicant or his or her representative (in writing or otherwise), and request the document or the correct version of the document. The document must be received by the Isle of Man Immigration Office at the address specified in the request within such timescale (which will not be unreasonable) as is specified.

4.4 A decision-maker may decide not to request a document under paragraph 4.3 where he or she does not anticipate that the supply of that document will lead to a grant of leave to enter or remain in the Isle of Man because the application may be refused for other reasons.

4.5 Without prejudice to the decision maker's discretion under paragraph 4.2 and also his or her right in all cases to request the original or specified document and refuse an application in circumstances in which they are not provided, where an applicant submits a specified document:

- (i) in the wrong format, or
- (ii) which is a copy and not an original document, or
- (iii) which does not contain all of the specified information but the missing information is verifiable from,
  - (aa) other documents submitted with the application,
  - (bb) the website of the organisation which issued the document, or
  - (cc) the website of the appropriate regulatory body;

the application for leave to enter or remain in the Isle of Man may be granted exceptionally providing the decision-maker is satisfied that the specified documents are genuine and that the applicant meets all the other requirements.

4.6 Where the decision-maker is satisfied that there is a valid reason why a document has not been and cannot be supplied, (for example, because the document has been permanently lost or destroyed), he or she may waive the requirement for the document to be provided or may instead request alternative or additional evidence (which may include confirmation of evidence from the organisation which issued the original document).

4.7 The information specified for the purposes of paragraph 2.2(c) of this Appendix is the unique reference number assigned by the provider to the English language test taken by the applicant.

4.8 Subject to paragraphs 4.9 and 4.10 the documentary evidence specified for the purposes of paragraph 2.2 of this Appendix as showing that a person is a national or a citizen of one of the countries listed in paragraph 2.2 is a valid passport or travel document which satisfactorily establishes the applicant's nationality.

4.9 If the applicant cannot provide their passport or travel document other evidence of nationality of the type described in paragraph 4.10 may exceptionally be supplied in the following circumstances (the reason for which must be indicated by the applicant on their application form), where:

- (a) the applicant's passport has been lost or stolen, or
- (b) the applicant's passport has expired and has been returned to the relevant authorities, or
- (c) the applicant's passport is with another part of the Home Office.

4.10 Where paragraph 4.9 applies, the alternative evidence specified for the purposes of establishing the applicant's nationality is:

- (a) a valid national identity document; or
- (b) an original letter from the applicant's Home Government or Embassy confirming the applicant's full name, date of birth and nationality.

4.11. The evidence specified for the purposes of paragraph 2.2(a)(iii) to 2.2(a)(v) (academic qualification recognised by Ecctis) is:

- (a) a certificate issued by the relevant institution confirming the award of the academic qualification and showing:

- (i) the applicant's name,
  - (ii) the title of the award,
  - (iii) the date of the award,
  - (iv) the name of the awarding institution, and,
  - (v) for paragraph 2.2(a)(iii) that the qualification was taught in English, or,
- (b) where an applicant has not, at the date of application, formally graduated or no longer has his or her certificate and is unable to obtain a duplicate certificate:
- (i) an original academic reference from the institution awarding the academic qualification that:
    - (aa) is on official letter headed paper,
    - (bb) shows the applicant's name,
    - (cc) shows the title of the award,
    - (dd) confirms that the qualification was taught in English,
    - (ee) states when the academic qualification was (or as the case may be, will be) awarded, and
    - (ff) confirms that the institution is unable to issue a duplicate certificate of award or (as the case may be in respect of an applicant who has not yet graduated) the date on which the certificate will be issued, or
  - (ii) an original academic transcript that:
    - (aa) is on official letter headed paper,
    - (bb) shows the applicant's name,
    - (cc) shows the name of the academic institution,
    - (dd) shows the course title,
    - (ee) confirms that the qualification was taught in English, and,
    - (ff) confirms the award given.

4.12 In the absence of any evidence to the contrary, a qualification obtained in one of the following countries will be assumed for the purposes of this Appendix to have been taught in English: Antigua and Barbuda, Australia, the Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Ireland, Jamaica, Malta, New Zealand, St Kitts and Nevis, St Lucia, St Vincent and the Grenadines, Trinidad and Tobago, the UK or the USA.

4.13 The information or evidence specified for the purposes of paragraph 3.2(b)(i) (evidence of English language speaking and listening) is:

- (a) the unique reference number assigned by the provider to the English language test taken by the applicant; or
- (b) a certificate or other document issued by an awarding organisation that is recognised either by Ofqual, the Welsh Government, or CCEA that:
  - (i) is issued in England, Wales or Northern Ireland in respect of a qualification listed as an ESOL qualification in the OFQUAL Register of Regulated Qualifications, and
  - (ii) shows that the level of speaking and listening skills attained by the applicant met ESOL entry level 2; or
- (c) a certificate that:
  - (i) is issued in Scotland in respect of a National Qualification in English for Speakers of Other Languages awarded by the Scottish Qualifications Authority, and

(ii) shows that the level of speaking and listening skills attained by the applicant met Scottish Credit and Qualifications Framework level 3.

4.13A The information specified for the purposes of paragraph 3.2(b)(ii) (evidence of English language speaking and listening) is the unique reference number assigned by the provider to the English language test taken by the applicant.

4.14 (a) The evidence specified for the purposes of paragraph 3.2(c) (evidence from qualified English teacher) is a letter from the teacher which is signed by him or her and dated no more than 3 months before the date on which the application for indefinite leave to remain is made and which includes the following information:

(i) the applicant's name,

(ii) confirmation that the applicant has attended an English language class taught by that teacher for at least 75 guided learning hours and which was taught during the period of 12 months immediately preceding the date on which the application for indefinite leave to remain was made,

(iii) confirmation that the teacher has assessed that the speaking and listening level attained by the applicant is not at B1 level or above,

(iv) confirmation that the applicant is considered unlikely to attain B1 level through further study

(v) confirmation of the teacher's qualifications as an English language teacher within the meaning of this Appendix.

(b) For the purposes of paragraph (a)(ii) "guided learning hours" means the time during which a person is taught or given instruction and does not include any time spent on unsupervised preparation or study.

4.15 The information specified for the purposes of paragraph 2.3 of this Appendix is—

(a) a unique reference number issued to the applicant by the provider of the "Life in the UK" test; or

(b) where the "Life in the UK and Islands test" was taken and passed in the Isle of Man, a pass certificate in respect of the test issued by the relevant educational institution or other person approved for that purpose by the Minister.

4.16 The information specified for the purposes of paragraph 3.3(i) of this Appendix (evidence of English language speaking and listening) is the unique reference number assigned by the provider to the English language test taken by the applicant.

4.17 The evidence specified for the purposes of paragraph 3.3(ii) of this Appendix (evidence of knowledge about life in the UK) is the same as that specified at paragraph 4.15(a) of this Appendix.

## **PART 5 - INTERPRETATION**

5.1 For the purposes of this Appendix "decision maker" means an Entry Clearance Officer or the Minister.

5.2 For the purposes of this Appendix, "qualified English language teacher" means a person who holds a qualification in teaching English as a foreign language or in teaching English to speakers of other languages which was awarded by an awarding organisation regulated by OFQUAL or the Welsh Government or the CCEA or the Scottish Qualification Authority.

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## Appendix L: Tier 1 Designated Competent Body Criteria

Designated Competent Body criteria for Tier 1 (Exceptional Talent) Migrant applications.

### Criteria for endorsement by The Royal Society, The Royal Academy of Engineering or The British Academy

1A. Where these Rules require applicants to provide a letter of personal recommendation from a UK based individual or to hold a UK research based fellowship, specified evidence from the Isle of Man is also acceptable.

1. To be considered for endorsement, the applicant must first:

(a) satisfy all of the mandatory "Exceptional Talent (world leader) criteria, and at least one of the qualifying criteria, in the table below, or

(b) satisfy all of the "Exceptional Promise (potential world leader)" criteria in the table below.

<b>Exceptional Talent (world leader)</b>	<b>Exceptional Promise (potential world leader)</b>
<b>Mandatory Qualifying Criteria</b>	<b>Mandatory Qualifying Criteria</b>
<p>The applicant must:</p> <ul style="list-style-type: none"> <li>• Be an active researcher in a relevant field, typically within a university, research institute or within industry;</li> <li>• Have a PhD or equivalent research experience;</li> <li>• Provide a dated letter of a personal recommendation from an eminent person resident in the UK or the Isle of Man supporting the Tier 1 (Exceptional Talent) application who is familiar with his work and his contribution to his field, and is qualified to assess his claim to be a world leader in his field;</li> <li>• Meet one or more of the following Qualifying Criteria.</li> </ul>	<p>The applicant must:</p> <ul style="list-style-type: none"> <li>• Be an active researcher in a relevant field, typically within a university, research institute or within industry;</li> <li>• Have a PhD or equivalent research experience (including industrial research);</li> <li>• Provide a dated letter of personal recommendation from an eminent person resident in the UK or the Isle of Man supporting the Tier 1 (Exceptional Talent) application who is familiar with his work and his contribution to his field, and is qualified to assess his claim that he has the potential to be a world leader in his field;</li> <li>• Be at an early stage in his career;</li> <li>• Have been awarded, hold, or have held in the past five years, a prestigious Isle of Man or UK-based Research Fellowship, or an international Fellowship or advanced research post judged by the competent bodies to be of equivalent standing.</li> </ul>
<b>Qualifying Criteria</b>	
<ul style="list-style-type: none"> <li>• Be a member of his national academy or a foreign member of academies of other countries (in particular any of the UK national academies);</li> </ul>	

<ul style="list-style-type: none"> <li>• Have been awarded a prestigious internationally recognised prize;</li> <li>• Provide a written recommendation from a reputable UK organisation concerned with research in his field. The dated letter must be written by an authorised senior member of the organisation, such as a Chief Executive, Vice-Chancellor or similar, on official paper.</li> </ul>	
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2. To be considered for endorsement, the applicant must provide the following documents:

(a) A completed Designated Competent Bodies' Tier 1 (Exceptional Talent) application form;

(b) A short curriculum vitae outlining his career and publication history (of no more than 3 A4 sides in length);

(c) A mandatory dated letter of recommendation written in support of the application from an eminent person resident in the UK or the Isle of Man who is familiar with his work and his contribution to his field, and is qualified to assess his claim to be a world leader or a potential world leader in his field. The letter should be dated and include details of how the eminent person knows the applicant; the applicant's achievements in the specialist field, and how in the opinion of the eminent person the applicant exhibits exceptional talent; how the applicant would benefit from living in the Isle of Man; and the contribution they would make to Isle of Man research excellence, industry development, and to wider society; and

(d) Evidence in relation to at least one of the qualifying criteria listed above.

3. The documents in paragraph 2 above must be:

(a) Hard copy,

(b) Printed (not hand-written), and

(c) Written in English or accompanied by authorised English translations.

4. If the eligibility criteria in paragraph 1 are met, and the documents outlined in paragraph 2 are provided in accordance with the requirements at paragraph 3, then the Designated Competent Body will assess the applicant for endorsement, taking into consideration the following assessment criteria:

(a) The applicant's track record/career history (including his international standing, the significance of his publications, prizes and research funding awarded, patents, and the impact of past innovation activity, in a company, academia or as an individual);

(b) The strength of the supporting statements in the letter of personal recommendation, and evidence in relation to qualifying criteria, including a written recommendation from a reputable Isle of Man or UK organisation concerned with research in the applicant's field (if relevant);

(c) The expected benefits of the applicant's presence in the Isle of Man in terms of the contribution to Isle of Man research excellence, industry development, and to wider society, including potential economic benefits from exploitation of intellectual capital; and

(d) The additional factors in the table below.

<b>Exceptional Talent (world leader)</b>	<b>Exceptional Promise (potential world leader)</b>
<ul style="list-style-type: none"> <li>• Whether the applicant is the winner of a prestigious prize or award;</li> <li>• Whether the applicant has secured significant</li> </ul>	<ul style="list-style-type: none"> <li>• Whether the applicant has provided evidence sufficient to demonstrate that he has the potential to be a future world leader in the field;</li> </ul>

<p>funding for his work in the past ten years;</p> <ul style="list-style-type: none"> <li>• Whether the applicant is regarded as a world leader in your field.</li> </ul>	<ul style="list-style-type: none"> <li>• The level of additional funding secured during or following tenure of a relevant fellowship;</li> <li>• Whether he can provide evidence of a relevant prize or award for early career researchers;</li> <li>• The significance of his contribution to his field relative to his career stage.</li> </ul>
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4A. If the applicant is judged by the Designated Competent Body to have met the published eligibility criteria for consideration as well as assessed to have met the assessment criteria to a level considered demonstrable of a world leader in their field or a potential world leader in their field then the Designated Competent Body will endorse the applicant. If the applicant is judged by the Designated Competent Body not to have met the eligibility criteria or assessed not to have met the assessment criteria to a level considered demonstrable of a world leader in their field or a potential world leader in their field, then the Designated Competent Body will not endorse the applicant.

### Criteria for endorsement by Arts Council England

5. The applicant must either:

(a) be established as, or demonstrate potential to become, a world-leading artist or an internationally-recognised expert within the fields of the arts (encompassing dance, music, theatre, visual arts and literature), museums or galleries; or

(b) be established as a world-leading artist or an internationally-recognised expert within the film, television, animation, post-production and visual effects industry.

6. The applicant must:

(a) be professionally engaged in producing work of outstanding quality which has been published (other than exclusively in newspapers or magazines), performed, presented, distributed or exhibited internationally;

(b) show recent (within the last 5 years) and regular activity of being engaged professionally as a practitioner in his field;

(c) show a substantial (if applying under the exceptional talent criteria) or developing (if applying under the exceptional promise criteria) track record in at least two countries, one of which can be their country of residence.

7. If the applicant's field is within the arts, museums or galleries, he must provide the evidence specified in the table below to demonstrate that his work is of exceptional quality and has national or international recognition. This evidence must consist of no more than 10 documents in total, and must be submitted as paper-based documents in hard copy with the application.

Evidence cannot include other objects, Digital Versatile Discs (DVDs) or Compact Discs (CDs), digital files or web links. (If an applicant wishes to use the content of a webpage as one of his 10 permitted supporting documents, he must provide a printed copy of the page which clearly shows the Uniform Resource Locator (URL) for the page.)

A document in this context is defined as a single article, review, letter, etc. If more than the permitted ten documents are submitted, only the first ten documents listed will be considered; additional evidence in excess of the permitted ten documents will be disregarded.

<b>Exceptional talent within the fields of the arts, museums or galleries</b>	<b>Exceptional Promise (potential world leader) within the fields of arts, museums or galleries</b>
The applicant must provide evidence to support two	The applicant must provide evidence to support two

<p>or more of the following:</p> <p>1) Examples of significant media recognition such as features, articles and/or reviews from national publications or broadcasting companies in at least two countries, one of which can be the applicant's country of residence. Event listings or advertisements are not acceptable. Media recognition must provide critique of the applicant's work.</p> <p>2) Proof of having won international awards for excellence, for example the Booker Prize, a Grammy Award; or domestic awards in another country, for example a Tony Award.</p> <p>Arts Council England will judge whether a particular award provides appropriate evidence of international recognition in the applicant's field.</p> <p>3) Proof of appearances, performances, publications or exhibitions in the past five years in contexts which are recognised as internationally significant in the applicant's field or evidence of extensive international distribution and audiences for the applicant's work. Arts Council England will judge whether such appearances, performances, exhibitions or distribution provide appropriate evidence of international significance in the applicant's field. Proof must come from at least two countries, one of which can be the applicant's country of residence.</p>	<p>or more of the following:</p> <p>1) Two or more examples of media recognition such as articles and/or reviews from national publications or broadcasting companies in at least two countries, one of which can be the applicant's country of residence. Event listings or advertisements are not acceptable. Media recognition must provide critique of the applicant's work.</p> <p>2) Proof of having won or been nominated or shortlisted for international awards for excellence, for example the Booker Prize, a Grammy Award; or domestic awards in another country, for example a Tony Award. Arts Council England will judge whether a particular award provides appropriate evidence of recognition in the applicant's field.</p> <p>3) Proof of appearances, performances, publications or exhibitions in the past three years in contexts which are internationally recognised in the applicant's field or evidence of international distribution and audiences for the applicant's work.</p> <p>Arts Council England will judge whether such appearances, performances, exhibitions or distribution provide appropriate evidence of international recognition in the applicant's field. Proof must come from at least two countries, one of which can be the applicant's country of residence.</p>
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8. If the applicant's field is within the film, television, animation, post-production and visual effects industry, he must:

(a) have won, or within the last five years from the year of application, have received a nomination for:

- (i) an Academy Award,
- (ii) a British Academy of Film and Television Arts (BAFTA) award (Film, Television, Television Crafts, Cymru, Scotland, Games awards only),
- (iii) a Golden Globe, or
- (iv) an Emmy award

and provide:

- (1) full details of the production nomination or award, including category and year of nomination or award,
- (2) evidence of the applicant's involvement if the nomination or award was as part of a group, and
- (3) evidence of the credit the applicant received for the nomination or award;

or

(b) have, within the last five years from the year of application, made a significant and direct contribution to winning or being nominated for:



- (i) an Academy Award,
- (ii) a British Academy of Film and Television Arts (BAFTA) award (Film, Television, Television Crafts, Cymru, Scotland, Games awards only),
- (iii) a Golden Globe, or
- (iv) an Emmy award

and provide evidence from the named person on the award(s) or nomination(s) which demonstrates that the applicant has significantly influenced or directly resulted in the award or nomination to the named person; or

(c) demonstrate notable industry recognition by providing evidence of:

(i) international distribution sales and recognition, and

(ii) having achieved one of the following combinations:

(1) won a minimum of two,

(2) won one, and, within the last five years before the date of application, have been nominated for one other, or

(3) within the last three years before the date of application, have been nominated for a minimum of three, of the following Notable Industry Recognition Awards:

- Akil Koci Prize
- American Academy of Arts and Letters Gold Medal in Music
- Angers Premiers Plans
- ARIA Music Awards (Australian Recording Industry Association)
- ASCAP awards (American Society of Composers, Authors and Publishers)
- Australian Academy of Cinema and Television Arts (AACTS)
- Awit Awards (Philippine Association of the Record Industry)
- Berlin International Film Festival
- BET Awards (Black Entertainment Television, United States)
- BFI London Film Festival
- Brit Awards
- British Composer Awards – For excellence in classical and jazz music
- Brooklyn International Film Festival
- Cannes International Film Festival / Festival de Cannes
- Chicago International Film Festival
- CinemaCon's International Filmmaker of the Year Award
- Cinema Jove International Film Festival
- Classic Rock Roll of Honour Awards – An annual awards program bestowed by Classic Rock
- Comet (Viva, Germany)
- Cork International Film Festival
- Country Music Awards of Australia (Country Music Association of Australia)
- DICE Awards organised by the Academy of Interactive Arts and Sciences
- Directors Guild of America Award
- Distinguished Service to Music Medal (Kappa Kappa Psi) – For exceptional service to American bands and band music
- Echo (German Phonographic Academy)
- Edinburgh International Film Festival
- Ernst von Siemens Music Prize
- European Film Awards
- Fédération Internationale de la Presse Cinématographique or International Film Critics Award given by the International Federation of Film Critics
- GDC Awards
- George Peabody Medal (Peabody Institute)

- Gold Badge Awards – For outstanding contributions to the music and the entertainment industry of the United Kingdom
- Golden Melody Awards (Taiwan)
- Grammy Awards
- Grand Prix du Disque (France)
- Grawemeyer Award for Music Composition
- Grierson Documentary Awards
- IGF Awards
- Independent Music Awards
- Independent Spirit Awards
- International Film Music Critics Association Awards
- Ivor Novello Awards
- Jean Hersholt Humanitarian Academy Award
- Juno Awards (Canadian Academy of Recording Arts and Sciences)
- Latin Grammy Award (Latin Academy of Recording Arts & Sciences)
- Léonie Sonning Music Prize (Léonie Sonning Music Foundation)
- Locarno Film Festival
- Los Premios MTV Latinoamérica – Previously known as MTV Video Music Awards Latinoamérica (MTV)
- Melbourne International Film Festival
- Mercury Prize
- MTV Music Awards (MTV)
- News and Documentary Emmy
- Otaka Prize – An annual composition prize for Japanese composers
- Polar Music Prize
- Praemium Imperiale
- Preis der deutschen Schallplattenkritik – For achievement in recorded music
- Primetime Engineering Emmy
- Prix de Rome
- Producers Guild of America Awards
- Pulitzer Prize for Music
- Raindance Film Festival
- Rolf Schock Prize in Musical Arts
- Rotterdam International Film Festival
- Royal Television Society Awards
- Sanremo Music Festival (Italy)
- Sao Paulo International Film Festival
- Satellite Awards
- Saturn Awards
- Sibelius Prize
- South by Southwest Film Festival
- Sports Emmy
- Stockholm International Film Festival
- Student Academy Award
- Sundance Film Festival
- Suntory Music Award (Japan)
- Sydney Film Festival
- Technology and Engineering Emmy
- The Annime Awards
- Toronto International Film Festival
- Tribeca Film Festival
- Venice International Film Festival
- Visual Effects Society Awards
- Women in Film and Television Awards
- Writers Guild Awards of Great Britain

- Writers Guild of America Awards

9. The applicant must provide letters of endorsement as specified in the table below, which must:
- be written on headed paper, dated, and signed by the author who must be a senior member of the organisation such a member of the senior management team or board, the Chief Executive, Artistic Director, Principal or Chair;
  - include details of the author's credentials (for example, a Curriculum Vitae or résumé) and how they know the applicant (whether through personal relationship or reputation);
  - detail the applicant's achievements in his specialist field and how in the opinion of the author he has demonstrated that he is, or has the potential to become, a world leader in his field;
  - describe how the applicant would benefit from living in the Isle of Man and the contribution he could make to cultural life in the Isle of man, including details of any future professional engagements in the Isle of Man that the author is aware of;
  - include full contact details of the author including personal email address and direct telephone number so that personal contact can be made; and
  - be written specifically for the purpose of supporting the application, not as a general all-purpose reference letter.

#### Letters of endorsement for exceptional talent and exceptional promise

The applicant must provide 3 letters of endorsement (as described in paragraph 9 above).

The **first letter** must be from a **UK based** arts or cultural organisation, institution or company which is well-established nationally and/or internationally and widely acknowledged as possessing expertise in its field.

The **second letter** must be from another arts or cultural organisation, institution or company which is well-established nationally and/or internationally and widely acknowledged as possessing expertise in its field. This second organisation may be UK, Isle of Man or overseas based.

The **third letter** may be **either** from a third arts or cultural organisation, institution or company (UK, Isle of Man or overseas based) which is well-established nationally and/or internationally and widely acknowledged as possessing expertise in its field or from an eminent individual with internationally recognised expertise in the applicant's specialist field.

#### Criteria for endorsement by Tech City UK

10. To be considered for endorsement, the applicant must:

- satisfy one of the key "Exceptional Talent" criteria, and at least two of the qualifying "Exceptional Talent" criteria in the table below; or
- satisfy one of the key "Exceptional Promise" criteria, and at least two of the qualifying "Exceptional Promise" criteria in the table below.

In meeting these criteria, applicants must demonstrate proven commercial or technical expertise in management or exploitation of a technology stack.

<b>Exceptional Talent</b>	<b>Exceptional Promise</b>
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Key	Key
<p>1. Have a proven track record of innovation in the digital technology sector as a director / founder of a digital technology sector company or an employee working in a new digital field or concept that must be clearly evidenced (e.g. patent application)</p> <p>1 Proof of recognition for work outside the applicant's immediate occupation that has contributed to the advancement of the sector (e.g. evidence that you have gone beyond your day to day profession to engage in an activity that contributes to the advancement of the sector)</p>	<p>1. Provide two or more examples of innovation in the digital technology sector as a founder of a digital technology sector company or an employee working in a new digital field or concept that must be clearly evidenced (e.g. patent application)</p> <p>2. Proof of recognition for work outside the applicant's immediate occupation that has contributed to the advancement of the sector (e.g. evidence that you have gone beyond your day to day profession to engage in an activity that contributes to the advancement of the sector)</p>
Qualifying	Qualifying
<p>1. Have made significant technical, commercial or entrepreneurial contributions in the digital technology sector as either a director, founder, or entrepreneur of a digital technology sector company</p> <p>2. Have been recognised as a world leading talent in the digital technology sector</p> <p>3. Have undergone continuous learning / mastery of new digital skills (commercial or technical) throughout their career</p> <p>4. Have demonstrated exceptional ability in the field by making academic contributions through research published or otherwise endorsed by a research supervisor or other expert</p>	<p>1. Have made significant technical, commercial, or entrepreneurial contributions in the digital technology sector as either a founder or entrepreneur of a digital technology company</p> <p>2. Have been recognised as having the potential to be a world leading talent in the digital technology sector</p> <p>3. Have undergone continuous learning / mastery of new digital skills (commercial or technical) throughout their career</p> <p>4. Provide two or more examples of exceptional ability in the field by making academic contributions through research endorsed by a research supervisor or other expert</p>

11. The applicant must provide the following documents:

- (a) A completed Tech Nation (Tier 1 Exceptional Talent) application form;

- (b) A curriculum vitae outlining their career and publication history (of no more than 2 A4 sides in length).
- (c) Two dated letters of recommendation on headed paper written in support of the application signed by two different senior members of different established organisations in the digital technology sector, who are familiar with the applicant's work and their contribution to the digital technology sector, and are qualified to assess the applicant's claim to be a world leader or potential world leader in this field. Both letters must:
- (i) be written and signed by an authorised member of the organisation they represent, such as the Chief Executive, Chief Operating Officer, Finance Director or Head of Course;
  - (ii) include details of the author's credentials (for example, a curriculum vitae);
  - (iii) include details of how the recognised expert knows the applicant;
  - (iv) include the applicant's achievements in the specialist field, and how, in the opinion of the recognised expert, the applicant exhibits exceptional talent or exceptional promise;
  - (v) include how the applicant would benefit from living in the Isle of Man and the contribution they would make to the Isle of Man digital technology sector;
  - (vi) include details of any future professional engagements the applicant has in the Isle of Man where applicable;
  - (vii) include the recognised expert's personal email address and direct telephone number;
  - (viii) be written specifically for the purpose of supporting the application, not as a general all-purpose reference letter.
- (d) Evidence of any active businesses established or businesses that have been dissolved in the last five years in which the applicant has been a director, founder or entrepreneur, or evidence of share ownership through business in a digital technology sector company.
- (e) Evidence in relation to the relevant mandatory and qualifying criteria listed above. This evidence must consist of no more than 10 documents in total, and must be submitted as paper-based documents in hard copy with the application. Each document must be no more than 2 A4 sides in length. Evidence provided in relation to continuous learning must not date back to more than a year before the date of application.

12. The documents in paragraph 11 above must be written in English or accompanied by authorised English translations.

13.(a) Tech City UK will advise the Home Office whether or not it endorses the applicant. If the evidence provided by the applicant is judged by Tech City UK to have met the published eligibility criteria for consideration as well as being sufficient to consider the applicant to be a world leader or a potential world leader in the digital technology sector, then Tech City UK will endorse the applicant. If the evidence provided is judged by Tech City UK not to have met the eligibility criteria or not to be sufficient to consider the applicant to be a world leader or a potential world leader in the digital technology sector, then Tech City UK will not endorse the applicant.

- (b) When assessing applicants Tech City UK will take into consideration the following:
- (i) The applicant's track record/career history (including his international standing, the significance of his work and the impact of his activity in a company or as an individual);
  - (ii) The strength of the supporting statements in the letter of personal recommendation, and evidence in relation to qualifying criteria; and
  - (iii) The expected benefits of the applicant's presence in the UK in terms of the contribution to the UK digital technology sector.

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## Appendix M: Sports Governing Bodies for and Tier 5(Temporary Worker – Creative and Sporting) applications

1. Applicants in these categories must be endorsed by the relevant Governing Body from the table below or an Isle of Man body which is affiliated to one of the bodies in the table, and the Certificate of Sponsorship Checking Service entry relating to the application must confirm this endorsement.

2. Each Governing Body may only endorse applicants in the Tier(s) specified in the table.

<b>Sport</b>	<b>Governing body</b>	<b>Tiers</b>
All sports not listed in Appendix M of the Immigration Rules	Home Office	Tier 5 (Temporary Worker – Creative and Sporting)
Archery	Archery GB	Tier 5 (Temporary Worker – Creative and Sporting)
Athletics	UK Athletics	Tier 5 (Temporary Worker – Creative and Sporting)
Badminton	Badminton England	Tier 5 (Temporary Worker – Creative and Sporting)
Badminton	Badminton Scotland	Tier 5 (Temporary Worker – Creative and Sporting)
Baseball/Softball	BaseballSoftball UK	Tier 5 (Temporary Worker – Creative and Sporting)
Basketball	Basketball England	Tier 5 (Temporary Worker – Creative and Sporting)
Basketball	Basketball Ireland	Tier 5 (Temporary Worker – Creative and Sporting)
Boxing	British Boxing Board of Control	Tier 5 (Temporary Worker – Creative and Sporting)
Canoeing	British Canoeing	Tier 5 (Temporary Worker – Creative and Sporting)
Chinese Martial Arts	British Council for Chinese Martial Arts	Tier 5 (Temporary Worker – Creative and Sporting)
Cricket	England and Wales Cricket Board (ECB)	Tier 5 (Temporary Worker – Creative and Sporting)
Cricket	Cricket Scotland	Tier 5 (Temporary Worker – Creative and Sporting)
Cricket	Cricket Ireland	Tier 5 (Temporary Worker – Creative and Sporting)
Curling	Royal Caledonian Curling Club	Tier 5 (Temporary Worker – Creative and Sporting)
Cycling	British Cycling	Tier 5 (Temporary Worker – Creative and Sporting)
Equestrianism	British Horse Society	Tier 5 (Temporary Worker)
Fencing	British Fencing	Tier 5 (Temporary Worker – Creative and Sporting)
Field Hockey England	England Hockey	Tier 5 (Temporary Worker – Creative and Sporting)
Field Hockey Scotland	Scottish Hockey Union	Tier 5 (Temporary Worker – Creative and Sporting)
Field Hockey Wales	Welsh Hockey Union	Tier 5 (Temporary Worker – Creative and Sporting)
Field Hockey Ireland	Irish Hockey Association	Tier 5 (Temporary Worker – Creative and Sporting)

Football England	The Football Association	Tier 5 (Temporary Worker – Creative and Sporting)
Football Scotland	Scottish Football Association	Tier 5 (Temporary Worker – Creative and Sporting)
Football Wales	The Football Association of Wales	Tier 5 (Temporary Worker – Creative and Sporting)
Football Northern Ireland	Irish Football Association	Tier 5 (Temporary Worker – Creative and Sporting)
Gymnastics	British Gymnastics	Tier 5 (Temporary Worker – Creative and Sporting)
Handball	British Handball Association	Tier 5 (Temporary Worker – Creative and Sporting)
Ice Hockey	Ice Hockey (UK)	Tier 5 (Temporary Worker – Creative and Sporting)
Ice Skating	National Ice Skating Association of Great Britain and Northern Ireland	Tier 5 (Temporary Worker – Creative and Sporting)
Jockeys and Trainers	British Horseracing Authority	Tier 5 (Temporary Worker – Creative and Sporting)
Judo	British Judo Association	Tier 5 (Temporary Worker – Creative and Sporting)
Kabbadi	England Kabaddi Federation (UK)	Tier 5 (Temporary Worker
Karate	Scottish Karate	Tier 5 (Temporary Worker – Creative and Sporting)
Lacrosse	English Lacrosse	Tier 5 (Temporary Worker – Creative and Sporting)
Motorcycling (except speedway)	Auto-cycle Union	Tier 5 (Temporary Worker – Creative and Sporting)
Motorsports	The Royal Automobile Club Motor Sports Association Ltd	Tier 5 (Temporary Worker – Creative and Sporting)
Netball	Welsh Netball Association	Tier 5 (Temporary Worker – Creative and Sporting)
Netball	England Netball	Tier 5 (Temporary Worker – Creative and Sporting)
Netball	Netball Northern Ireland	Tier 5 (Temporary Worker – Creative and Sporting)
Netball	Netball Scotland	Tier 5 (Temporary Worker – Creative and Sporting)
Polo	Hurlingham Polo Association	Tier 5 (Temporary Worker – Creative and Sporting)
Rowing	British Rowing	Tier 5 (Temporary Worker – Creative and Sporting)
Rugby League	Rugby Football League	Tier 5 (Temporary Worker – Creative and Sporting)
Rugby Union England	Rugby Football Union	Tier 5 (Temporary Worker – Creative and Sporting)
Rugby Union Scotland	Scottish Rugby Union	Tier 5 (Temporary Worker – Creative and Sporting)
Rugby Union Wales	Welsh Rugby Union	Tier 5 (Temporary Worker – Creative and Sporting)
Rugby Union Ireland	Ulster Rugby	Tier 5 (Temporary Worker – Creative and Sporting)

Sailing, windsurfing and powerboating	Royal Yachting Association	Tier 5 (Temporary Worker – Creative and Sporting)
Speedway	British Speedway Promoters Association	Tier 5 (Temporary Worker – Creative and Sporting)
Squash and racketball	England Squash and Racketball	Tier 5 (Temporary Worker – Creative and Sporting)
Swimming, water polo, diving and synchronised swimming	British Swimming	Tier 5 (Temporary Worker – Creative and Sporting)
Table Tennis	English Table Tennis Federation	Tier 5 (Temporary Worker – Creative and Sporting)
Tennis	Lawn Tennis Association	Tier 5 (Temporary Worker – Creative and Sporting)
Tennis	Tennis & Rackets Association	Tier 5 (Temporary Worker – Creative and Sporting)
Triathlon	British Triathlon	Tier 5 (Temporary Worker – Creative and Sporting)
Wheelchair Basketball	British Wheelchair Basketball	Tier 5 (Temporary Worker – Creative and Sporting)
Wrestling	British Wrestling Association	Tier 5 (Temporary Worker – Creative and Sporting)
Yoga	The British Wheel of Yoga	Tier 5 (Temporary Worker – Creative and Sporting)



## Appendix N: Approved Tier 5 Government Authorised Exchange Schemes

These Exchange Schemes are also approved for placements in the Isle of Man. ( This does not apply to Schemes applicable only in Scotland, Wales or Northern Ireland.). Evidence must be provided to demonstrate the overarching sponsor body has approved the work experience or training programme in the Isle of Man

<b>Name of scheme</b>	<b>Scheme summary</b>	<b>Name of overarching body (Sponsor)</b>	<b>Type of Scheme</b>	<b>Area of UK covered</b>
AIESEC Internships	The scheme is part of AIESEC's global exchange programme in which 4,000 graduates participate every year. It develops the leadership skills of recent graduates from overseas, with typically at least a years' experience in Management (marketing, finance, sales), Technical (IT, engineering) and Development (charity) through work with UK companies and organisations.	AIESEC	Work Experience Programme Maximum 12 months	All UK
Bar Council	The scheme is an umbrella for three types of programmes; involving overseas law overseas students and lawyers undertaking pupillages (both funded and unfunded) and mini pupillages within barristers chambers and other legal training programmes.	Bar Council	Work Experience Programme Maximum 12 months	All UK
BAE Systems Training, Intern and Graduate Programme	Programme designed to allow individuals to train alongside BAE Systems in the UK.	BAE systems	Research and training programme. Maximum 24 months	
BNSC Satellite KHTT Programme	A secondment programme for employees of foreign space agencies to undertake practical training and work experience working alongside specialist UK staff.	British National Space Centre (DBIS)	Research and training programme. Maximum 24 months	All UK
BOND Business Internships	BOND is a training and work experience placement scheme, designed to facilitate work attachments with Isle of Man companies for overseas graduates/professionals who have a degree. BOND builds mutual links and connectivity between the Isle of Man and overseas partners in areas of industrial and technological innovation and cooperation, by giving Isle of Man host companies the opportunity to develop current overseas markets and explore new ones through project focussed work attachments for overseas professionals.	British Council	Work Experience Programme Maximum 12 months	All UK

British Council-Speak European	This programme will provide practical on-the-job training to a group of mid-career government employee from Serbia working in key departments of the central government, as well as in local self-government institutions.	British Council	Work Experience Programme Maximum 12 months	All UK
BUNAC Blue Card Internships – 'Intern in Britain'	BUNAC has over forty years experience of running international work programme and the Blue Card Internships scheme provides a well controlled pathway for a wide range of organisations in the UK to offer and to benefit from work experience opportunities (internships) for eligible students and recent graduates.	BUNAC	Work Experience Programme Maximum 12 months	All UK
Cabinet Office Interchange Programme	To bring in relevant expertise and cutting edge thinking from the private sector and academia to help deliver the Government's Efficiency and Reform agenda	Cabinet Office	Work Experience Programme Maximum 12 months	All UK
Chatham House Fellowship	The scheme provides opportunities, generally for those who are overseas government employees and normally for a year, to undertake research relevant to their government position.	The Royal Institute of International Affairs (Chatham House)	Research and training programme. Maximum 24 months	All UK
Chevening and Marshall Sherfield Fellowship Programmes	This scheme accommodates two separate scholarship programmes: 1) Chevening programme – used by scholars and researchers attending, the Oxford Centre for Islamic Studies and the Clore Leadership programme, and 2) The Marshall Sherfield Fellowships programme – an annual scheme whereby the Marshall Aid Commemoration Commission awards Marshall Sherfield Fellowships to Scientists and Engineers from the United States of America, in order for them to undertake post-doctoral research at a British Research Institute or University for a period of one to two years	Association of Commonwealth Universities (ACU)	Research and training programmes  Maximum 24 months	All UK
Commonwealth Exchange Programme	The programme offers teachers the opportunity to work in different education systems, exchange ideas and knowledge and observe teaching practices in another country. Teachers exchange positions and homes with those from Australia, Canada or New Zealand for between one term and one year. Exchanges to Canada take place from September to August; those to Australia and New Zealand run from January to	Commonwealth Youth Exchange Council (CYEC)	Work Experience Programme Maximum 12 months	All UK

	December.			
Commonwealth Scholarships and Fellowships Plan	This is an annual scheme made available to developing Commonwealth countries by the Commonwealth Scholarships Commission. Participants undertake academic, medical or professional research fellowships.	British Council	Research and training programme. Maximum 24 months	All UK
Defence Academy		Defence Academy	Research and training programme. Maximum 24 months	All UK
Engineering work placement scheme	This scheme offers overseas engineering students (both undergraduates and graduates) short work experience opportunities with engineering companies in the UK.	Twin Training International	Work experience programme Maximum 12 months	UK
Erasmus	Erasmus is a European Commission educational exchange programme for Higher Education students and teachers. It aims to increase student mobility within Europe through opportunities for work and study and promotes transnational co-operation projects among universities across Europe. Erasmus Mundus is for joint cooperation and mobility programmes for postgraduate students, researchers and staff.	British Council	Work Experience Programme Maximum 12 months	All UK
European Voluntary Service, (Youth in Action Programme)	Part of the European Union's Youth in Action Programme, funded by the European Commission, the EVS scheme offers people aged 18-30 the opportunity to undertake voluntary work placements in the social, cultural, environmental and sports sectors for a period of two to twelve months. Placements of two weeks to two months are also available	British Council	Work Experience Programme Maximum 12 months	All UK
Finance Ministries and Central Banks schemes	The schemes includes secondments by employees of other Central Banks and Financial Institutions, research fellowships and PhD research internships for economists who will undertake placements with the Bank of England for between one and 18 months duration.	H. M.Treasury	Research and training programme. Maximum 24 months	England
Food Standards Australia and New Zealand	A secondment programme for government bodies, to promote cooperation and mutual understanding; with the objective of learning from one another's expertise in food safety.	Food Standards Agency	Work Experience Programme Maximum 12 months	All UK
Foreign &		Foreign &	Work	All UK

Common wealth Office		Commonwealth Office	Experience Programme Maximum 12 months	
Foreign Language Assistants Programme	Working with partner organisations overseas to provide opportunities for young people to work as language assistants in the UK, the programme aims to improve both the language ability of the assistants and students in addition to expanding their cultural awareness.	British Council	Work Experience Programme Maximum 12 months	All UK
Glasgow Caledonian University International exchange programme	To offer students through the exchange programme, work experience, cultural diversity and personal development to strengthen their employability.	Glasgow Caledonian University	Work Experience Programme Maximum 12 months	Scotland
Grundtvig	Grundtvig, part of the European Commission's Lifelong Learning Programme, aims to strengthen the European dimension in adult education and lifelong learning. Funding is open to any organisation based in one of the countries participating in the programme involved in adult education. The programme funds a range of activities: assistantships, inservice training, learner workshops, visits & exchanges	Ecorys UK Ltd	Work Experience Programme Maximum 12 months	All UK
Hanban: Mandarin teachers scheme	The scheme is part of Hanban's global exchange programme through which it sponsors volunteer and professional Mandarin teachers to undertake placements at Confucius institutes and classrooms in the UK, and at institutions in the UK which are covered by Hanban's teaching exchange programme. It is also used to sponsor co-directors to manage the programme in the UK and undertake some language teaching if needed. These roles are not filling vacancies.  The scheme aims to build and/or enhance foreign language skills and foster good cultural relations between the UK and China	Hanban UK Ltd	Overseas Government language programme. Maximum 24 months	
Highways Agency Scheme	The scheme is intended to honour the historic and future commitments to facilitating the sharing of experience,	Highways Agency	Work Experience Programme	All UK

	scientific information, technology, working practice and organisational cultures between Highways Agency and similar administrations outside of the EEA		Maximum 12 months	
HMRC Exchange Scheme	The scheme facilitates the sharing of experience, working practices and organisational cultures between HMRC and tax, customs and similar administrations outside the EEA.	HM Revenue & Customs	Work Experience Programme Maximum 12 months	All UK
IAESTE	IAESTE UK provides science, engineering and applied arts graduates with training and experience relevant to their studies through work placements	British Council	Work Experience Programme Maximum 12 months	England Northern Ireland Scotland Wales
Intensive Korean Public School English Teacher Training Programme	A customised in-service continuing professional development programme for very experienced Korean English teachers who have been specially selected.	University of Chichester	Work Experience Programme Maximum 12 months	England
International Cross-Posting Programme for Kazakhstan	The purpose of the International Cross Posting Programme is to provide an opportunity for key oil workers from Kazakhstan to undertake work experience and training with Shell UK	UK Trade & Investment	Work Experience Programme Maximum 12 months	All UK
International Defence and Security Scheme (IDSS)	The aim of the IDSS scheme is to share knowledge, experience and best practice between the UK and foreign defence, aerospace, security and space industries in cooperative programmes.	ADS Group	Work Experience Programme Maximum 12 months	All UK
International Fire and Rescue Training Scheme		The Fire Service College Executive Agency of the Department of Communities and Local Government (DCLG)	Research and training programme. Maximum 24 months	England with scope to include devolved administrations if required
International Horticulture Scheme	This Tier 5 Government Authorised Scheme is an international horticultural and education skills development and exchange scheme designed to develop practical skills and to further academic studies within the designated establishments of the Royal Botanic Gardens, Kew and the Royal Horticultural Society.	Lantra	Work experience programme Maximum 12 months	Gardens or establishments linked to the Royal Botanic Gardens, Kew the Royal Horticultural Society's gardens
International Internship Scheme	A scheme for young people and future business leaders to experience working for a UK company which, as they develop in their careers, may encourage investment into the UK and the forging of international	Fragomen LLP	Work experience programme Maximum 12 months	All UK

	partnerships with multinational companies in the UK and abroad.			
International Optometrists Scheme	Scheme for Registration for optometry graduates with a 2.2 degree or above. The Scheme ensures they have the knowledge and skills to enter the General Optical Council's (GOC) Register and practise optometry without supervision.	College of Optometrists	Research & Training Programmes Maximum 24 months	All UK
Jiangsu Centre for Chinese Studies in Essex	To promote the teaching and learning of Mandarin and an appreciation of Chinese culture in Essex schools and to the wider local community, including businesses; underpin the links of friendship, education, culture and business between the County of Essex and the Province of Jiangsu.	Essex County Council	Work Experience Programme Maximum 12 months	England
Korean Teacher Exchange Programme	The scheme contributes to the DfE objective of strengthening maths teaching in schools	Institute of Education University of London	Work Experience Programme Maximum 12 months	All UK
Law Society Tier 5 scheme for migrant lawyers	This scheme for migrant lawyers is open to law firms based in England and Wales. It covers placements, internships and secondments offered to lawyers and law students from other countries coming to the UK for primarily non-economic purposes for limited periods to share knowledge, experience and best practice.	The Law Society of England and Wales.	Work Experience Programme Maximum 12 months	England and Wales
Leonardo da Vinci	Leonardo is part of the European Commission's Lifelong Learning Programme. UK organisations work with European partners to exchange best practice, increase staff expertise and develop learners' skills. The programme is open to any organisation involved in vocational training in the countries participating in the programme and includes activities such as mobility projects, preparatory visits and transfer of Innovation.	Ecorys Ltd Work	Work Experience Programme Maximum 12 months	All UK
Lord Chancellor's Training Scheme for Young Chinese Lawyers	The programme is organised to enable the Chinese lawyers to obtain practical experience in commercial law, litigation and court procedure as well as the management of a legal practice.	British Council	Work Experience Programme Maximum 12 months	All UK
Medical Training Initiative	The scheme allows postgraduate medical graduates to undertake a fixed period of training or development in the UK, normally within the NHS. It covers all schemes	Academy of Medical Royal Colleges	Research & Training Programmes Maximum 24 months	All UK

	and arrangements sponsored or administered by the Medical Royal Colleges and similar organisations for the training of overseas doctors. MTI placements are temporary, time limited and require the approval of the employer and the local Postgraduate Dean of the relevant Medical Royal College.			
Medical Training Initiative for Dentistry	International Training Fellows: The Faculty of Dental Surgery (FDS) of the Royal College of Surgeons of England is able to sponsor suitably qualified postgraduate dentists to come to the UK for clinical training in an approved hospital training post	The Royal College of Surgeons of England	Work Experience Programme Maximum 12 months	England
Mountbatten Programme		Mount batten Institute	Work Experience Programme Maximum 12 months	All UK
National Assembly for Wales Intern Programme	The scheme enables students from Ohio University to undertake intern placements for up to three months with Assembly Members	The National Assembly for Wales	Work Experience Programme Maximum 12 months	Wales
NIM China Secondee Programme LGC Ltd			Work Experience Programme Maximum 12 months	All UK
NPL Guest Worker and Secondment Scheme	This reciprocal scheme aims to encourage closer collaboration between UK and overseas organisations interested in metrology by allowing scientists, industrial experts and students to undertake placements with the NPL.	National Physical Laboratory (NPL) Management Limited	Research & Training Programmes Maximum 24 months	England
Overseas Fellows Post	The opportunity is accredited by the Postgraduate Medical Education and Training Board and approved by the Royal College of Surgeons of Edinburgh International Medical Graduate Sponsorship Scheme.	National Health Service (NHS) Highland	Research & Training Programmes Maximum 24 months	Scotland
REX Programme	The REX programme enables highly qualified teachers from Japan to work on a temporary basis in countries where English is spoken to teach Japanese language and culture	Ceredigion County Council	Work Experience Programme Maximum 12 months	All UK
Serious Fraud Office	This is an exchange programme between the Serious fraud Office and law enforcement partners in overseas jurisdictions. The programme will help to promote greater co-operation with	Serious Fraud Office	Work experience Maximum 12 months	

	investigations, and to share and develop investigative techniques and approaches in the fight against fraud and corruption in the UK and overseas.			
Sponsored Researchers	A scheme to enable higher education institutions to recruit sponsored researchers, visiting academics giving lectures, acting as examiners or working on supernumerary research collaborations. Institutions do not need individual support from the Department for Business, Innovation and Skills to operate a scheme.	Higher Education institutions	Research & Training Programmes Maximum 24 months	All UK
Sponsored Scientific Researcher Initiative	This scheme enables organisations to engage overseas postgraduate scientists in formal research projects and/or collaborations within an internationally recognised host institute/laboratory for sharing knowledge, experience and best practice, and enabling the individual to experience the social and cultural life of the Isle of Man.	UK Shared Business Services Limited (UKSBS)	Research and Training programmes Maximum 24 months	UK
The Ofgem International Staff Exchange Scheme	A scheme to promote cooperation and mutual understanding between Ofgem and similar regulatory agencies overseas	Office of Gas & Electricity Markets (Ofgem)	Work Experience Programme Maximum 12 months	England
Tier 5 interns scheme	Designed for employers, the Tier 5 intern programme is a government approved scheme which allows graduates and undergraduates from countries outside the EEA to gain intern experience working within UK industry and provides organisations with the scope to deploy the brightest and best talent on key initiatives and learn skills they can take back to their home country.	GTI Recruiting Solutions	Work Experience Programme Maximum 12 months	All UK
UK Research and Innovation – Science, Research and Academia	A scheme to enable UK Research and Innovation (UKRI) to engage with sponsored researchers within its own organisation as well as endorsing select Independent Research Organisations to hold a Tier 5 Licence. Sponsored researchers include academics, researchers, scientists, research engineers or other skilled research technology specialists who will be hosted through an approved research institute, in a supernumerary role. The sponsored researcher may give lectures (which does not amount to a formal teaching	UK Research and Innovation (UKRI) and the following organisations endorsed by UKRI: <ul style="list-style-type: none"> <li>• Armagh Observatory and Planetarium</li> <li>• Babraham</li> </ul>	Research & Training Programmes Maximum 24 months	All UK



	<p>post), act as an examiner, undertake skill development/knowledge transfer, undertake a period of work-based training/work experience/internship/placement or work on research collaborations. UKRI provide endorsement for use of the scheme on behalf of the Department for Business, Energy and Industrial Strategy.</p>	<p>Institute</p> <ul style="list-style-type: none"> <li>• British Institute of International and Comparative Law</li> <li>• Centre for Ecology and Hydrology</li> <li>• Culham Centre for Fusion Energy/UK Atomic Energy Authority</li> <li>• Diamond Light Source Ltd</li> <li>• Earlham Institute</li> <li>• H R Wallingford Ltd</li> <li>• Historic Royal Palaces</li> <li>• Institute for Fiscal Studies</li> <li>• Institute of Development Studies</li> <li>• Institute of Occupational Medicine</li> <li>• International Institute for Environment and Development</li> <li>• John Innes Centre</li> <li>• Kew Gardens</li> <li>• National Centre for Social Research</li> </ul>		
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		<ul style="list-style-type: none"> <li>• National Institute of Agricultural Botany (NIAB)</li> <li>• National Museums of Scotland</li> <li>• National Oceanography Centre</li> <li>• Natural History Museum</li> <li>• Nesta</li> <li>• Overseas Development Institute</li> <li>• Plymouth Marine Laboratory</li> <li>• Quadram Institute Bioscience</li> <li>• Rothamsted Research</li> <li>• Royal Botanic Garden Edinburgh</li> <li>• Science Museum Group</li> <li>• Scottish Association for Marine Science</li> <li>• The Alan Turing Institute</li> <li>• The British Library</li> <li>• The British Museum</li> <li>• The Faraday Institution</li> </ul>		
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		<ul style="list-style-type: none"> <li>• The Francis Crick Institute</li> <li>• The James Hutton Institute</li> <li>• The National Archives</li> <li>• The Pirbright Institute</li> <li>• The Sainsbury's Laboratory, Norwich</li> <li>• The Trustees of the Tate Gallery</li> <li>• The Welding Institute</li> <li>• Victoria and Albert Museum</li> <li>• Wellcome Trust Sanger Institute</li> </ul>		
US-UK Education Commission (aka The US-UK Fulbright Commission)	To foster mutual understanding between the US and the UK through academic exchange by the awarding of merit based scholarships.	The US-UK Education Commission (aka The USUK Fulbright Commission)	Research and Training programmes Maximum 24 months	All UK
Welsh Language Teaching Programme in Patagonia	The scheme aims to strengthen the use of Welsh in Patagonia by bringing Patagonians to Wales to improve their language fluency and bilingual environments. Participants are either teachers, tutors or those suitable to work in activities which develop the use of Welsh in the wider social and business situations.	British Council Wales	Work Experience Programme Maximum 12 months	Wales

**Appendix O: approved English language tests**

[Deleted]

Appendix P: List of Financial Institutions

[Ommited]

**Appendix T: tuberculosis screening**

Any person applying to enter the Isle of Man as described in paragraph A39, Part 1 General Provisions of the Immigration Rules, must present at the time of application a valid medical certificate issued by a medical practitioner approved by the Secretary of State for these purposes, as listed on the Gov.uk website, confirming that they have undergone screening for active pulmonary tuberculosis and that such tuberculosis is not present in the applicant.

- Afghanistan
- Algeria
- Angola
- Armenia
- Azerbaijan
- Bangladesh
- Belarus
- Benin
- Bhutan
- Bolivia
- Botswana
- Brunei Darussalam
- Burkina Faso
- Burma
- Burundi
- Cambodia
- Cape Verde
- Central African Republic
- Chad
- Cameroon
- China
- Congo
- Congo Democratic Republic
- Côte d'Ivoire
- Democratic People's Republic of Korea
- Djibouti
- Dominican Republic
- Ecuador
- Equatorial Guinea
- Eritrea
- Ethiopia
- Gabon
- Gambia
- Georgia
- Ghana
- Guatemala
- Guinea
- Guinea Bissau
- Guyana
- Haiti
- Hong Kong or Macau
- India
- Indonesia
- Iraq
- Kazakhstan
- Kenya
- Kiribati
- Korea

- Kyrgyzstan
- Laos
- Lesotho
- Liberia
- Madagascar
- Malawi
- Malaysia
- Mali
- Marshall Islands
- Mauritania
- Micronesia
- Moldova
- Mongolia
- Morocco
- Mozambique
- Namibia
- Nepal
- Niger
- Nigeria
- Pakistan
- Palau
- Papua New Guinea
- Panama
- Paraguay
- Peru
- Philippines
- Russian Federation
- Rwanda
- Sao Tome and Principe
- Senegal
- Sierra Leone
- Solomon Islands
- Somalia
- South Africa
- South Sudan
- Sri Lanka
- Sudan
- Suriname
- Swaziland
- Tajikistan
- Tanzania
- Thailand
- Timor Leste
- Togo
- Turkmenistan
- Tuvalu
- Uganda
- Ukraine
- Uzbekistan
- Vanuatu
- Vietnam
- Zambia
- Zimbabwe

Applicants from Sao Tome and Principe are screened in Angola; those from Central African Republic, Chad and Gabon are screened in Cameroon; those from the People's Democratic Republic of Korea get tested in Beijing; those from Congo are screened in Democratic Republic of Congo; those from Djibouti are screened in Ethiopia, those from Kiribati, Marshall Islands, Micronesia, Tuvalu and Vanuatu are screened in Fiji; those from Cape Verde, Guinea Bissau and Mali are screening in Gambia or Senegal; those from Burkina Faso, Equatorial Guinea, Liberia, Niger and Togo are screened in Ghana; those from Macau are screened in Hong Kong; those from Timor Leste are screened in Indonesia; those from Kyrgyzstan are screened in Kazakhstan; those from Eritrea, Somalia and South Sudan are screened in Kenya; those from Mauritania are screened in Morocco; those from Benin are screened in Nigeria; those from Solomon Islands are screened in Papua New Guinea; those from Palau are screened in Philippines; those from Burundi are screened in Rwanda; those in Lesotho and Swaziland are screened in South Africa; those from Laos are screened in Thailand.



## **Appendix V: Visitors**

*This route is for a person who wants to visit the Isle of Man for a temporary period, (usually for up to 6 months), for purposes such as tourism, visiting friends or family, carrying out a business activity, or undertaking a short course of study.*

*Each visitor must meet the requirements of the Visitor route, even if they are travelling as, for example, a family group, a tour group or a school party.*

*A visa national as defined in Appendix Visitor: Visa National list must obtain entry clearance as a visitor (visit visa) before arrival in the Isle of Man.*

*A non-visa national can normally seek entry on arrival in the Isle of Man.*

*There are 4 types of visitor—*

- *Standard visitor: for a tourist, family visitor, etc. seeking to undertake the activities set out in Appendix Visitor: Permitted Activities, for example tourism and visiting family, usually for up to 6 months.*
- *Marriage and Civil Partnership visitor: for those seeking to come to the Isle of Man to marry or form a civil partnership, or give notice of marriage or civil partnership.*
- *Permitted Paid Engagement visitor: for experts in their field coming to the Isle of Man to undertake specific paid engagements for up to one month.*
- *Transit visitor: for those who want to transit the Isle of Man on route to another country outside the Common Travel Area and who will enter the Isle of Man for up to 48 hours by crossing the Isle of Man border.*

*Visitors cannot work in the Isle of Man unless this is expressly allowed under the permitted activities set out in Appendix Visitor: Permitted Activities.*

*Further information of how long each visitor can stay and what they can and cannot do in the Isle of Man is set out at V 16.2. and Appendix Visitor: Permitted Activities.*

*A Standard visitor may apply for a visit visa of 6 months, 2, 5 or 10 years validity. This allows multiple visits to the Isle of Man within the period of validity (unless the visit visa is endorsed as single or dual-entry), but each stay in the Isle of Man must not exceed the permitted length of stay endorsed on the visit visa (usually 6 months).*

### **Entry requirements for visitors**

V 1.1. A person seeking to come to the Isle of Man as a visitor must apply for and obtain entry clearance before they arrive in the Isle of Man if they are—

- (a) a visa national, unless V 1.3.(b) applies;
- (b) seeking to marry or form a civil partnership, or give notice of marriage or civil partnership, in the Isle of Man unless they are a “relevant national” as defined

## Appendix Visitor: Visa national list

in section 24 or section 24A (as the case may be) of the Immigration and Asylum Act 1999; or

- (c) seeking to come to the Isle of Man as a visitor for more than 6 months.
- V 1.2. A person to whom V 1.1. applies will be refused permission to enter if they do not hold entry clearance as a visitor (a visit visa) on arrival in the Isle of Man.
- V 1.3. A person seeking to come to the Isle of Man as a visitor may apply for permission to enter on arrival in the Isle of Man where they are—
- (a) a non-visa national, unless V 1.1.(b) or (c) apply; or
  - (b) a visa national and an exception applies as set out in Appendix Visitor: Visa National List.
- V 1.4. A child who holds an entry clearance (visit visa) as a visitor on arrival in the Isle of Man must either—
- (a) hold a valid entry clearance that states they are accompanied and will be travelling with an adult identified on that entry clearance; or
  - (b) hold an entry clearance which states they are unaccompanied;
- otherwise the child may be refused entry to the Isle of Man, unless they meet the requirements of V 5.1. and V 5.2.

### **Validity requirements for entry clearance or permission to stay as a visitor**

- V 2.1. A person applying for entry clearance as a visitor must apply online on the gov.uk website on the specified form "Apply for a UK visit visa".
- V 2.2. A person applying for permission to stay as a visitor must apply using the specified paper application form to the Isle of Man Immigration Service.
- V 2.3. An application for entry clearance or permission to stay as a visitor must meet all the following requirements—
- (a) any fee must have been paid;
  - (b) the applicant must have provided any required biometrics; and
  - (c) the applicant must have provided a passport or other document which satisfactorily establishes their identity and nationality.
- V 2.4. An application for entry clearance as a visitor must be made while the applicant is outside the UK and Islands and to a post designated to accept such applications.
- V 2.5. An application for permission to stay as a visitor must be made by a person—
- (a) in the Isle of Man;
  - (b) with permission as a Standard visitor or Marriage/Civil Partnership visitor.
- V 2.6. An application which does not meet all the validity requirements for a visitor is invalid and may be rejected and not considered.

### **Suitability requirements for all visitors**

- V 3.1. The applicant must not fall for refusal under Part 9: grounds for refusal.
- V 3.2. If applying for permission to stay the applicant must not be—
- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
  - (b) on immigration bail.

### **Eligibility requirements for visitors**

- V 4.1. The decision maker must be satisfied that the applicant (unless they are applying for entry clearance or permission to enter as a Transit visitor) meets all of the eligibility requirements in V 4.2. to V 4.6. and that they meet the specified additional eligibility requirements where the applicant—
- (a) is a child at the date of application, they must also meet the additional requirements at V 5.1. and V 5.2.
  - (b) is coming to the Isle of Man to receive private medical treatment, they must also meet the additional requirements at V 6.1. to V 6.3.;
  - (c) Is coming to the Isle of Man as an organ donor, they must also meet the additional requirements at V 7.1. to V 7.4.;
  - (d) is coming to the Isle of Man to study as a visitor, they must also meet the additional requirements at V 8.1. and V 8.2.;
  - (e) is an academic seeking a 12-month entry clearance, they must also meet the additional requirements at V 9.1.;
  - (f) is coming to the Isle of Man to undertake work related training, they must also meet the additional requirements at V 10.1.;
  - (g) is coming to the Isle of Man to marry or form a civil partnership, or give notice of intention to marry or form a civil partnership, they must also meet the additional requirements at V 11.1. and V 11.2.;
  - (h) is coming to the Isle of Man to undertake permitted paid engagements, they must also meet the additional requirements in V 12.1. to V 12.3.; or
  - (i) is applying for permission to stay as a visitor, they must also meet the additional eligibility requirements in V 14.1. to V 14.4.

### **Genuine visitor requirement**

- V 4.2. The applicant must satisfy the decision maker that they are a genuine visitor, which means the applicant—
- (a) will leave the Isle of Man at the end of their visit;
  - (b) will not live in the Isle of Man for extended periods through frequent or successive visits, or make the Isle of Man their main home;
  - (c) is genuinely seeking entry or stay for a purpose that is permitted under the visitor route as set out at V 12.3 and in Appendix Visitor: Permitted Activities;
  - (d) will not undertake any of the prohibited activities set out in V 4.4. to V 4.6.; and
  - (e) must have sufficient funds to cover all reasonable costs in relation to their visit without working or accessing public funds, including the cost of the return or onward journey, any costs relating to their dependants, and the cost of planned activities, such as private medical treatment (and the applicant must show that any funds they rely upon are held in a financial institution permitted under FIN 2.1. of Appendix Finance).

### **Third party support requirement**

- V 4.3. In assessing whether an applicant has sufficient funds under V 4.2.(e) the applicant's travel, maintenance and accommodation may be provided by a third party only if that third party—
- (a) has a genuine professional or personal relationship with the applicant;
  - (b) is not, or will not be, in breach of immigration laws at the time of the decision or the applicant's entry to the Isle of Man as a visitor; and
  - (c) can and will provide support to the applicant for the intended duration of the applicant's stay as a visitor.

### **Prohibited activities and payment requirements**

- V 4.4. The applicant must not intend to—
- (a) work in the Isle of Man, which includes—
    - (i) taking employment in the Isle of Man;
    - (ii) doing work for an organisation or business in the Isle of Man;
    - (iii) establishing or running a business as a self-employed person;
    - (iv) doing a work placement or internship;
    - (v) direct selling to the public; and
    - (vi) providing goods and services,

## Appendix Visitor: Visa national list

unless expressly allowed by the permitted activities in Appendix Visitor: Permitted Activities or the Permitted Paid Engagements in V 12.3;

- (b) study in the Isle of Man, except as permitted by Appendix Visitor: Permitted Activities (and provided they meet the relevant additional requirements for study);
  - (c) access medical treatment, other than private medical treatment or to donate an organ (for either of these activities they must meet the relevant additional eligibility requirements); or
  - (d) get married or form a civil partnership, or give notice of intention to marry or form a civil partnership, unless they are applying for entry clearance endorsed for a marriage or civil partnership visit or are a relevant national as defined in section 24 or 24A of the Immigration and Asylum Act 1999.
- V 4.5. Permitted activities must not amount to the visitor undertaking employment, or work which amounts to them filling a role or providing short-term cover for a role within an Isle of Man based organisation and where the visitor is already paid and employed outside of the Isle of Man they must remain so.
- V 4.6. The visitor must not receive payment from an Isle of Man source for any activities undertaken in the Isle of Man, except for the following—
- (a) reasonable expenses to cover the cost of their travel and subsistence, including fees for directors attending board-level meetings;
  - (b) international drivers undertaking activities permitted under PA 9.2.;
  - (c) prize money;
  - (d) billing an Isle of Man client for their time in the Isle of Man, where the applicant's overseas employer is contracted to provide services to an Isle of Man company, and the majority of the contract work is carried out overseas (payment must be lower than the amount of the applicant's salary);
  - (e) multi-national companies who, for administrative reasons, handle payment of their employees' salaries from the Isle of Man; or
  - (f) Permitted Paid Engagements, where the requirements of V 12.1. to V 12.3. are met.

### **Additional eligibility requirements for child visitors**

- V 5.1. Adequate arrangements must have been made for a child's travel to, reception and care in the Isle of Man.
- V 5.2. If the child is not travelling with a parent or legal guardian, based in their home country or country of ordinary residence, who is responsible for their care, that parents or legal guardian must consent to the child's travel to, reception and care in the Isle of Man, and where requested, this consent must be given in writing.

**Additional eligibility requirements for visitors coming to the Isle of Man to receive private medical treatment**

- V 6.1. If the applicant is suffering from a communicable disease they must have satisfied the medical inspector that they are not a danger to public health.
- V 6.2. The applicant must have arranged their private medical treatment before they travel to the Isle of Man, and must provide a letter from their doctor or consultant in the Isle of Man detailing—
- (a) the medical condition requiring consultation or treatment;
  - (b) the estimated costs and likely duration of any treatment, which must be of a finite duration; and
  - (c) where the consultation or treatment will take place.
- V 6.3. If the applicant is applying for an 11-month entry clearance for the purposes of private medical treatment they must also—
- (a) provide evidence from their doctor or consultant in the Isle of Man that the proposed treatment is likely to exceed 6 months, but not more than 11 months; and
  - (b) provide a valid medical certificate if paragraph A39 and Appendix T of these Rules apply.

**Additional eligibility requirements for visitors coming to the Isle of Man to donate an organ**

- V 7.1. The applicant must satisfy the decision maker that they genuinely intend to donate an organ to, or be assessed as a potential organ donor for, an identified recipient in the Isle of Man with whom they have a genetic or close personal relationship.
- V 7.2. The applicant must have arranged their private medical treatment before they travel to the Isle of Man, and must provide either—
- (a) a letter from their doctor or consultant in the Isle of Man detailing—
    - (i) the medical condition requiring consultation or treatment;
    - (ii) the estimated costs and likely duration of any treatment, which must be of a finite duration; and
    - (iii) where the consultation or treatment will take place; or
  - (b) if the applicant intends to receive NHS treatment under a reciprocal healthcare arrangement between the Isle of Man and another country, an authorisation form issued by the government of that country.
- V 7.3. The applicant must provide a letter, dated no more than 3 months before the applicant's intended date of arrival in the Isle of Man from either—

- (a) the lead nurse or coordinator of the UK's NHS Trust's Living Donor Kidney Transplant team; or
- (b) An Isle of Man or UK registered medical practitioner who holds an NHS consultant post or who appears in the Specialist Register of the General Medical Council;

which confirms that the applicant meets the requirements in V 7.1. and V 7.2. and confirms when and where the planned organ transplant or medical tests will take place.

- V 7.4. The applicant must be able to show, if required to do so, that the identified recipient is lawfully present in the Isle of Man, or will be at the time of the planned organ transplant.

### **Additional eligibility requirements for visitors coming to the Isle of Man to study for up to 6 months**

- V 8.1. Where the applicant is seeking to come to the Isle of Man to study, they must have been accepted onto a course of study that—
- (a) lasts no longer than 6 months; and
  - (b) is to be provided by an accredited institution that is not a state funded school or academy.”.
- V 8.2. Where the applicant is seeking to come to the Isle of Man to undertake research or be taught about research (research tuition) at an Isle of Man institution for up to 6 months, they must—
- (a) be aged 16 or over on the date of application;
  - (b) be enrolled on a course of study abroad equivalent to at least degree level study in the Isle of Man; and
  - (c) provide confirmation from the Isle of Man course provider that the research or research tuition is part of or relevant to the course of study they are enrolled on overseas and that they will not be employed at the Isle of Man institution.
- V 8.3. Where the applicant is seeking to come to the Isle of Man for up to 6 months to undertake electives relevant to a course of study abroad, they must—
- (a) be aged 16 or over at the date of application;
  - (b) be enrolled on a course of study abroad equivalent to at least degree level study in the Isle of Man;
  - (c) be studying medicine, veterinary medicine and science, or dentistry as their principle course of study; and

- (d) provide confirmation from the Isle of Man higher education provider that the electives are unpaid and involve no treatment of patients.

**Additional eligibility requirements for academics seeking to come to the Isle of Man for more than 6 months**

- V 9.1. An academic applying for a 12-month entry clearance must—
- (a) intend to undertake one of the permitted activities in Appendix Visitor: Permitted Activities at PA 12.2. for up to 12 months;
  - (b) be highly qualified within their own field of expertise;
  - (c) be currently working in their field of expertise at an academic institution or institution of higher education overseas; and
  - (d) provide a valid medical certificate if paragraph A39 and Appendix T of these Rules apply.

**Additional eligibility requirements for visitor coming to the Isle of Man for work related training**

- V 10.1 Where the applicant is seeking to come to the Isle of Man to undertake a clinical attachment or dental observer post as an overseas graduate from medical, dental or nursing schools, they must provide written confirmation of their offer to take up this post and confirm they have not previously undertaken this activity in the Isle of Man.

**Additional eligibility requirements for visitors coming to the Isle of Man for the purpose of marriage or civil partnership**

- V 11.1. The applicant must be aged 18 or over on the date of application.
- V 11.2. Unless the applicant is a “relevant national” as defined in section 24 or 24A of the Immigration and Asylum Act 1999, they must, within the period in which they are seeking permission as a visitor—
- (a) intend to give notice of marriage or civil partnership in the Isle of Man; or
  - (b) intend to marry or form a civil partnership in the Isle of Man;
- which is not a sham marriage or sham civil partnership.

**Additional eligibility requirement for visitors coming to the Isle of Man for Permitted Paid Engagements**

- V 12.1. An applicant as a permitted paid engagements visitor must be aged 18 or over at the date of application.



V 12.2. The applicant must intend to do one (or more) of the permitted paid engagements set out in V 12.3. which must be—

- (a) arranged before the applicant travels to the Isle of Man;
- (b) declared as part of the application for entry clearance or permission to enter the Isle of Man;
- (c) evidenced by a formal invitation; and
- (d) related to the applicant's area of expertise and occupation overseas.

V 12.3. The following are permitted paid engagements—

- (a) an academic who is highly qualified within their field of expertise, coming to examine students and/or participate in or chair selection panels, and have been invited by an Isle of Man Higher Education Institution or an Isle of Man based research or arts organisation as part of that institution or organisation's quality assurance processes;
- (b) an expert coming to give lectures in their subject area, where they have been invited by an Isle of Man Higher Education Institution; or an Isle of Man based research or arts organisation, and this does not amount to filling a teaching position for the host organisation;
- (c) an overseas designated pilot examiner coming to assess Isle of Man based pilots to ensure they meet the national aviation regulatory requirements of other countries, where they have been invited by an approved training organisation based in the Isle of Man that is regulated by the Isle of Man Civil Aviation Administration or UK Civil Aviation Authority for that purpose;
- (d) a qualified lawyer coming to provide advocacy for a court, tribunal hearing, arbitration or other form of dispute resolution for legal proceedings within the Isle of Man, where they have been invited by a client;
- (e) a professional artist, entertainer, or musician coming to carry out an activity directly relating to their profession, where they have been invited by a creative (arts or entertainment) organisation, agent or broadcaster based in the Isle of Man; and
- (f) a professional sports person coming to carry out an activity directly relating to their profession, where they have been invited by a sports organisation, agent, or broadcaster based in the Isle of Man.

### **Eligibility requirement for visitors coming to the Isle of Man to transit**

V 13.1. A visa national must either hold entry clearance as a Standard visitor, Marriage/Civil Partnership visitor or Transit visitor.

V 13.2. An applicant applying for entry clearance or permission to enter as a Transit visitor must satisfy the decision maker that they—

- (a) are genuinely in transit to another country outside the Common Travel Area, meaning the main purpose of their visit is to transit the Isle of Man (passing through immigration control) and that the applicant is taking a reasonable transit route;
- (b) will not access public funds or medical treatment, work or study in the Isle of Man;
- (c) genuinely intend and are able to leave the Isle of Man within 48 hours after their arrival; and
- (d) are assured entry to their country of destination and any other countries they are transiting on their way there.

### **Additional eligibility requirements for permission to stay as a visitor**

- V 14.1. Where the applicant is applying for permission to stay as a visitor for the purpose of receiving private medical treatment they must also—
- (a) satisfy the decision maker that the costs of any medical treatment received so far; and
  - (b) provide a letter from a registered medical practitioner, at a private practice or NHS hospital, who holds an NHS consultant post or who appears in the Specialist Register of the General Medical Council, detailing the medical condition requiring further treatment.
- V 14.2. Where the applicant applying for permission to stay is an academic visitor (or the accompanying partner or child of such an academic) the academic must—
- (a) continue to intend to do one (or more) of the activities at Appendix Visitor: Permitted Activities at PA 11.2.;
  - (b) be highly qualified in their own field of expertise; and
  - (c) have been working in that field at an academic institution or institution of higher education overseas prior to their arrival in the Isle of Man.
- V 14.3. Where the applicant is applying for permission to stay as a visitor to resit the Professional and Linguistic Assessment Board Test, they must provide written confirmation of this from the General Medical Council.
- V 14.4. Where the applicant is applying for permission to stay as a visitor and they are an overseas graduate of a medical, dental or nursing school intending to undertake an unpaid clinical attachment or dental observer post, they must have been successful in the Professional and Linguistic Assessment Board test.

### **Decision**

- V 15.1. If the decision maker is satisfied that all the suitability requirements are met, and that the relevant eligibility requirements for a visitor are met, the application will be granted, otherwise the application will be refused.

**Visitor condition and period of grant for visitors**

V 16.1. The grant will be subject to all the following conditions—

- (a) no access to public funds;
- (b) no work (which does not prohibit the permitted activities in Appendix Visitor: Permitted Activities or the Permitted Paid Engagements in V 12.3); and
- (c) no study except where permitted by Appendix Visitor: Permitted Activities at PA 1. and PA 17.
- (d) study or research as part of a permitted activity is subject to the ATAS condition in Part 15 of the Immigration Rules.

V 16.2. Entry clearance and permission to enter as a visitor will be granted for the periods set out in the following table—

	<b>Visitor type</b>	<b>Maximum initial length of stay</b>
(a)	Standard visitor	up to 6 months, except a visitor who is coming to the Isle of Man for private medical treatment may be granted entry clearance for up to 11 months.
(b)	Marriage/Civil partnership visitor	up to 6 months.
(c)	Permitted Paid Engagements (PPE) visitor	up to 1 month.
(d)	Transit visitor	up to 48 hours.

V 16.3. Permission to stay will be granted for the following periods—

- (a) Standard visitor or a Marriage/Civil Partnership visitor, who was granted permission for less than 6 months may be granted permission to stay for a period which results in the total period they can remain in the Isle of Man (including both the original grant and the extension) not exceeding 6 months;
- (b) a Standard visitor who is in the Isle of Man for private medical treatment may be granted permission to stay as a visitor for a further 6 months, provided the purpose is for private medical treatment;
- (c) a Standard visitor who is in the Isle of Man to undertake the activities in Appendix Visitor: Permitted Activities at PA 11.2. or the accompanying partner or child of such Standard visitor, may be granted permission to stay for a period which results in the total period they can remain in the Isle of Man (including both the original grant and the extension) not exceeding 12 months; and

## Appendix Visitor: Visa national list

- (d) a Standard visitor who is successful in the Professional and Linguistic Assessment Board Test may be granted permission to stay as a visitor to undertake an unpaid clinical attachment for a period which results in the total period they can remain in the Isle of Man (including both the original grant and the extension) not exceeding 18 months.

## **Appendix Visitor: Visa national list**

- VN 1. A person who meets one or more of the criteria below needs an entry clearance (also referred to as visa) in advance of travel to the Isle of Man as a visitor, or for any other purpose for less than 6 months, unless they meet one of the exceptions set out in VN 2.1., VN 2.2. (subject to VN 2.3.) or VN 3.1.
- (a) a national or citizen of a country listed in paragraph VN 1.1.(a) of Appendix V: Visa national list to the [United Kingdom's Immigration Rules](#),
  - (b) stateless people; and
  - (c) people travelling on any document other than a national passport, or, in the case of an EEA citizen, a national identity card, regardless of whether the document is issued by or evidences nationality of a state not listed in VN 1.1.(a), except where that document has been issued by the UK.

## **Exceptions to the list of visa nationals**

### **Holders of specified travel documents**

- VN 2.1 It is not necessary for a transit visitor to hold a visa before they travel to the Isle of Man if they are travelling on an emergency travel document issued by, and evidencing the nationality of, a country not listed in paragraph VN 1.1.(a) and the purpose of their transit is to travel to the country in which they are ordinarily resident.
- VN 2.2 A person falling within paragraph VN 2.2. of Appendix V: Visa national list to the [United Kingdom's Immigration Rules](#) does not need a visit visa before they travel to the Isle of Man as a visitor, other than where paragraph VN 2.3 applies.
- VN 2.3 VN 2.2. does not apply where the person is—
- (a) visiting the Isle of Man to marry or form a civil partnership, or to give notice of this, unless they are a "relevant national" as defined in section 24 or 24A of the Immigration and Asylum Act 1999; or
  - (b) seeking to visit the Isle of Man for more than 6 months.

## **Exception where the applicant holds an Electronic Visa Waiver (EVW) Document**

- VN 3.1. The holder of a valid Electronic Visa Waiver (EVW) Document does not need to obtain a visit visa, or a visa for entry for 6 months or less where there is no mandatory entry clearance requirement, in advance of arrival in the Isle of Man, but can instead apply for permission to enter the Isle of Man border.

- VN 3.2. VN 3.1. will not apply (meaning that the person will normally be refused permission to enter the Isle of Man) unless the EVW Document is used in the manner specified in VN 6.1. to VN 6.4.
- VN 3.3. An EVW Document relates to one person and may only be used for one application for permission to enter the Isle of Man.

### **Obtaining an Electronic Visa Waiver Document**

- VN 4.1. Only passport holders who are nationals of the countries specified at paragraph VN 4.1. of Appendix Visitor: Visa national list to the [United Kingdom's Immigration Rules](#) can obtain and use an EVW Document.
- VN 4.2. To obtain an EVW Document, a person must provide the required biographic and travel information at the website established by the UK Government at <https://www.electronic-visa-waiver.service.gov.uk/>
- VN 4.3. EVW Documents are issued to the applicant in electronic form.

### **Validity requirements for an Electronic Visa Waiver Document**

- VN 5.1. To be valid the biographic details on the EVW Document must match those of the holder's passport, except where—
- (a) an apostrophe, space or hyphen is present in the holder's name on their EVW Document but is not present in the holder's name on their passport; or
  - (b) an apostrophe, space or hyphen is present in the holder's name on their passport but is not present in the holder's name on their EVW Document.
- VN 5.2. To be valid an EVW Document must be able to be presented by the holder—
- (a) in clear, legible format;
  - (b) in English; and
  - (c) electronically or in printed form.
- VN 5.3. To be valid the EVW Document must specify the flight or ship on which the holder intends to arrive in the Isle of Man, including the port of departure and arrival, and the scheduled date and time of departure and arrival.
- VN 5.4. For the EVW to be valid the required information must be submitted at least 48 hours before the holder departs on a flight or ship to the Isle of Man.
- VN 5.5. To be valid the EVW Document must not have been issued more than 3 months before the date of the holder's scheduled departure to the Isle of Man as specified on the EVW Document.

### **Use of the Electronic Visa Waiver Document**

- VN 6.1. The holder must present the EVW Document to an Immigration Officer on request upon the holder's arrival at the Isle of Man border.
- VN 6.2. Where the holder has presented a printed copy of the EVW Document, it must be surrendered to an Immigration Officer upon request.
- VN 6.3. The holder must travel on the flight or ship specified on the EVW Document unless VN 6.4. applies.
- VN 6.4. If the holder travels on a different flight or ship from that specified in the EVW Document it must depart from the same port and arrive at the same Isle of Man port as specified on the EVW Document and depart after the departure time specified on the EVW Document and arrive in the Isle of Man no more than 8 hours after the arrival time specified on the EVW Document.

## Appendix Visitor: Permitted Activities

PA 1. Visitors are permitted to undertake the following activities—

	Visitor type	Visitors of this type can—
(a)	Standard visitor	do all permitted activities in Appendix Visitor: Permitted Activities.
(b)	Marriage/Civil Partnership visitor	marry or form a civil partnership, or give notice of marriage or civil partnership and do all permitted activities in Appendix Visitor: Permitted Activities, other than study as described in PA 17.
(c)	Permitted Paid Engagements (PPE) visitor	do the permitted paid engagements in Appendix V at V 12.3. and all permitted activities in Appendix Visitor: Permitted Activities other than study as described in PA 17 and transit as described in PA 18.
(d)	Transit visitor	transit the Isle of Man as described in PA 18.

## Tourism and leisure

PA 2. A visitor may—

- (a) visit friends and family and/or come to the Isle of Man for a holiday;
- (b) take part in educational exchanges or visits with a state funded school or academy or independent school; and
- (c) attend recreational courses (not English language training) for a maximum of 30 days.

## Volunteering

PA 3. A visitor may undertake volunteering provided it lasts no more than 30 days in total and is for a charity that is registered in the Isle of Man.

## General business activities

PA 4. A visitor may—

- (a) attend meetings, conferences, seminars, interviews;
- (b) give a one-off or short series of talks and speeches provided these are not organised as commercial events and will not make a profit for the organiser;
- (c) negotiate and sign deals and contracts;



- (d) attend trade fairs, for promotional work only, provided the visitor is not directly selling;
- (e) carry out site visits and inspections;
- (f) gather information for their employment overseas; and
- (g) be briefed on the requirements of an Isle of Man based customer, provided any work for the customer is done outside the UK and Islands.

### **Intra-corporate activities**

PA 5. An employee of an overseas based company may—

- (a) advise and consult;
- (b) trouble-shoot;
- (c) provide training; and
- (d) share skills and knowledge;

on a specific internal project with Isle of Man employees of the same corporate group, provided no work is carried out directly with clients.

PA 6. An internal auditor may carry out regulatory or financial audits at an Isle of Man branch of the same group of companies as the visitor's employer overseas.

### **Manufacture and supply of goods to the Isle of Man**

PA 7. An employee of an overseas company may install, dismantle, repair, service or advise on machinery, equipment, computer software or hardware (or train Isle of Man based workers to provide these services) where there is a contract of purchase, supply or lease with an Isle of Man company or organisation and either—

- (a) the overseas company is the manufacturer or supplier; or
- (b) the overseas company is part of a contractual arrangement for after sales services agreed at the time of the sale or lease, including in a warranty or other service contract incidental to the sale or lease."

### **Clients of Isle of Man export companies**

PA 8. A client of an Isle of Man export company may be seconded to the Isle of Man company in order to oversee the requirements for goods and services that are being provided under contract by the same Isle of Man company or its subsidiary company, provided the 2 companies are not part of the same group.

### **Overseas roles requiring specific activities in the Isle of Man**

## Appendix Visitor: Permitted Activities

PA 9.1. Individuals employed outside the Isle of Man may visit the Isle of Man to take part in the following activities in relation to their employment overseas—

- (a) a translator or interpreter may translate or interpret in the Isle of Man as an employee of an enterprise located overseas;
- (b) personal assistants and bodyguards may support an overseas business person in carrying out permitted activities, provided they will attend the same event(s) as the business person and are employed by them outside the Isle of Man. They must not be providing personal care or domestic work for the business person.
- (c) a tour group courier, contracted to a company with its headquarters outside the Isle of Man, who is entering and departing the Isle of Man with a tour group organised by their company;
- (d) a journalist, correspondent, producer or cameraman gathering information for an overseas publication, programme or film;
- (e) archaeologists taking part in a one-off archaeological excavation;
- (f) a professor from an overseas academic institution accompanying students to the Isle of Man as part of a study abroad programme, may provide a small amount of teaching to the students at the host organisation (however this must not amount to filling a permanent teaching role for that institution); or
- (g) market researchers and analysts may conduct market research or analysis for an enterprise located outside the Isle of Man.

PA 9.2. Drivers on a genuine international route between the Isle of Man and a country outside the Isle of Man may—

- (a) deliver or collect goods or passengers from a country outside the Isle of Man to the Isle of Man; and
- (b) undertake cabotage operations.

PA 9.3. Drivers under PA 9.2. must be employed or contracted to an operator registered in a country outside the Isle of Man or be a self-employed operator and driver based outside the Isle of Man and the operator must hold an International Operators Licence or be operating on an own account basis.

### **Work-related training**

PA 10.1. Overseas graduates from medical, dental or nursing schools may undertake clinical attachments or dental observer posts provided these are unpaid and involve no treatment of patients, where the additional requirements of Appendix V: Visitor at V 10.1. are also met.

PA 10.2. Employees of an overseas company or organisation may receive training from an Isle of Man based company or organisation in work practices and techniques which are required for the visitor's employment overseas and not available in their home country.

PA 10.3. An employee of an overseas based training company may deliver a short series of training to employees of an Isle of Man based company, where the trainer is

employed by an overseas business contracted to deliver global training to the international corporate group to which the Isle of Man based company belongs.

## **Science and academia**

PA 11.1. Scientists and researchers may—

- (a) gather information and facts for a specific project which directly relates to their employment overseas;
- (b) share knowledge or advise on an international project that is being led from the Isle of Man, provided the visitor is not carrying out research in the Isle of Man.

PA 11.2. Academics may—

- (a) take part in formal exchange arrangements with Isle of Man counterparts (including doctors);
- (b) carry out research for their own purposes if they are on sabbatical leave from their home institution;
- (c) if they are an eminent senior doctor or dentist, take part in research, teaching or clinical practice provided this does not amount to filling a permanent teaching post.

## **Legal**

PA 12.1. An expert witness may visit the Isle of Man to give evidence in an Isle of Man court; other witnesses may attend a court hearing in the Isle of Man if summoned in person by an Isle of Man court.

PA 12.2. An overseas lawyer may advise an Isle of Man based client on specific international litigation and/or an international transaction.

## **Religion**

PA 13. Religious workers overseas may visit the Isle of Man to preach or do pastoral work.

## **Creative**

PA 14.1. An artist, entertainer, or musician may—

- (a) give performances as an individual or as part of a group;
- (b) take part in competitions or auditions; and
- (c) make personal appearances and take part in promotional activities.

## Appendix Visitor: Permitted Activities

PA 14.2. Personal or technical staff or members of the production team of an artist, entertainer or musician may support the activities in PA 14.1. or Appendix V: Visitor at V 12.3.(e) provided they are attending the same event as the artist, entertainer or musician, and are employed to work for them outside the UK and Islands.

PA 14.3. Film crew (actor, producer, director or technician) employed by an overseas company may visit the Isle of Man to take part in a location shoot for a film or programme or other media content that is produced and financed overseas.

### **Sports**

PA 15.1. A sports person may—

- (a) take part in a sports tournament or sports event as an individual or part of a team;
- (b) make personal appearances and take part in promotional activities;
- (c) take part in trials provided they are not in front of a paying audience;
- (d) take part in short periods of training provided they are not being paid by an Isle of Man sporting body; and
- (e) join an amateur team or club to gain experience in a particular sport if they are an amateur in that sport.

PA 15.2. Personal or technical staff of the sports person, or sports officials, may support the activities in PA 15.1. or in Appendix V: Visitor at V 12.3.(f), if they are attending the same event as the sports person, and personal or technical staff of the sports person must be employed to work for the sports person outside the UK and Islands.

### **Medical treatment and organ donor**

PA 16.1. A visitor may receive private medical treatment provided the additional requirements at Appendix V: Visitor at V 6.1. to V 6.3. are also met.

PA 16.2. A visitor may act as an organ donor or be assessed as a potential organ donor to an identified recipient in the Isle of Man, provided the additional requirements at Appendix V: Visitor at V 7.1. to V 7.4. are also met.

### **Study**

PA 17. A visitor may study for up to 6 months providing the requirements of V 8.1. to V 8.3. are met.

### **Transit**

## Appendix Visitor: Permitted Activities

PA 18. A visitor may transit the Isle of Man, provided they meet the requirements of Appendix V: Visitor at V 13.1. and V 13.2.

## APPENDIX W: IMMIGRATION RULES FOR WORKERS

### Introduction: Worker Migrant and Worker (Intra Company Transfer) Migrant visa applications

These routes enable Isle of Man employers to employ non-settled workers to fill a particular full time genuine vacancy that cannot be filled by a Settled Worker.

### Definitions

For the purpose of this Appendix

A **"Confirmation of Employment"** means an authorisation issued by an Immigration Officer to an Employer in respect of an application for entry clearance, leave to enter or leave to remain as a Worker Migrant or Worker (Intra Company Transfer) Migrant in accordance with these Rules. A Confirmation of Employment is obtained by meeting the requirements set out in Part 6 of this Appendix.

An **"Eligible Employment"** means those Standard Occupation Classification (SOC) Codes shown in the Tables in Part 7, that are eligible employments as a Worker Migrant or Worker (Intra Company Transfer) Migrant.

An **"Employer"** means the person or body by whom the Worker Migrant or Worker (Intra Company Transfer) Migrant is to be employed.

a **"genuine vacancy"** is a vacancy with the Employer which exists in practice (or would exist in practice were it not filled by the applicant) for a position which:

- (a) requires the jobholder to undertake the specific duties and responsibilities, for the weekly hours and length of the period of engagement as set out in the Confirmation of Employment relating to the applicant;
- (b) includes only duties which are similar and equally skilled as those applying in the Standard Occupational Classification (SOC) code stated in the Confirmation of Employment relating to the applicant; and
- (c) has not been created wholly or mainly for the purpose of enabling the applicant to take advantage of the Worker Migrant route.

**"Innovator"** has the same meaning as prescribed in Appendix X.

A **"Key Employment"** means an employment identified as such in the Tables in Part 7 or in a letter issued by the Department for Enterprise in accordance with Part 6, paragraph 6.2(10).

**"length of the period of engagement"** is the period beginning with the employment start date, and ending on the employment end date, as recorded by the Confirmation of Employment.

An **"Overseas deposit taking institution"** has the same meaning as prescribed in the Online Gambling (Participants' Money) Regulations 2010<sup>33</sup>.

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<sup>33</sup> SD No. 832/10, the relevant definition was inserted by the Online Gambling (Participants' Money) (Amendment) Regulations 2014 (SD No. 2014/0226).

A **"Sector"** is a grouping of Standard Occupation Codes considered by the Department for Enterprise. These groups are set out in the Tables in Part 7 of this Appendix.

A **"Settled worker"** means a person who:

- (i) is a British Citizen,
- (ii) is an Irish citizen, or
- (iii) is a British overseas territories citizen, except those from Sovereign Base Areas in Cyprus,
- (iv) is a Commonwealth citizen with leave to enter or remain granted on the basis of Isle of Man, UK or Channel Islands Ancestry (paragraphs 186 to 193 of these Rules), or
- (v) has settled status in the Isle of Man within the meaning of the Immigration Act 1971, as amended by the Immigration and Asylum Act 1999, and the Nationality, Immigration and Asylum Act 2002, and
- (vi) is an Isle of Man worker within the meaning of the Control of Employment Act 2014 (of Tynwald)<sup>34</sup>

**"Specified Application Form"** An application made under this Appendix is Specified in accordance with Paragraph A34, of Part 1 of these Rules.

**"Specified Documents"** in relation to applications made under this Appendix are documents specified as mandatory within this Appendix, Appendix B, C or E of these Rules.

**"Standard Occupational Classification (SOC) Code"** means the common classification of occupational information drawn up by the Department for Enterprise based upon that for the United Kingdom developed by the Office of National Statistics.

**"Start-up Migrant"** has the same meaning as prescribed in Appendix X.

**"supplementary employment":**

(a) In the case of a Worker Migrant and Worker (Intra Company Transfer) Migrant means other employment which appears in Part 7 of this Appendix, or in the same profession and at the same professional level as that which the migrant is being employed to do, provided that:

- (i) the migrant remains working for the Employer in the employment that the Confirmation of Employment records that the migrant is being employed to do; and
- (ii) the other employment does not exceed 20 hours per week and takes place outside of the hours when the migrant is contracted to work for the Employer in the employment the migrant is being sponsored to do; and

(b) in the case of a Worker (Seasonal) Migrant means any other employment which appears as an eligible SOC code listed under section 5 of the Confirmation of Employment guidance document, provided that:

- (i) the migrant remains working for the Employer in the employment that the Confirmation of Employment records that the migrant is being employed to do; and

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<sup>34</sup> 2014 AT 11.

(ii) the total combined working hours of any supplementary employment roles do not exceed the total number of hours that is confirmed on the Worker (Seasonal) Migrant's primary employment as stated on their current valid Confirmation of Employment.

**"the same employer"** includes working for a different Employer in circumstances which constitute a "relevant transfer" under arrangements approved by the Department for Enterprise for transferring business ownership, provided the worker's duties remain unchanged.

**"work for a third party"** means work done for a business which is not the one named on the current valid Confirmation of Employment, and the work carried out for that business falls outside of the definition of "supplementary employment".

**"UK Innovator"** has the same meaning as prescribed in Appendix X.

**"UK Intra-Company Transfer Migrant"** means a migrant who has been granted leave by the UK as an Intra-Company Transfer Migrant under Appendix IntraCompany Routes to the UK Immigration Rules.

**"UK Intra-Company Graduate Trainee"** means a migrant who has been granted leave by the UK as an Intra-Company Graduate Trainee under Appendix Intra-Company Routes to the UK Immigration Rules.

**"UK Skilled Worker"** means a migrant who has been granted leave by the UK as a Skilled Worker under Appendix Skilled Worker to the UK Immigration Rules

**"UK Start-up Migrant"** has the same meaning as prescribed in Appendix X.

A **"Worker (Intra Company Transfer) Migrant"** means a person granted or deemed to have been granted entry clearance, leave to enter or leave to remain under Part 3 of this Appendix.

A **"Worker Migrant"** means a person granted or deemed to have been granted entry clearance, leave to enter or leave to remain under Part 2 of this Appendix.

## **PART 1: GENERAL REQUIREMENTS OF APPENDIX W**

### **1.1 Appropriate Salary**

- (1) A salary will only be considered appropriate where the following requirements are met:
- (a) For Worker Migrants and Worker (Intra Company Transfer) Migrants, the salary the migrant is to be paid must be;
    - (i) a minimum of £20,800 as set out in paragraph 1.1 of this Appendix, or
    - (i) the appropriate rate for the employment as set out in Part 7 of this Appendix,
 whichever is the higher.
  - (aa) For Worker (Seasonal) Migrants, the salary the migrant is to be paid must be a minimum of £20,800.
  - (b) The following items only will be taken into account to calculate the appropriate salary:
    - (i) guaranteed gross basic pay, and
    - (ii) guaranteed allowances which will be paid for the duration of the applicant's employment in the Isle of Man and which would be paid to a Settled Worker in similar circumstances.



- (c) The following items will not be taken into account in reckoning the amount of the appropriate salary:
- (i) any allowances other than those specified in (b) above,
  - (ii) one-off payments, such as those associated with the cost of relocation, which do not form part of the applicant's regular salary package,
  - (iii) payments which cannot be guaranteed, such as bonus or incentive related pay,
  - (iv) overtime payments, whether or not overtime is guaranteed,
  - (v) payments to cover business expenses, including (but not limited to) training, travel to and from the sending country, hotels and business travel within the British Islands,
  - (vi) any payments for which the applicant will need to reimburse the Employer or any linked overseas business,
  - (vii) employer pension contributions,
  - (viii) medical or dental benefits,
  - (ix) payment of any tuition fees, or
  - (x) the value of any shares which the applicant has obtained during their Isle of Man employment.
- (2) Salary must be paid to the Worker Migrant, Worker (Intra Company Transfer) Migrant or Worker (Seasonal) Migrant and not to any third party or nominee on his behalf if that would reduce the amount of tax or National Insurance contributions payable in the Isle of Man.
- (3) Where the applicant is applying for Limited or Indefinite Leave to Remain under Part 2 or 3 of this Appendix, the applicant must provide the Specified Documents in paragraph 1.1.1 below as evidence of the appropriate salary above and reasons for the absences set out in the General Requirements for Indefinite Leave to Remain at paragraph 1.2 below.

#### **1.1.1 Specified Documents under Paragraph 1.1**

- (1) The specified Documents referred to in paragraph 1.1(3) above to provide evidence that the Worker Migrant or Worker (Intra Company Transfer) Migrant will be or has been paid an appropriate salary are:
- (a) a payslip; and
  - (b) one of the following:
    - (i) a personal bank statement;
    - (ii) a building society statement; or
    - (iii) a building society pass book.
- (2) The Specified Documents in (1) must comply with the following criteria:
- (a) Payslips must be:
    - (i) the applicant's most recent payslip,

- (ii) dated no earlier than one calendar month before the date of the application, and
- (iii) either:
  - (1) an original payslip, or
  - (2) a copy of a payslip accompanied by a letter from the applicant's Employer, on headed paper and signed by a senior official, confirming the payslip is authentic.
- (b) Personal bank or building society statements must:
  - (i) be the applicant's most recent statement,
  - (ii) be dated no earlier than one calendar month before the date of the application,
  - (iii) clearly show:
    - (1) the applicant's name,
    - (2) the applicant's account number,
    - (3) the date of the statement,
    - (4) the financial institution's name,
    - (5) the financial institution's logo, and
    - (6) transactions by the Employer covering the period no earlier than one calendar month before the date of the application, including receipt of the amount shown on the payslip provided under paragraph (a),
  - (iv) be either:
    - (1) printed on the bank's or building society's letterhead,
    - (2) electronic bank or building society statements, accompanied by a supporting letter from the bank or building society, on headed paper, confirming the statement provided is authentic, or
    - (3) electronic bank or building society statements, bearing the official stamp of the bank or building society on every page,
- and
- (v) not be mini-statements from automatic teller machines (ATMs).
- (c) Building society pass books must:
  - (i) clearly show:
    - (1) the applicant's name,
    - (2) the applicant's account number,
    - (3) the financial institution's name,
    - (4) the financial institution's logo, and
    - (5) transactions by the Employer covering the period no earlier than one calendar month before the date of the application, including receipt of the amount shown on the specified payslip as at (a),
- and

- (ii) be either:
  - (1) the original pass book, or
  - (2) a photocopy of the pass book which has been certified by the issuing building society on headed paper, confirming the pass book provided is authentic.
- (3) A letter from the Employer detailing the purpose and period of absences in connection with the employment, including periods of annual leave. Where the absence was due to a serious or compelling reason, a personal letter from the applicant which includes full details of the reason for the absences and all original supporting documents in relation to those reasons – e.g. medical certificates, birth/death certificates, information about the reasons which led to the absence from the Isle of Man.
- (4) Where the applicant is not being paid the appropriate salary in paragraph 1.1 due to the applicant having a period of maternity, paternity, or adoption leave:
  - (a) Payslips must be:
    - (i) the applicant’s payslip from the month immediately preceding the leave,
    - (ii) the applicant’s payslips for each month of the period of the leave, and
    - (iii) comply with the criteria set out in (2)(a) above.
  - (b) Personal bank or building society statements must be:
    - (i) the applicant’s statement from the month immediately preceding the leave,
    - (ii) the applicant’s statements for each month of the period of the leave, and
    - (iii) comply with the criteria set out in (2)(b) above.

## **1.2 General Requirements for Indefinite Leave to Remain**

- (1) For the purposes of references in this Appendix to general requirements for indefinite leave to remain:
  - (a) “continuous period of 5 years in the Isle of Man” means residence in the Isle of Man for an unbroken period with valid leave, and for these purposes a period shall not be considered to have been broken where:
    - (i) the applicant has been absent from the Isle of Man for a period of 180 days or less in any of the five consecutive 12 month periods preceding the date of the application for leave to remain, except that any absence from the Isle of Man for the purpose of assisting with the Ebola crisis which began in West Africa in 2014 shall not count towards the 180 days, if the applicant provides evidence that this was the purpose of the absence(s) and that his Employer agreed to the absence(s);
    - (ii) the applicant has existing limited leave to enter or remain upon their departure and return except that where that leave expired no more than 28 days prior to a further application for entry clearance, that period and any period pending the determination of an application made within that 28 day period shall be disregarded; and
    - (iii) the applicant has any period of overstaying between periods of entry clearance, leave to enter or leave to remain of up to 28 days and any period of overstaying pending the determination of an application made within that 28 day period disregarded.

- (b) Except for periods when the applicant had leave as a Tier 1 (General) Migrant, a Tier 1 (Investor) Migrant, a Tier 1 (Entrepreneur) Migrant, a Tier 1 (Exceptional Talent) Migrant, or a highly skilled migrant, the applicant must have been employed in the Isle of Man continuously throughout the five years immediately preceding the making of an application for indefinite leave to remain—
  - (i) under the terms of their Certificate of Sponsorship if they were a Tier 2 Migrant immediately before 6 April 2018; or
  - (ii) under the terms of their Confirmation of Employment if they had been given leave to enter or remain or were deemed to have been given leave to enter or remain since 6 April 2018;
  - (iii) under a work permit or in the employment for which they were given leave to enter or remain, disregarding any breaks in employment falling within the 60 days immediately prior to the application for indefinite leave to remain while they were employed as a Tier 2 Migrant, Worker Migrant, or Worker (Intra Company Transfer) Migrant.
- (c) Except for periods where the applicant had leave as a Tier 1(Investor) Migrant, a Tier 1(Entrepreneur) Migrant, a Tier 1 (Exceptional Talent) Migrant or a highly skilled migrant, any absences from the Isle of Man during the five years must have been for a purpose that is consistent with the applicant’s basis of stay here, including paid annual leave, or for serious or compelling reasons.
- (d) Where the applicant is applying for indefinite leave to remain under Part 2 or 3 of this Appendix, the applicant must:
  - (i) provide the Specified Documents in paragraph 1.1.1 as evidence of the appropriate salary; and
  - (ii) if applicable, provide the Specified Documents in paragraph 1.1.1(3) which gives reasons for the absences set out this paragraph 1.2.

### **1.3 Documents not submitted with Applications**

- (1) Subject to sub-paragraph (2) and where otherwise indicated, where Part 2 or 3, or any appendices referred to in Part 2 or 3, state that Specified Documents must be provided, the decision maker (that is the Entry Clearance Officer, Immigration Officer or the Minister) will only consider documents received by the Isle of Man Immigration Office before the date on which the application is considered.
- (2) If the applicant has submitted the Specified Documents and:
  - (a) some of the documents within a sequence have been omitted (for example, if one page from a bank statement is missing) and the documents marking the beginning and end of that sequence have been provided;
  - (b) a document is in the wrong format (for example, if a letter is not on letterhead paper as specified);
  - (c) a document is a copy and not an original document; or
  - (d) a document does not contain all of the specified information;

the decision maker may contact the applicant or his representative in writing, and request the correct Specified Documents. Such a request will only be made once, and the requested documents must be received at the address specified in the request within 10 working days of the date on which the request is sent.

- (3) Documents will not be requested under sub-paragraph (2) where:
- (a) a Specified Document has not been submitted (for example an English language certificate is missing); or
  - (b) the decision maker does not think that submission of the missing or correct Specified Documents will lead to a grant because the application will be refused for other reasons.
- (4) If the applicant has submitted a Specified Document:
- (a) in the wrong format; or
  - (b) which is a copy and not an original document; or
  - (c) which does not contain all of the specified information, but the missing information is verifiable from:
    - (i) other documents submitted with the application; or
    - (ii) the website of the organisation which issued the document; or
    - (iii) the website of the appropriate regulatory body;

the decision maker may request the correct document under sub-paragraph (2), or may grant the application despite the error or omission, if satisfied that the Specified Documents are genuine and the applicant meets all the other requirements of the Rules.

## **PART 2: WORKER MIGRANT**

These routes enable Isle of Man employers to employ non-settled workers to fill a particular full time genuine vacancy that cannot be filled by a Settled Worker.

### **2.1 Worker Migrant – Entry Clearance**

All migrants arriving in the Isle of Man and wishing to enter as a Worker Migrant must have a valid entry clearance for entry under this route. If they do not have a valid entry clearance, entry will be refused.

### **2.2 Worker Migrant - Requirements for Entry Clearance**

To qualify for entry clearance as a Worker Migrant an applicant must meet the requirements listed below. If the applicant meets these requirements, entry clearance will be granted. If the applicant does not meet these requirements, the application will be refused.

- (1) The requirements are that:
  - (a) the applicant must not fall for refusal under the general grounds for refusal under Part 9 of these Rules.
  - (b) the applicant must submit a valid Confirmation of Employment in accordance Part 6 of this Appendix with his application.
  - (c) the Employment recorded on the Confirmation of Employment must be an Eligible Employment as set out in Part 7 of this Appendix.
  - (d) The applicant must meet the English Language requirements set out in Appendix B of these Rules.
  - (e) The applicant must meet the Level of Maintenance Funds requirements set out in Appendix C of these Rules.
  - (f) The applicant must meet the appropriate salary requirements at Part 1.1 of this Appendix.
  - (g) The applicant must be able to maintain and accommodate himself or herself and any dependants adequately without recourse to public funds.
  - (h) Where the application is made at the same time as applications by the partner or child of the applicant (such that the applicant is a Worker Migrant or a Worker (Intra Company Transfer) Migrant for the purposes of paragraph 319AA), each applicant must have the total requisite funds specified in the relevant parts of Appendices C and E. If each applicant does not individually meet the requirements of those Appendices, as appropriate, all the applications will be refused.
  - (i) The applicant must only take employment as specified in the applicant's Confirmation of Employment, and in accordance with paragraph 2.2.1(4)(c) of this Appendix.
  - (j) Worker Migrants are not permitted to be self-employed or be in any arrangement akin to self-employment. For this reason the Worker Migrant must not:
    - (i) have the final say in the running of the Employer's business
    - (ii) invest their own money in the Employer's business or act as surety or guarantor for the business,

- (iii) responsible for covering the losses of the business,
- (iv) provide the major items of equipment needed to do his or her employment, although the Worker Migrant may provide small personal tools required for that purpose; ,
- (v) be free to hire other people on terms of the applicant's own choice, to do the work for which he or she has himself been employed ,
- (vi) pay himself, herself or another employee from the applicant's personal funds,
- (vii) be obliged to correct unsatisfactory work in his or her own time or expense, or
- (viii) be expected to pay his or her own tax and National Insurance.
- (ix) The above restrictions will be construed widely and any arrangement with the Employer's business or any related business, structure or entity which amounts to self-employment will not be permitted. The Employer will at all times be required to pay tax and National Insurance on the salary of the Worker Migrant and payment of the Worker Migrant by repayment of shareholder loans or similar arrangements is not permitted.

Paragraph (j) does not apply to SOC Codes, 2413 – Solicitors, 2211 – Medical practitioners or 2215 Dental practitioners.

- (k) The applicant must be at least 16 years old.
- (l) Where the applicant is under 18 years of age, the application must be supported by the applicant's parents or legal guardian, or by one parent if that parent has sole legal responsibility for the child. The applicant's parents or legal guardian, or one parent if that parent has sole responsibility for the child, must confirm that they consent to the arrangements for the applicant's travel to, and reception and care in, the Isle of Man.
- (m) Where the applicant is 18 years of age or older and the employment that the Confirmation of Employment records that they are being employed to do is in one of the Standard Occupational Classification (SOC) codes listed below, the applicant must provide either an original or scanned copy of a criminal record certificate from the relevant authority in all countries in which they have been resident for 12 months or more (whether continuously or in total) during the past 10 years, while aged 18 or over. This requirement does not need to be met where the Minister is satisfied, by way of an explanation provided in or with the application, that it is not reasonably practicable for the applicant to obtain a certificate from the relevant authority.

2211 - Medical practitioners

2212 – Psychologists

2213 - Pharmacists

2214 - Ophthalmic opticians

2215 - Dental practitioners

2217 - Medical radiographers

2218 - Podiatrists

2219 - Health professionals not elsewhere classified  
2221 - Physiotherapists  
2222 - Occupational therapists  
2223 - Speech and language therapists  
2229 - Therapy professionals not elsewhere classified  
2231 - Nurses  
2232 - Midwives  
2311 – Higher Education teaching professionals  
2312 - Further education teaching professionals  
2314 - Secondary education teaching professionals  
2315 - Primary and nursery education teaching professionals  
2442 - Social workers  
2449 - Welfare professionals not elsewhere classified  
3213 – Paramedics  
3218 – Medical and Dental Technicians  
3219 – Health Associate Professionals  
3563 – Vocational and industrial trainers and instructors  
6141 – Nursing Auxiliaries and Assistants

- (n) If the applicant has failed to provide a criminal record certificate or an explanation in accordance with sub-paragraph 2.2(1)(m), the decision maker may contact the applicant or his representative in writing, and request the certificate(s) or an explanation. The requested certificate(s) or written explanation must be received at the address specified in the request within 28 working days of the date the request was sent.
- (o) The applicant must intend to leave the Isle of Man at the end of the length of period of engagement set out in his Confirmation of Employment unless the requirements of paragraph 2.3 are met.
- (p) The Minister must be satisfied that the applicant:
  - (i) genuinely intends to undertake, and is capable of undertaking, the employment as stated in the Confirmation of Employment; and
  - (ii) will not undertake employment in the Isle of Man other than under the terms of paragraph 2.2.1.
- (q) To support the assessment in paragraph 2.2(1)(p) the Minister may:
  - (i) request additional information and evidence, and refuse the application if the information or evidence is not provided. Any requested documents must be received by the Isle of Man Immigration Office at the address specified in the request within 28 working days of the date the request is sent, and



- (ii) request the applicant attends an interview, and refuse the application if the applicant fails to comply with any such request without providing a reasonable explanation.
- (r) The applicant will not have met the requirements of paragraph 2.2(1)(p) if the Minister is not satisfied following the interview and an assessment of any additional evidence and information (if any) in paragraph 2.2(1)(q).
- (s) The Minister may decide not to carry out the assessment in paragraph 2.2(1)(q) if the application already falls for refusal on other grounds, but reserves the right to carry out this assessment in any reconsideration of the decision.
- (t) If the applicant is not yet appropriately qualified or registered to undertake the employment in question, the applicant must provide evidence with the application showing that he or she can reasonably be expected to obtain the appropriate qualifications or registrations by the time he or she begins the employment, for example, a letter from the relevant body providing written confirmation that the applicant has registered to sit the relevant examinations.
- (u) Entry clearance will not be granted where the Minister or an Immigration Officer has reasonable grounds to believe, notwithstanding that the applicant has provided a Confirmation of Employment,
  - (i) that the migrant is not appropriately qualified or registered to undertake the employment in question (or will not be by the time they begin the employment),
  - (ii) the requirements of the employment as stated in any advertisement for the employment are inappropriate and have been tailored to exclude Isle of Man workers or other Settled Workers from being recruited, or
  - (iii) that the applicant is using an Employer, structure, a third party or other means to circumvent paragraph 2.2(j).
- (v) To support the assessment in any of paragraphs (u), if the applicant is not yet appropriately qualified or registered to do the employment in question, he must provide evidence with his application showing that he can reasonably be expected to obtain the appropriate qualifications or registrations by the time he begins the employment, for example, a letter from the relevant body providing written confirmation that the applicant has registered to sit the relevant examinations.

### **2.2.1 Worker Migrants – Period and Conditions of Grant**

- (1) Applicants who meet the requirements for entry clearance under paragraph 2.2 of this Appendix shall be granted entry clearance as a Worker Migrant.
- (2) Entry clearance will be granted with effect from:
  - (a) 14 days before the start date of the applicant's employment in the Isle of Man, as recorded by the Confirmation of Employment,
  - (b) 7 days before the intended date of travel recorded by the applicant through the relevant Home Office application, providing this is not more than 14 days after the start date of the applicant's employment in the Isle of Man, as recorded by the Confirmation of Employment, or
  - (c) the date entry clearance is granted,

whichever is the latest.

- (3) Entry clearance will be granted for a period ending:
  - (a) 14 days after the end date of the applicant's employment in the Isle of Man, as recorded on the Confirmation of Employment, or
  - (b) at the end of the maximum time of 3 years and 1 month, whichever is the earlier, from the date entry clearance was granted.
- (4) Entry clearance will be subject to the following conditions:
  - (a) no recourse to public funds,
  - (b) registration with the police, if this is required by paragraph 326 of these Rules,
  - (c) no employment except:
    - (i) working for the Employer in the full time employment recorded on the Confirmation of Employment, and for the avoidance of doubt, work done for a third party in accordance with the requirements of paragraph 6.2(6A) will be considered as work done for the Employer,
    - (ii) subject to any notification of a change to the details of that Employment, other than prohibited changes as defined in Part 5 of this Appendix,
    - (iii) supplementary employment, and
    - (iv) voluntary work, and
  - (d) a valid Confirmation of Employment (in accordance with paragraph 6.1 of this Appendix) must be held at all times during the grant of leave, and
  - (e) study subject to the condition set out in Part 15 of these Rules where the applicant is 18 years of age or over at the time their leave is granted, or will be aged 18 before their period of limited leave expires.

### **2.3 Worker Migrants - Requirements for Leave to Remain**

To qualify for leave to remain as a Worker Migrant an applicant must meet the requirements listed below. If the applicant meets these requirements, leave to remain will be granted. If the applicant does not meet these requirements, the application will be refused.

- (1) The applicant must not fall for refusal under the general grounds for refusal under Part 9 of these Rules, and must not be an illegal entrant.
- (2) The applicant must provide a valid Confirmation of Employment in accordance with Part 6 of this Appendix with the application.
- (3) The applicant must meet the English Language requirements of Appendix B of these Rules.
- (4) The applicant must meet the required level of funds set out in Appendix C of these Rules.
- (5) The applicant must meet the appropriate salary requirements at paragraph 1.1 of this Appendix.
- (6) Where the applicant's most recent grant of leave is as a:
  - (a) Worker Migrant,
  - (b) Worker (Intra Company Transfer) Migrant,

- (c) Worker (Seasonal) Migrant,
- (d) Tier 2 Migrant under the Rules in effect on or before 5 April 2018,
- (e) Tier 2 (Intra Company Transfer) Migrant under the Rules in effect on or before 5 April 2018,
- (f) Tier 5 (Temporary Worker) Migrant,
- (g) UK Tier 2 Migrant,
- (h) UK Tier 2 (Intra-Company Transfer) Migrant,
- (i) UK Skilled Worker,
- (j) UK Intra-Company Transfer Migrant, or
- (k) UK Intra-Company Graduate Trainee,

the applicant must demonstrate they have been paid the appropriate rate for their employment. The applicant must provide the Specified Documents at paragraph 2.3.1. of this Appendix.

- (7) Where any changes to the applicant's employment have been made since the grant of entry clearance, the applicant must be in possession of a further Confirmation of Employment which expressly permits that employment in accordance with paragraph 5.1 of this Appendix. The further Confirmation of Employment must be submitted with the application.
- (8) The applicant must be able to maintain and accommodate himself or herself and any dependants adequately without recourse to public funds.
- (9) Where the application is made at the same time as applications by the partner or child of the applicant (such that the applicant is a Worker Migrant or a Worker (Intra Company Transfer) Migrant for the purposes of paragraph 319AA), each applicant must have the total requisite funds specified in the relevant parts of Appendices C and E. If each applicant does not individually meet the requirements of Appendices C and/or E, as appropriate, all the applications will be refused.
- (10) The applicant must:
  - (a) have, or have last been granted, entry clearance, leave to enter or leave to remain in the Isle of Man as:
    - (i) a Worker Migrant,
    - (ii) a Worker (Intra Company Transfer) Migrant,
    - (iii) a Worker (Seasonal) Migrant,
    - (iv) a Tier 1 Migrant,
    - (v) a Tier 2 Migrant,
    - (vi) a Tier 2 (Intra Company Transfer) Migrant
    - (vii) a Representative of an Overseas Business,
    - (viii) a Tier 5 (Temporary Worker) Migrant,
    - (ix) the partner of a Tier 4 Migrant,
    - (x) a Start-up Migrant,
    - (xi) an Innovator,

- (xii) a UK Start-up Migrant, or
  - (xiii) a UK Innovator
  - (xiv) a UK Tier 2 Migrant,
  - (xv) a UK Tier 2 (Intra-Company Transfer) Migrant,
  - (xvi) a UK Skilled Worker,
  - (xvii) a UK Intra-Company Transfer Migrant, or
  - (xviii) a UK Intra-Company Graduate Trainee,
- or
- (b) have, or have last been granted entry clearance, leave to enter or leave to remain as a Tier 4 Migrant, and in respect of such leave, the applicant must:
    - (i) have studied at an institution which holds a Tier 4 Sponsor Licence and at that institution completed and passed during the last grant of leave, (or a period of continuous leave which includes the last grant of leave):
      - i. a UK recognised bachelor's or master's degree (not a qualification of equivalent level which is not a degree),
      - ii. a UK Postgraduate Certificate in Education or Professional Graduate Diploma of Education (not a qualification of equivalent level),
      - iii. or the applicant must have completed a minimum of 12 months study in the Isle of Man towards a UK PhD. The applicant must have undertaken the study at the institution which is the Tier 4 sponsor, and not through supplementary study
    - (ii) If the applicant undertook the study for the qualification specified in (b)(i) whilst holding leave as a Tier 4 student, the applicant must have undertaken the study at the institution which is the Tier 4 sponsor, and not through supplementary study.
  - (c) Where (b) applies, the applicant must provide an original degree certificate, academic transcript or an academic reference on headed paper of the institution, which clearly shows—
    - (i) the applicant's name;
    - (ii) the course title/award;
    - (iii) the course duration (except in the case of a degree certificate); and
    - (iv) unless the course is a PhD course, the date of course completion and pass (or the date of award in the case of a degree certificate).
- (11) An applicant who immediately prior to 6 April 2018 had or had last been granted leave as a Tier 2 (Intra-Company Transfer) Migrant must:
- (a) have previously had leave as a Tier 2 (Intra-Company Transfer) Migrant, or in the Established Staff sub-category of Tier 2 (Intra-Company Transfer) Migrant under the Rules in place before 6 June 2011, and
  - (b) must not have been granted entry clearance in this or any other route since the grant of leave referred to in (a) above.

- (12) The applicant must not intend to take employment except as specified in the applicant's Confirmation of Employment, and in accordance with paragraph 2.3.2(4)(c) of this Appendix.
- (13) Deleted
- (14) Deleted
- (15) The applicant must be at least 16 years old.
- (16) Where the applicant is under 18 years of age, the application must be supported by the applicant's parents or legal guardian, or by just one parent if that parent has sole legal responsibility for the child.
- (17) Where the applicant is under 18 years of age, the applicant's parents or legal guardian, or just one parent if that parent has sole legal responsibility for the child, must confirm that they consent to the arrangements for the applicant's care in the Isle of Man.
- (18) The applicant must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.
- (19) The Minister must be satisfied that the applicant:
  - (a) genuinely intends to undertake, and is capable of undertaking, the employment recorded by the Confirmation of Employment; and
  - (b) will not undertake employment in the Isle of Man other than under the terms of paragraph 2.3.2(4)(c).
- (20) To support the assessment in paragraph 2.3(19) the Minister may:
  - (a) request additional information and evidence, and refuse the application if the information or evidence is not provided. Any requested documents must be received by the Isle of Man Immigration Office at the address specified in the request within 28 calendar days of the date the request is sent, and
  - (b) request the applicant attends an interview, and refuse the application if the applicant fails to comply with any such request without providing a reasonable explanation.
- (21) If the Minister is not satisfied following the assessment in paragraph 2.3(19) leave to remain will not be granted.
- (22) The Minister may decide not to carry out the assessment in paragraph 2.3(20) if the application already falls for refusal on other grounds, but reserves the right to carry out this assessment in any reconsideration of the decision.
- (23) Worker Migrants are not permitted to be self-employed or be in any arrangement akin to self-employment. For this reason the Worker Migrant must not:
  - (i) have the final say in the running of the Employer's business
  - (ii) Invest their own money in the Employer's business or act as surety or guarantor for the business,
  - (iii) responsible for covering the losses of the business,
  - (iv) provide the major items of equipment needed to do his or her employment, although the Worker Migrant may provide small personal tools required for that purpose;

- (v) be free to hire other people on terms of the applicant's own choice, to do the work for which he or she has himself been employed,
  - (vi) pay himself, herself or another employee from the applicant's personal funds,
  - (vii) be obliged to correct unsatisfactory work in his or her own time or expense, or
  - (viii) be expected to pay his or her own tax and National Insurance.
  - (ix) The above restrictions will be construed widely and any arrangement with the Employer's business or any related business, structure or entity which amounts to self-employment will not be permitted. The Employer will at all times be required to pay tax and National Insurance on the salary of the Worker Migrant and payment of the Worker Migrant by repayment of shareholder loans or similar arrangements is not permitted.
- (24) Paragraph (23) does not apply where:
- (i) Applicants whose most recent entry clearance, leave to enter or leave to remain was granted as a Tier 2 (General) Migrant under the Rules in place prior to 6 April 2018 and the applicant's gross annual salary (including such allowances as are specified as acceptable for this purpose in paragraph 6.3.2 of this appendix) to be paid by the Employer is £159,600 (or £155,300, if the recruitment took place before 6 April 2017) or higher; or
  - (ii) SOC Codes:
    - (a) 2413 Solicitors;
    - (b) 2211 Medical Practitioners; or
    - (c) 2215 Dental Practitioners.
- (25) Leave to remain will not be granted where the Minister or an Immigration Officer has reasonable grounds to believe, notwithstanding that the applicant has provided a Confirmation of Employment,
- (i) that the migrant is not appropriately qualified or registered to undertake the employment in question (or will not be by the time they begin the employment),
  - (ii) the requirements of the employment as stated in any advertisement for the employment are inappropriate and have been tailored to exclude Isle of Man workers or other Settled Workers from being recruited, or
  - (iii) that the applicant is using an Employer, structure, a third party or other means to circumvent paragraph 2.3(23).
- (26) To support the assessment in any of paragraph 2.3(24), if the applicant is not yet appropriately qualified or registered to do the employment in question, he must provide evidence with his application showing that he can reasonably be expected to obtain the appropriate qualifications or registrations by the time he begins the employment, for example, a letter from the relevant body providing written confirmation that the applicant has registered to sit the relevant examinations.

### **2.3.1 Specified Documents under paragraph 2.3**

- (1) The Specified Documents required by paragraph 2.3(6) are set out below:
  - (a) either:

- (i) an annual self-assessment tax return to the Isle of Man Treasury or UK HMRC; or
- (ii) payment submissions made to the UK's Pay As You Earn (PAYE) Scheme, (a copy or print-out) for the last full financial year, immediately preceding the date of application;
- (b) a payslip; and
- (c) Personal bank statement, building society statement(s), or a building society pass book, for the same 12-month period as the tax return(s) in (a) showing that the income from the employment, for which the previous Confirmation of Employment was issued, has been paid into an account in the name of the person, or in the name of the person and their partner jointly, for the last full financial year, immediately preceding the date of application
- (d) The Specified Documents in (b) and (c) above must comply with the following criteria:
  - (i) Payslips must be:
    - i. the applicant's most recent payslip,
    - ii. dated no earlier than one calendar month before the date of the application, and
    - iii. either:
      - a. an original payslip, or
      - b. a copy of a payslip accompanied by a letter from the applicant's Employer, on headed paper and signed by a senior official, confirming the payslip is authentic.
  - (ii) Personal bank or building society statements must:
    - i. be the applicant's most recent statement,
    - ii. be dated no earlier than one calendar month before the date of the application,
    - iii. clearly show:
      - a. the applicant's name,
      - b. the applicant's account number,
      - c. the date of the statement,
      - d. the financial institution's name,
      - e. the financial institution's logo, and
      - f. transactions by the Employer covering the period no earlier than one calendar month before the date of the application, including receipt of the amount shown on the payslip provided under paragraph (b),
    - iv. be either:
      - a. printed on the bank's or building society's letterhead,

- b. electronic bank or building society statements, accompanied by a supporting letter from the bank or building society, on headed paper, confirming the statement provided is authentic, or
  - c. electronic bank or building society statements, bearing the official stamp of the bank or building society on every page,
- and
- v. not be mini-statements from automatic teller machines (ATMs).
- (iii) Building society pass books must:
- i. clearly show:
  - ii. the applicant's name,
  - iii. the applicant's account number,
  - iv. the financial institution's name,
  - v. the financial institution's logo, and
  - vi. transactions by the Employer covering the period no earlier than one calendar month before the date of the application, including receipt of the amount shown on the specified payslip as at (b),
- and
- vii. be either:
    - a. the original pass book, or
    - b. a photocopy of the pass book which has been certified by the issuing building society on headed paper, confirming the pass book provided is authentic.
- (e) Where more than one Confirmation of Employment has been held by the applicant throughout the applicant's most recent grant of leave, the Minister may request the Specified Documents at sub-paragraphs (a) to (c) in connection with each Confirmation of Employment held.

### **2.3.2 Worker Migrants – Period and Conditions of Grant**

- (1) Leave to remain will be granted for whichever of the following is the shortest:
- (a) the length of the period of engagement plus 14 days,
  - (b) 5 years, or
  - (c) except where (2) applies, the difference between the continuous period of leave that the applicant has already been granted (notwithstanding any breaks between periods of leave of up to 28 days) as a Worker Migrant (other than as a Worker (Intra-Company Transfer) Migrant), and 6 years. If the calculation of period of leave comes to zero or a negative number, leave to remain will be refused.
- (2) The 6 year restriction set out in (1)(c) will not apply if the applicant:
- (a) previously had leave under the Rules in place before 6 June 2011 as:



- (i) a Tier 2 (General) Migrant,
  - (ii) a Tier 2 (Minister of Religion) Migrant,
  - (iii) a Tier 2 (Sportsperson) Migrant,
  - (iv) a Jewish Agency Employee,
  - (v) a Member of the Operational Ground Staff of an Overseas-owned Airline,
  - (vi) a Minister of Religion, Missionary or Member of a Religious Order,
  - (vii) a Work Permit Holder, or
  - (viii) a Representative of an Overseas Newspaper, News Agency or Broadcasting Organisation, and
- (b) has not been granted entry clearance as a Tier 2 (General) Migrant, Tier 2 (Minister of Religion) Migrant or Tier 2 (Sportsperson) Migrant under the Rules in place from 6 June 2011, and
- (c) has not been granted entry clearance, leave to enter or leave to remain in any other category since the grant of leave referred to in (a) above.
- (3) In addition to the period in (1), leave to remain will be granted for the period between the date that the application is decided and the date that the Confirmation of Employment records as the start date of employment in the Isle of Man, provided this is not a negative value.
- (4) Leave to remain will be granted subject to the following conditions:
- (a) no recourse to public funds,
  - (b) registration with the police, if this is required by paragraph 326 of these Rules,
  - (c) no employment except:
    - (i) working for the employer in the employment that the Confirmation of Employment records that the migrant is being sponsored to do subject to any notification of a change to the details of that employment, other than prohibited changes as defined in Part 5 of this Appendix, and for the avoidance of doubt, work done for a third party in accordance with the requirements of paragraph 6.2(6A) will be considered as work done for the Employer,
    - (ii) supplementary employment,
    - (iii) voluntary work,
    - (iv) until the start date of the period of engagement, any employment which the applicant was lawfully engaged in on the date of his application, and
  - (d) study subject to the condition set out in Part 15 of these Rules where the applicant is 18 years of age or over at the time their leave is granted, or will be aged 18 before their period of limited leave expires, and
  - (e) a valid Confirmation of Employment (in accordance with paragraph 6.1 of this Appendix) must be held at all times during the grant of leave.
- (5) Deleted.

## 2.4 Worker Migrants – Requirements for Indefinite Leave to Remain

To qualify for indefinite leave to remain as a Worker Migrant, an applicant must meet the requirements listed below in addition to the general requirements for indefinite leave to remain set out in paragraph 1.2. If the applicant meets these requirements, indefinite leave to remain will be granted. If the applicant does not meet these requirements, the application will be refused

### Requirements

- (1) The applicant must not fall for refusal under the general grounds for refusal under Part 9 of these Rules, and must not be an illegal entrant.
- (2) The applicant must have spent a continuous period of 5 years lawfully in the Isle of Man, of which the most recent period must have been spent with leave as a Worker Migrant, in any combination of the following categories:
  - (a) as a Worker Migrant,
  - (b) as a Tier 1 Migrant, other than a Tier 1 (Post Study Work) Migrant or a Tier 1 (Graduate Entrepreneur) Migrant,
  - (c) as a Tier 2 (General) Migrant, a Tier 2 (Minister of Religion) Migrant or a Tier 2 (Sportsperson) Migrant,
  - (d) as a Tier 2 (Intra-Company Transfer) Migrant, provided the continuous period of 5 years spent lawfully in the Isle of Man includes a period of leave as:
    - (i) a Tier 2 (Intra-Company Transfer) Migrant granted under the Rules in place before 26 July 2010, or
    - (ii) a Work Permit Holder, provided that the work permit was granted because the applicant was the subject of an Intra-Company Transfer,
  - (e) as a Representative of an Overseas Business,
  - (f) as a Highly Skilled Migrant,
  - (g) as a Work Permit Holder,
  - (h) as an Innovator, or
  - (i) as a UK Innovator.
- (3) The employer must certify in writing:
  - (a) that the employer still requires the applicant for the employment in question for the foreseeable future,
  - (b) the gross annual salary paid by the Employer, and that this salary will be paid for the foreseeable future,
  - (c) if the applicant is currently on maternity, paternity, or adoption leave, the date that leave started, confirmation of what the applicant's salary was immediately before the leave, and what it will be on the applicant's return, and
  - (d) if the applicant is paid hourly, the number of hours per week the salary in (b) or (c) is based on,
- (4) The pay in (3)(b) or (c) above must comply with the Appropriate Salary Requirements at paragraph 1.1 of this Appendix and:
  - (a) be basic pay (excluding overtime);

- (b) only include allowances where they are part of the guaranteed salary package and would be paid to a local settled worker in similar circumstances;
  - (c) not include other allowances and benefits, such as bonus or incentive pay, employer pension contributions, travel and subsistence (including travel to and from the applicant's home country); and
  - (d) be at least equal to the appropriate rate for the Employment as stated in Part 7 of this Appendix.
- (5) The applicant must have sufficient knowledge of the English Language and sufficient knowledge about the life in the United Kingdom and Isle of Man, in accordance with Appendix KOLL of these Rules, except where the applicant's employment is as a doctor, dentist, nurse or midwife, and have passed an English language assessment which is accepted by the relevant regulated professional body as a requirement for registration, in which case they do not need to meet the requirement of paragraph 2.2 of Appendix KOLL when applying for indefinite leave to remain.
- (6) The applicant must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.
- (7) The applicant must demonstrate they have been paid the appropriate rate for their Employment. The applicant must provide the Specified Documents at paragraph 2.4.1. of this Appendix
- (8) Where any changes to the applicant's employment have been made since the most recent grant of entry clearance, leave to enter or leave to remain, the applicant must be in possession of a further Confirmation of Employment which expressly permits that employment in accordance with paragraph 5.1 of this Appendix. The further Confirmation of Employment must be submitted with the application.
- (9) For the purposes of paragraph (2) above, time spent with valid leave in the Bailiwick of Guernsey, the Bailiwick of Jersey or the United Kingdom in a category equivalent to any of the categories set out in paragraph 2.4(2) may be included in the continuous period of 5 years' lawful residence, provided that:
- (a) any such leave as a Work Permit Holder or as a Tier 2 Migrant was for employment, and
  - (b) the most recent period of leave was granted in the Isle of Man as a Worker Migrant. In any such case, references to the "Isle of Man" in paragraph 1.2 of this Appendix shall include a reference to the Bailiwick of Guernsey, Bailiwick of Jersey or the United Kingdom, as the case may be.

#### **2.4.1 Specified Documents under paragraph 2.4**

- (1) The Specified Documents required by paragraph 2.4(7) are out below:
- (a) annual self-assessment tax return(s) to Isle of Man Treasury (a copy or print-out) for the last full financial year, immediately preceding the date of application;
  - (b) a payslip; and
  - (c) Personal bank statement, building society statement(s), or a building society pass book, for the same 12-month period as the tax return(s) in (a) showing that the income from the Employment, for which the previous Confirmation of Employment was issued, has been paid into an account in the name of the

person, or in the name of the person and their partner jointly, for the last full financial year, immediately preceding the date of application.

(d) The Specified Documents in (b) and (c) above must comply with the following criteria:

(i) Payslips must be:

- i. the applicant's most recent payslip,
- ii. dated no earlier than one calendar month before the date of the application, and
- iii. either:
  - a. an original payslip, or
  - b. a copy of a payslip accompanied by a letter from the applicant's Employer, on headed paper and signed by a senior official, confirming the payslip is authentic.

(ii) Personal bank or building society statements must:

- i. be the applicant's most recent statement,
- ii. be dated no earlier than one calendar month before the date of the application,
- iii. clearly show:
  - a. the applicant's name,
  - b. the applicant's account number,
  - c. the date of the statement,
  - d. the financial institution's name,
  - e. the financial institution's logo, and
  - f. transactions by the Employer covering the period no earlier than one calendar month before the date of the application, including receipt of the amount shown on the payslip provided under paragraph (b),

and be either:

- g. printed on the bank's or building society's letterhead,
- h. electronic bank or building society statements, accompanied by a supporting letter from the bank or building society, on headed paper, confirming the statement provided is authentic, or
- i. electronic bank or building society statements, bearing the official stamp of the bank or building society on every page,

and

- iv. not be mini-statements from automatic teller machines (ATMs).

(iii) Building society pass books must:

- v. clearly show:

- vi. the applicant's name,
  - vii. the applicant's account number,
  - viii. the financial institution's name,
  - ix. the financial institution's logo, and
  - x. transactions by the Employer covering the period no earlier than one calendar month before the date of the application, including receipt of the amount shown on the specified payslip as at (b),
- and
- xi. be either:
    - a. the original pass book, or
    - b. a photocopy of the pass book which has been certified by the issuing building society on headed paper, confirming the pass book provided is authentic.

## **PART 2A: WORKER (SEASONAL) MIGRANT**

This route allows Isle of Man employers to employ non-settled workers for a maximum of 9 months.

At the end of the 9 month period, the migrant is required to leave the Common Travel Area for a minimum of 3 months prior to being permitted to re-apply under the Worker (Seasonal) Migrant route. A Worker (Seasonal) Migrant visa cannot be extended beyond the 9 month period.

Dependents are not eligible to join migrants on this route.

This is not a route to settlement.

### **2A.1 Worker (Seasonal) Migrant – Entry Clearance**

To qualify for entry clearance as a Worker (Seasonal) Migrant, an applicant must meet the requirements listed below. If the applicant meets these requirements, entry clearance will be granted. If the applicant does not meet these requirements, the applicant will be refused.

### **2A.2 Worker (Seasonal) Migrant – Requirements for Entry Clearance**

- (1) The applicant must not fall for refusal under the general grounds for refusal under Part 9 of these Rules.
- (2) The applicant must provide with the application a valid Confirmation of Employment in accordance with Part 6 of this Appendix. The Confirmation of Employment issued in respect of the applicant must confirm the applicant's eligibility for the Worker (Seasonal) Migrant visa, in accordance with Section 5 of the document entitled "Confirmation of Employment Guidance" published by the Cabinet Office<sup>35</sup>.
- (3) The applicant must meet the required level of funds set out in Appendix C of these Rules.
- (4) The applicant must meet the appropriate salary requirements for Worker (Seasonal) Migrants at Part 1.1 of this Appendix.
- (5) The applicant must be able to maintain and accommodate themselves adequately without recourse to public funds.
- (6) The applicant must not have held at any time during the 3 months immediately before the date of application:
  - (a) leave as a Worker (Seasonal) Migrant in the Isle of Man under Appendix W to the Isle of Man Immigration Rules;
  - (b) leave as a Seasonal Worker under Appendix Temporary Work – Seasonal Worker to the United Kingdom's Immigration Rules;
  - (c) leave under a Jersey Temporary Employment route as set out in Jersey's Work Permit Policy; or
  - (d) leave under a Short Term Work Permit as set out in Guernsey's Work Permit Policy,

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<sup>35</sup> <https://www.gov.im/categories/travel-traffic-and-motoring/immigration/work/workers/guidance-forms-for-worker-migrant-routes/>

- (7) The applicant must be at least 16 years old.
- (8) Where the applicant is under 18 years of age, the applicant must be supported by the applicant's parents or legal guardian, or by one parent if that parent has sole legal responsibility for the child. The applicant's parents or legal guardian, or one parent if that if that parent has sole responsibility for the child, must confirm that they consent to the arrangements for the applicant's travel to, and reception and care in, the Isle of Man.
- (9) The applicant must not intend to take employment except as specified in the applicant's Confirmation of Employment, and in accordance with paragraph 2A.2.1(3)(c) of this Appendix.
- (10) Worker Migrants are not permitted to be self-employed or be in any arrangement akin to self-employment. For this reason the Worker (Seasonal) Migrant must not:
  - (a) have the final say in the running of the Employer's business;
  - (b) invest their own money in the Employer's business or act as surety or guarantor for the business;
  - (c) be responsible for covering the losses of the business;
  - (d) provide the major items of equipment needed to do their employment, although the Worker (Seasonal) Migrant may provide small tools required for that purpose;
  - (e) be able to employ other people on terms of the applicant's own choice, to do the work for which they themselves have been employed;
  - (f) pay themselves or another employee from the applicant's personal funds;
  - (g) be obliged to correct unsatisfactory work in their own time or expense; or
  - (h) be expected to pay their own tax and National Insurance.

The above restrictions will be construed widely and any arrangement with the Employer's business or any related business, structure or entity which amounts to self-employment will not be permitted. The Employer will at all times be required to pay tax and National Insurance on the salary of the Worker (Seasonal) Migrant and payment of the Worker (Seasonal) Migrant by repayment of shareholder loans or similar arrangements is not permitted.

- (11) Entry clearance will not be granted where the Minister or an Immigration Officer has reasonable grounds to believe that the applicant has provided a Confirmation of Employment and:
  - (a) the migrant is not appropriately qualified or registered to undertake the employment in question (or will not be by the time they begin the employment);
  - (b) the requirements of the employment as stated in any advertisement for the employment are inappropriate and have been tailored to exclude Isle of Man workers or other settled workers from being recruited; or
  - (c) the applicant is using an Employer, structure, a third party or other means to circumvent paragraph 2A.2(10).
- (12) To support the assessment in any of paragraphs 2A.2(11), if the applicant is not yet appropriately qualified or registered to do the employment in question, they must provide evidence with their application showing that they can reasonably be expected

to obtain the appropriate qualification or registrations by the time they begin the employment, for example, a letter from the relevant body providing written confirmation that the applicant has registered to sit the relevant examinations.

### **2A.2.1 Worker (Seasonal) Migrants – Period and Conditions of Grant**

- (1) Entry Clearance will be granted with effect from whichever is the earliest:
  - (a) 14 days before the start date of the applicant's employment in the Isle of Man, as recorded by the Confirmation of Employment;
  - (b) 7 days before the intended date of travel recorded by the applicant either through the relevant Home Office application, providing this is not more than 14 days after the start date of the applicant's employment in the Isle of Man, as recorded by the Confirmation of Employment; or
  - (c) the date entry clearance is granted.
- (2) Entry clearance will be granted for a period ending 9 months from the date entry clearance was granted.
- (3) Entry clearance will be subject to the following conditions:
  - (a) no recourse to public funds;
  - (b) registration with the police, if this is required by paragraph 326;
  - (c) no employment except:
    - (i) working for the Employer in the employment that the Confirmation of Employment records that the migrant is being employed to do, subject to any notification of a change to the details of that employment, other than prohibited changes as defined in Part 5 of this Appendix, and for the avoidance of doubt, work done for a third party in accordance with the requirements of paragraph 6.2(6A) will be considered as work done for the Employer;
    - (ii) supplementary employment; and
    - (ii) voluntary work;
  - (d) study subject to the condition set out in Part 15 of these Rules where the applicant is 18 years of age or over at the time their leave is granted, or will be aged 18 before their period of limited leave expires; and
  - (e) a valid Confirmation of Employment (in accordance with paragraph 6.1 of this Appendix) must be held at all times during the grant of leave."



### **PART 3: WORKER (INTRA COMPANY TRANSFER) MIGRANTS**

This route enables multinational employers to transfer their existing employees from outside the UK and Islands to their Isle of Man branch for training purposes or to fill a specific vacancy.

#### **3.1 Worker (ICT) Migrants - Entry Clearance**

To qualify for entry clearance as a Worker (Intra-Company Transfer) Migrant, an applicant must meet the requirements listed below. If the applicant meets these requirements, entry clearance will be granted. If the applicant does not meet these requirements, the application will be refused.

#### **3.2 Worker (ICT) Migrants - Requirements for Entry Clearance**

- (1) The applicant must not fall for refusal under the general grounds for refusal under Part 9 of these Rules.
- (2) The applicant must provide with the application a valid Confirmation of Employment in accordance with Part 6 of this Appendix.
- (3) Except where the period of engagement recorded by the Confirmation of Employment used in support of such entry clearance or leave to remain was granted for a period of three months or less, the applicant must not have had entry clearance or leave to remain as a Tier 2 Migrant, Worker Migrant or Worker (Intra Company Transfer) Migrant, in the Isle of Man or United Kingdom at any time during the 12 months immediately before the date of the application, unless paragraph (4) below applies.
- (4) Paragraph (3) above does not apply to an applicant who:
  - (a) was not in the Isle of Man or United Kingdom with leave as a Tier 2 Migrant, Worker Migrant or Worker (Intra Company Transfer) Migrant at any time during the above 12-month period, and provides evidence to show this; or
  - (b) last had entry clearance or leave to remain as a Tier 2 (Intra-Company Transfer) Migrant in the Short Term staff, Graduate Trainee or Skills Transfer sub-categories, or under the Rules in place before 6 April 2011;
- (5) The applicant must meet the required Level of Funds set out in Appendix C of these Rules.
- (6) The applicant must meet the Appropriate Salary requirements at paragraph 1.1 of this Appendix.
- (7) The applicant must be able to maintain and accommodate themselves and any dependants adequately without recourse to public funds.
- (8) The applicant must not have had entry clearance or leave to remain in the Isle of Man, Bailiwick of Guernsey, the Bailiwick of Jersey or the United Kingdom as a Tier 2 Migrant, Worker Migrant, or in work permit employment at any time during the 12 months immediately before the date of application.
- (9) The applicant must be at least 16 years old.
- (10) Where the applicant is under 18 years of age, the application must be supported by the applicant's parents or legal guardian, or by one parent if that parent has sole legal responsibility for the child.
- (11) Where the applicant is under 18 years of age, the applicant's parents or legal guardian, or just one parent if that parent has sole responsibility for the child, must

confirm that they consent to the arrangements for the applicant's travel to, and reception and care in, the Isle of Man.

- (12) Where the application is made at the same time as applications by the partner or child of the applicant (such that the applicant is a Worker Migrant for the purposes of paragraph 319AA), each applicant must have the total requisite funds specified in the relevant parts of Appendices C and E. If each applicant does not individually meet the requirements of Appendices C and/or E, as appropriate, all the applications will be refused.
- (13) The applicant must not intend to take employment except as specified in the applicant's Confirmation of Employment, and in accordance with paragraph 3.2.1(3)(c) of this Appendix.
- (14) Worker Migrants are not permitted to be self-employed or be in any arrangement akin to self-employment. For this reason the Worker Migrant must not:
- (a) have the final say in the running of the Employer's business
  - (b) invest their own money in the Employer's business or act as surety or guarantor for the business,
  - (c) responsible for covering the losses of the business,
  - (d) provide the major items of equipment needed to do his or her employment, although the Worker Migrant may provide small personal tools required for that purpose; ,
  - (e) be free to hire other people on terms of the applicant's own choice, to do the work for which he or she has himself been employed ,
  - (f) pay himself, herself or another employee from the applicant's personal funds,
  - (g) be obliged to correct unsatisfactory work in his or her own time or expense, or
  - (h) be expected to pay his or her own tax and National Insurance.
  - (i) The above restrictions will be construed widely and any arrangement with the Employer's business or any related business, structure or entity which amounts to self-employment will not be permitted. The Employer will at all times be required to pay tax and National Insurance on the salary of the Worker Migrant and payment of the Worker Migrant by repayment of shareholder loans or similar arrangements is not permitted.

Paragraph (14) does not apply to SOC Codes, 2413 – Solicitors, 2211 – Medical practitioners or 2215 – Dental practitioners.

- (15) Entry clearance will not be granted where the Minister or an Immigration Officer has reasonable grounds to believe, notwithstanding that the applicant has provided a Confirmation of Employment,
- (i) that the migrant is not appropriately qualified or registered to undertake the employment in question (or will not be by the time they begin the employment),
  - (ii) the requirements of the employment as stated in any advertisement for the employment are inappropriate and have been tailored to exclude Isle of Man workers or other Settled Workers from being recruited, or
  - (iii) that the applicant is using an Employer, structure, a third party or other means to circumvent paragraph 3.2(14).

- (16) To support the assessment in any of paragraphs (15), if the applicant is not yet appropriately qualified or registered to do the employment in question, he must provide evidence with his application showing that he can reasonably be expected to obtain the appropriate qualifications or registrations by the time he begins the employment, for example, a letter from the relevant body providing written confirmation that the applicant has registered to sit the relevant examinations.

### **3.2.1 Worker (ICT) Migrants –Period and Conditions of Grant**

- (1) Entry clearance will be granted with effect from:
- (a) 14 days before the start date of the applicant's employment in the Isle of Man, as recorded by the Confirmation of Employment,
  - (b) 7 days before the intended date of travel recorded by the applicant either through the relevant Home Office application , providing this is not more than 14
  - (c) days after the start date of the applicant's employment in the Isle of Man, as recorded by the Confirmation of Employment, or
  - (d) the date entry clearance is granted, whichever is the latest.
- (2) Entry clearance will be granted for a period ending:
- (a) 14 days after the end date of the applicant's employment in the Isle of Man, as recorded by the Confirmation of Employment, or
  - (b) at the end of the maximum time available of 3 years and 1 month, from the date entry clearance was granted,
- whichever is the earlier.
- (3) Entry clearance will be subject to the following conditions:
- (a) no recourse to public funds,
  - (b) registration with the police, if this is required by paragraph 326,
  - (c) no employment except:
    - (i) working for the Employer in the employment that the Confirmation of Employment records that the migrant is being Employed to do, subject to any notification of a change to the details of that employment, other than prohibited changes as defined in paragraph Part 5 of this Appendix, and for the avoidance of doubt, work done for a third party in accordance with the requirements of paragraph 6.2(6A) will be considered as work done for the Employer,
    - (ii) supplementary employment, and
    - (iii) voluntary work, and
  - (d) study subject to the condition set out in Part 15 of these Rules where the applicant is 18 years of age or over at the time their leave is granted, or will be aged 18 before their period of limited leave expires, and
  - (e) a valid Confirmation of Employment (in accordance with paragraph 6.1 of this Appendix) must be held at all times during the grant of leave.

### **3.3 Worker (ICT) Migrants - Requirements for Leave to Remain**

To qualify for leave to remain as a Worker (Intra-Company Transfer) Migrant under this rule, an applicant must meet the requirements listed below. If the applicant meets these

requirements, leave to remain will be granted. If the applicant does not meet these requirements, the application will be refused.

- (1) The applicant must not fall for refusal under the general grounds for refusal under Part 9 of these Rules, and must not be an illegal entrant.
- (2) The applicant must provide a valid Confirmation of Employment in accordance with Part 6 of this Appendix with the application.
- (3) the applicant must have, or have last been granted, entry clearance, leave to enter or leave to remain as a Worker (Intra Company Transfer) Migrant and the applicant must still be working for the same Employer as he was at the time of that earlier grant of leave.
- (4) The applicant must demonstrate they have been paid the appropriate rate for their employment. The applicant must provide the Specified Documents at paragraph 3.3.1. of this Appendix.
- (5) If the applicant was last granted entry clearance, leave to enter or leave to remain as a Tier 2 (Intra Company Transfer) Migrant in the Long Term Staff sub-category the applicant must:
  - (a) have last been granted, entry clearance, leave to enter or leave to remain as either:
    - (i) a Tier 2 (Intra-Company Transfer) Migrant in the Long Term Staff sub-category, or
    - (ii) as a Representative of an Overseas Business,
 and
    - (iii) the applicant must be applying for leave to remain to work in the same occupation for the same Employer as in the application which led to his or her previous grant of leave
- (6) The applicant must meet the required level of maintenance funds set out in Appendix C of these Rules.
- (7) The applicant must meet the appropriate salary requirements at paragraph 1.1 of this Appendix.
- (8) The applicant must be able to maintain and accommodate himself or herself and any dependants adequately without recourse to public funds.
- (9) The applicant must be at least 16 years old.
- (10) Where the applicant is under 18 years of age, the application must be supported by the applicant's parents or legal guardian, or by one parent if that parent has sole legal responsibility for the child.
- (11) Where the applicant is under 18 years of age, the applicant's parents or legal guardian, or one parent if that parent has sole legal responsibility for the child, must confirm that they consent to the arrangements for the applicant's care in the Isle of Man.
- (12) The applicant must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.
- (13) Worker Migrants are not permitted to be self-employed or be in any arrangement akin to self-employment. For this reason the Worker Migrant must not:

- (a) have the final say in the running of the Employer's business
- (b) invest their own money in the Employer's business or act as surety or guarantor for the business,
- (c) responsible for covering the losses of the business,
- (d) provide the major items of equipment needed to do his or her employment, although the Worker Migrant may provide small personal tools required for that purpose; ,
- (e) be free to hire other people on terms of the applicant's own choice, to do the work for which he or she has himself been employed ,
- (f) pay himself, herself or another employee from the applicant's personal funds,
- (g) be obliged to correct unsatisfactory work in his or her own time or expense, or
- (h) be expected to pay his or her own tax and National Insurance.
- (i) The above restrictions will be construed widely and any arrangement with the Employer's business or any related business, structure or entity which amounts to self-employment will not be permitted. The Employer will at all times be required to pay tax and National Insurance on the salary of the Worker Migrant and payment of the Worker Migrant by repayment of shareholder loans or similar arrangements is not permitted.

Paragraph (13) does not apply to SOC Codes, 2413 – Solicitors, 2211 – Medical practitioners or 2215 0 Dental practitioners.

- (14) Leave to remain will not be granted where the Minister or an Immigration Officer has reasonable grounds to believe, notwithstanding that the applicant has provided a Confirmation of Employment,
  - (i) that the migrant is not appropriately qualified or registered to undertake the employment in question (or will not be by the time they begin the employment),
  - (ii) the requirements of the employment as stated in any advertisement for the employment are inappropriate and have been tailored to exclude Isle of Man workers or other Settled Workers from being recruited, or
  - (iii) that the applicant is using an Employer, structure, a third party or other means to circumvent paragraph 3.3(13).
- (15) To support the assessment in any of paragraphs (14), if the applicant is not yet appropriately qualified or registered to do the employment in question, he must provide evidence with his application showing that he can reasonably be expected to obtain the appropriate qualifications or registrations by the time he begins the employment, for example, a letter from the relevant body providing written confirmation that the applicant has registered to sit the relevant examinations.

### **3.3.1 Specified Documents under paragraph 3.3**

The Specified Documents required by paragraph 3.3(4) are set out below:

- (a) annual self-assessment tax return(s) to Isle of Man Treasury (a copy or print-out) for the last full financial year, immediately preceding the date of application;
- (b) a payslip; and

- (c) Personal bank statement, building society statement(s), or a building society pass book, for the same 12-month period as the tax return(s) in (a) showing that the income from the employment, for which the previous Confirmation of Employment was issued, has been paid into an account in the name of the person, or in the name of the person and their partner jointly, for the last full financial year, immediately preceding the date of application
  - (d) The Specified Documents in (b) and (c) above must comply with the following criteria:
    - (i) Payslips must be:
      - i. the applicant's most recent payslip,
      - ii. dated no earlier than one calendar month before the date of the application, and
      - iii. either:
        - a. an original payslip, or
        - b. a copy of a payslip accompanied by a letter from the applicant's Employer, on headed paper and signed by a senior official, confirming the payslip is authentic.
    - (ii) Personal bank or building society statements must:
      - i. be the applicant's most recent statement,
      - ii. be dated no earlier than one calendar month before the date of the application,
      - iii. clearly show:
        - a. the applicant's name,
        - b. the applicant's account number,
        - c. the date of the statement,
        - d. the financial institution's name,
        - e. the financial institution's logo, and
        - f. transactions by the Employer covering the period no earlier than one calendar month before the date of the application, including receipt of the amount shown on the payslip provided under paragraph (b),
      - iv. be either:
        - a. printed on the bank's or building society's letterhead,
        - b. electronic bank or building society statements, accompanied by a supporting letter from the bank or building society, on headed paper, confirming the statement provided is authentic, or
        - c. electronic bank or building society statements, bearing the official stamp of the bank or building society on every page,
- and

- v. not be mini-statements from automatic teller machines (ATMs).
- (iii) Building society pass books must:
  - i. clearly show:
  - ii. the applicant's name,
  - iii. the applicant's account number,
  - iv. the financial institution's name,
  - v. the financial institution's logo, and
  - vi. transactions by the Employer covering the period no earlier than one calendar month before the date of the application, including receipt of the amount shown on the specified payslip as at (b),
 and
  - vii. be either:
    - a. the original pass book, or
    - b. a photocopy of the pass book which has been certified by the issuing building society on headed paper, confirming the pass book provided is authentic.
- (e) Where more than one Confirmation of Employment has been held by the applicant throughout the applicant's most recent grant of leave, the Minister may request the Specified Documents at sub-paragraphs (a) to (c) in connection with each Confirmation of Employment held.

### **3.3.2 Worker (ICT) Migrant - Period and Conditions of Grant**

- (1) Leave to remain will be granted for whichever of the following is the shortest:
  - (a) the length of the period of engagement plus 14 days,
  - (b) 5 years, or
  - (c) the difference between the continuous period of leave that the applicant has already been granted (notwithstanding any breaks between periods of leave of up to 28 days) as a Worker (Intra Company Transfer) Migrant, and the maximum time, as set out in (2). If the calculation of period of leave comes to zero or a negative number, leave to remain will be refused.
- (2) The maximum time referred to in (1)(c) is:
  - (a) 3 years, if the applicant is applying as a Worker (Intra Company Transfer) Migrant,
  - (b) 5 years if:
    - (i) the applicants' last grant of leave was granted in the Isle of Man as a Tier 2 (Intra Company Transfer) Migrant in the Long Term Staff subcategory under immigration Rules in effect prior to 6 April 2018, and
    - (ii) the applicant is applying for leave to remain to work in the same Employment for the same Employer as in the application which led to his or her previous grant of leave, and
    - (iii) Paragraph (c) below does not apply,

- (c) 9 years, if:
    - (i) the applicants' last grant of leave was granted in the Isle of Man as a Tier 2 (Intra Company Transfer) Migrant in the Long Term Staff subcategory under immigration Rules in effect prior to 6 April 2018, and
    - (ii) the applicant's gross annual salary (including such allowances as are specified as acceptable for this purpose in paragraph 1.1 of this Appendix) to be paid by the Employer is £120,000 or higher, and
    - (iii) Paragraph (d) below does not apply,
  - (d) No limit, if the applicant:
    - (i) previously had leave as a Tier 2 (Intra-Company Transfer) Migrant under the Rules in place before 1st March 2012 or as a Work Permit Holder, and
    - (ii) has not been granted entry clearance in this or any other route since the grant of leave referred to in (i) above.
- (3) In addition to the period in (1), leave to remain will be granted for the period between the date that the application is decided and the date that the Confirmation of Employment records as the start date of employment in the Isle of Man, provided this is not a negative value.
- (4) Leave to remain will be granted subject to the following conditions:
- (a) no recourse to public funds,
  - (b) registration with the police, if this is required by paragraph 326, and
  - (c) no employment except:
    - (i) working for the Employer in the employment that the Confirmation of Employment records that the migrant is being employed to do, subject to any notification of a change to the details of that employment, other than prohibited changes as defined in Part 5 of this Appendix, and for the avoidance of doubt, work done for a third party in accordance with the requirements of paragraph 6.2(6A) will be considered as work done for the Employer,
    - (ii) supplementary employment, and
    - (iii) voluntary work.
  - (d) a valid Confirmation of Employment (in accordance with paragraph 6.1 of this Appendix) must be held at all times during the grant of leave, and
  - (e) study subject to the condition set out in Part 15 of these Rules where the applicant is 18 years of age or over at the time their leave is granted, or will be aged 18 before their period of limited leave expires.

### **3.4 Worker (ICT) Migrant – Requirements for Indefinite Leave to Remain**

To qualify for indefinite leave to remain as a Worker (Intra-Company Transfer) Migrant, an applicant must meet the requirements listed below in addition to the general requirements for indefinite leave to remain set out in paragraph 1.2. If the applicant meets these requirements, indefinite leave to remain will be granted. If the applicant does not meet these requirements, the application will be refused.



- (1) The applicant must not fall for refusal under the general grounds for refusal under Part 9 of these Rules, and must not be an illegal entrant.
- (2) The applicant must have spent a continuous period of 5 years lawfully in the Isle of Man, of which the most recent period must have been spent with leave as a Worker (Intra-Company Transfer) Migrant, in any combination of the following categories:
  - (a) as a Tier 2 (Intra-Company Transfer) Migrant, or
  - (b) as a Work Permit Holder.
- (3) The continuous period of 5 years referred to in paragraph (2) must include a period of leave as:
  - (a) a Tier 2 (Intra-Company Transfer) Migrant granted under the Rules in place before 26 July 2010, or
  - (b) a Work Permit Holder, provided that the work permit was granted because the applicant was the subject of an intra-company transfer
- (4) The Employer that provided the Certificate of Sponsorship or Confirmation of Employment that led to the applicant's last grant of leave must certify in writing that:
  - (a) the applicant is still required for the employment in question, and
  - (b) the applicant is paid at or above the appropriate rate for the Employment as stated in the paragraph 1.1 of this Appendix, or where the applicant is not paid at that rate only due to maternity, paternity, or adoption leave, the date that leave started and that the applicant was paid at the appropriate rate immediately before the leave.
- (5) The applicant must provide the Specified Documents in paragraph 1.1.1 to evidence the Employer's certification in sub-paragraph (4)(b) above and to evidence the reason for the absences set out in the General Requirements for Indefinite Leave to Remain under paragraph 1.2.
- (6) The applicant must have sufficient knowledge of the English language and sufficient knowledge about life in the United Kingdom and Islands, in accordance with Appendix KoLL.
- (7) The applicant must not be in the Isle of Man in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.
- (8) For the purposes of sub-paragraph (2), time spent with valid leave in the Bailiwick of Guernsey, the Bailiwick of Jersey or the United Kingdom in a category equivalent to the categories set out in (2)(a) or (b) above, may be included in the continuous period of 5 years lawful residence, provided that:
  - (a) the continuous period of 5 years includes a period of leave as a Tier 2 (Intra-Company Transfer) Migrant granted before 6 April 2010, or a Work Permit Holder (provided the work permit was granted because the applicant was the subject of an Intra-Company Transfer); and
  - (b) any period of leave granted in the Bailiwick of Guernsey, the Bailiwick of Jersey or the United Kingdom as a Work Permit Holder or as a Tier 2 Migrant was for employment:
    1. in employment which appears on the list of occupations skilled to Regulated Qualifications Framework level 3 or above (or from 6 April 2011, Regulated Qualifications level 4 or above or from 14 June 2012, Regulated

Qualifications level 6 or above), as stated in the Codes of Practice in Appendix J prior to 6 April 2018, or

2. in employment which appeared in the Creative Sector Codes of Practice in Appendix J prior to 6 April 2018, or
  3. as a professional sportsperson (including as a sports coach); and
- (c) the most recent period of leave was granted in the Isle of Man as a Tier 2 (Intra-Company Transfer) Migrant or Worker (Intra Company Transfer) Migrant.

In such cases, references to the "Isle of Man" in paragraph 1.2 of this Appendix shall include a reference to the Bailiwick of Guernsey, Bailiwick of Jersey or the United Kingdom, as the case may be.

**PART 4: CURTAILMENT****4.1 Curtailment of Leave in relation to a Worker Migrant and Worker (Intra Company Transfer) Migrant.**

In addition to the general grounds specified in Part 9: Grounds for refusal of these Rules, the leave to enter or remain of a Worker Migrant or Worker (Intra Company Transfer) Migrant:

- (1) is to be curtailed if:
  - (a) the migrant fails to commence Employment with the Employer or
  - (b) the migrant ceases Employment with the Employer before the end date recorded on the Confirmation of Employment,
- (2) may be curtailed if:
  - (a) the Employer transfers the business for which the migrant works, to another person Employer,
  - (b) the employment recorded on the Confirmation of Employment undergoes a prohibited change as specified in Part 5 below,
  - (ba) the migrant breaches a condition of their visa,
  - (c) Paragraph (1) above applies however consideration is given where:
    - (i) the migrant is under the age of 18;
    - (ii) the migrant has a dependent child under the age of 18;
    - (iii) leave is to be varied such that when the variation takes effect the migrant will have leave to enter or remain and the migrant has less than 60 days extant leave remaining;
    - (iv) the migrant has been granted leave to enter or remain with another Employer or under another immigration category;
    - (v) the migrant has a pending application for leave to remain, or variation of leave, with the Isle of Man Immigration Office, or has a pending appeal under Section 82 of the Nationality, Immigration and Asylum Act 2002 (of Parliament)<sup>36</sup>; or
    - (vi) the migrant is not appropriately qualified or registered to do the employment in question (or is not, by the time they begin the employment).
  - (d) the Minister or an Immigration Officer has reasonable grounds to believe, notwithstanding that the applicant has provided a Confirmation of Employment,
    - (i) that the migrant is not appropriately qualified or registered to undertake the employment in question (or will not be by the time they begin the employment),

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<sup>36</sup> 2002 c41

- (ii) the requirements of the employment as stated in any advertisement for the employment are inappropriate and have been tailored to exclude Isle of Man workers or other Settled Workers from being recruited, or
  - (iii) that the applicant is using an Employer, structure, a third party or other means to circumvent the rule against self-employment by Worker Migrants or Worker (Intra Company Transfer) Migrants.
- (e) To support the assessment in paragraphs (d), if the applicant is not yet appropriately qualified or registered to do the employment in question, he must provide evidence with his application showing that he can reasonably be expected to obtain the appropriate qualifications or registrations by the time he begins the employment, for example, a letter from the relevant body providing written confirmation that the applicant has registered to sit the relevant examinations.

## **PART 5. PROHIBITED CHANGES TO EMPLOYMENT FOR WORKER MIGRANTS**

- (1) Part 5 is applicable to all migrants:
  - (a) who hold a valid Certificate of Sponsorship issued prior to 6 April 2018; and
  - (b) who hold a valid Confirmation of Employment on or after 6 April 2018.

### **5.1 Prohibited Changes to Employment**

- (1) The changes set out in paragraph 5.1(2) are prohibited changes to the employment circumstances of a Worker Migrant and Worker (ICT) Migrant. A prohibited change may only be carried out if an application for a new Confirmation of Employment is made and issued which expressly permits that prohibited change. Where a prohibited change is made without a new Confirmation of Employment being issued permitting that change, then the current Confirmation of Employment will be invalidated in accordance with paragraph 6.1(3).
- (1A) An application for a further Confirmation of Employment made in accordance with paragraph 5.1(1) does not require a new application for leave to remain to be made unless it lists an employment duration which is greater than the period for which the migrant's current entry clearance or leave to remain was granted.
- (2) The following are prohibited changes:
  - (a) the migrant is absent from work without pay for four weeks or more in total, according to his/her normal working pattern (whether over a single period or more than one period), during any calendar year (1 January to 31 December), unless the absence from work is due solely to:
    - (i) Maternity leave,
    - (ii) Paternity leave,
    - (iii) Adoption leave, or
    - (iv) Long term sick leave of one calendar month or more during any one period.
  - (b) the employment changes such that the migrant is working for a different employer, unless:
    - (i) the migrants' Employer transfers the trade, business or undertaking for which the migrant works to another Employer (the "Transferee") and the Migrant continues to work in the same employment,
    - (ii) the migrant is issued with a valid Confirmation of Employment by the Transferee within 28 days of the business being transferred, and
    - (iii) the length of the period of engagement remains the same as the migrant's current grant of leave.
  - (c) The employment changes to employment in a different Sector (as defined in this Appendix) to that recorded by the Confirmation of Employment.
  - (d) The employment changes to employment in a different Standard Occupational Classification (SOC) code to that recorded by the Confirmation of Employment where the applicant was subject to, or relied on, that Confirmation of Employment in the application which led to his or her current grant of entry clearance or leave to remain.

- (e) The gross annual salary (including such allowances as are specified as acceptable for this purpose in paragraph 1.1 of the Appendix) falls below the appropriate rate for that Employment as specified in paragraph 1.1 of this Appendix..
  - (f) If the migrant holds a Confirmation of Employment in a Standard Occupational Classification Code listed, in Part 7 of this Appendix, as a Key Employment and the employment changes to one with a Standard Occupational Classification Code that is not listed as a Key Employment in Part 7 of this Appendix.
  - (g) Except where (h) applies, the gross annual salary (including such allowances as are specified as acceptable for this purpose in paragraph 1.1 of this Appendix) reduces below:
    - (i) any minimum salary threshold specified in paragraph 1.1 of this Appendix of these Rules, where the applicant was subject to or relied on that threshold in the application which led to his or her current grant of entry clearance or leave to remain,
    - (ii) the appropriate salary rate for the employment as specified in Part 7 of this Appendix, or
    - (iii) in cases where there is no applicable salary rate in Part 7 of this Appendix, the salary recorded by the Confirmation of Employment which led to his or her current grant of entry clearance or leave to remain.
  - (h) Other reductions in salary are permitted if the reduction coincides with a period of:
    - (i) maternity leave,
    - (ii) paternity leave,
    - (iii) adoption leave,
    - (iv) long term sick leave of one calendar month or more,
    - (v) working for the Employer's organisation while the migrant is not physically present in the Isle of Man, if the migrant is a Tier 2 (Intra-Company Transfer) Migrant, or
    - (vi) Undertaking professional examinations before commencing work for the Employer, where such examinations are a regulatory requirement of the employment the migrant is being employed to do, and providing the migrant continues to be employed during that period.
  - (i) The migrant engages in work for a third party and
    - (i) the third party is not recorded on their current, valid Confirmation of Employment as a third party whom they are permitted to undertake work for, or
    - (ii) the work done for the third party in any other way does not comply with the requirements at paragraph 6.2(6A).
- (3) Where a prohibited change is made as listed in paragraph (2) above and a further Confirmation of Employment has not been granted in accordance with paragraph (1) above, the migrant's leave may be curtailed in accordance with paragraph 4.1(2)(c).

## **PART 6: CONFIRMATION OF EMPLOYMENT**

A Worker Migrant and a Worker (Intra Company Transfer) Migrant must include a valid Confirmation of Employment when making an application for entry clearance or leave to remain under this Appendix.

The issuance of a Confirmation of Employment does not guarantee the success of a migrants' visa application.

### **6.1 Validity of Confirmation of Employment under Appendix W**

- (1) For the purpose of entry clearance, leave to enter or leave to remain applications made under this Appendix and any leave subsequently granted under this Appendix, a Confirmation of Employment will only be considered valid if:
  - (a) the Confirmation of Employment names the applicant and confirms the Employer is employing or intends to employ that person as a Worker Migrant or Worker (Intra Company Transfer) Migrant (as applicable).
  - (b) the Confirmation of Employment was issued to the Employer no more than 3 months before the application for entry clearance or leave to remain is made,
  - (c) the application for entry clearance or leave to remain is made no more than 3 months before the start of the employment as stated on the Confirmation of Employment,
  - (d) the migrant must not previously have applied for entry clearance, leave to enter or leave to remain using the same Confirmation of Employment, if that application was either approved or refused (not rejected as an invalid application, declared void or withdrawn),
  - (e) the Confirmation of Employment must not have been withdrawn or cancelled by Immigration Officers since it was issued, including where it has been cancelled by Immigration Officers due to having been used in a previous application, and
  - (f) the migrant must not:
    - (i) have had their offer of employment withdrawn by the Employer, or
    - (ii) have ceased employment with the Employer to which the Confirmation of Employment was issued, or
    - (iii) have had their employment ceased by the employer.
- (2) Certificates of Sponsorship issued under the Immigration Sponsor Licensing Policy<sup>37</sup> prior to 6 April 2018 will remain valid for applications under this Appendix, where:
  - (a) the Certificate of Sponsorship names the applicant and confirms the Sponsor is employing or intends to employ that person as a Tier 2 Migrant,
  - (b) the Certificate of Sponsorship was issued to the Sponsor no more than 3 months before the application for entry clearance or leave to remain is made,

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<sup>37</sup> [Immigration Sponsor Licensing Policy](#) (GC2017/0006) Laid before Tynwald 21 November 2017

- (c) the application for entry clearance or leave to remain is made no more than 3 months before the start of the employment as stated on the Certificate of Sponsorship,
  - (d) the migrant must not previously have applied for entry clearance, leave to enter or leave to remain using the same Certificate of Sponsorship, if that application was either approved or refused (not rejected as an invalid application, declared void or withdrawn),
  - (e) the Certificate of Sponsorship must not have been withdrawn or cancelled by Immigration Officers since it was issued, including where it has been cancelled by Immigration Officers due to having been used in a previous application, and
  - (f) the migrant must not:
    - (i) have had their offer of employment withdrawn by the Employer, or
    - (ii) have ceased employment with the Employer to which the Certificate of Sponsorship was issued, or
    - (iii) have had their employment ceased by the employer.
- (3) The Confirmation of Employment is not valid where a prohibited change of employment set out in paragraph 5.1(2) has taken place and a new Confirmation of Employment permitting that change has not been issued in accordance with paragraph 5.1(1).
- (4) If the applicant was granted leave as a Tier 2 Migrant under the Rules in place before 6 April 2018 and has not since been granted leave to remain in any other route, or entry clearance or leave to enter in any route, the Confirmation of Employment will be valid if:
- (a) the applicant is applying for leave to remain to undertake the same duties under the same Standard Occupation Code for the same Employer as in the application which led to his or her previous grant of leave, and
  - (b) the employment does not meet the requirements of Part 7 of this Appendix solely due to the Immigration Rules coming into effect on 6 April 2018.
- (5) [Omitted].
- (6) To support the assessment in paragraph (4) the Entry Clearance Officer or the Minister may request additional information and evidence from the applicant or the Employer, and refuse the application if the information or evidence is not provided. Any requested documents must be received by the Entry Clearance Officer or the Minister at the address specified in the request within 10 working days of the date the request is sent.
- (7) A Confirmation of Employment will not be valid for occupation codes "2231 Nurses" or "2232 Midwives" unless:
- (a) the applicant has
    - (i) obtained full registration with the Nursing and Midwifery Council; or
    - (ii) passed the Nursing and Midwifery Council's Computer Based Test of competence, or
    - (iii) obtained a Nursing and Midwifery Council permission before 30 April 2015 to undertake the Overseas Nursing Programme, and be sponsored to



undertake supervised practice as part of the programme in a placement which has been approved by the Nursing and Midwifery Council,

and the applicant provides evidence from the Nursing and Midwifery Council of the above; and

- (b) where (a)(ii) or (a)(iii) applies, the Employer confirms that once the applicant achieves Nursing and Midwifery Council registration, it will continue to employ the applicant as a nurse or midwife, and will pay the applicant at least the appropriate rate for a Band 5 and equivalent nurse or midwife, as stated in Part 7 of this Appendix; and
- (c) where (a)(ii) applies, the Employer also confirms that:
  - (i) the applicant will sit an Observed Structured Clinical Examination (OSCE) to obtain Nursing and Midwifery Council registration no later than 3 months after the stated employment start date; and
  - (ii) the applicant will cease to be employed if full Nursing and Midwifery Council registration is not achieved within 8 months of the stated employment start date (or, if the applicant is applying for leave to remain and was last granted leave as a Tier 2 Migrant to work as a nurse or midwife, within 8 months of the start date of that previous employment).

**Additional validity requirements for Worker (Intra Company Transfer) Migrant**

- (8) If the applicant is applying as a Worker (Intra Company Transfer) Migrant the Confirmation of Employment will not be valid unless:
  - (a) the Confirmation of Employment confirms the applicant has been working for at least 12 months as specified in paragraphs (c) and (d) below and,
  - (b) the applicant provides, if requested to do so, the Specified Documents as set out in paragraph (9) below, unless he was last granted leave to work for the same Employer in the same subcategory as he is currently applying under. The application may be granted without these Specified Documents, but the Isle of Man Immigration office reserves the right to request the Specified Documents, and to refuse applications if these documents are not received at the address specified in the request within 10 working days of the date of the request.
  - (c) Throughout the 12 months referred to in sub-paragraph (a) above, the applicant must have been working outside the Isle of Man and UK for a business established outside the territories of the Isle of Man and UK which is and has throughout that period been linked by common ownership or control to the Employer.
  - (d) The period of 12 months referred to in sub-paragraph (a) above is:
    - (i) a continuous period of 12 months immediately prior to the date of application, or
    - (ii) an aggregated period of at least 12 months within the 24 month period immediately before the date of application, if at some point within the 12 months preceding the date of application, the applicant has been:
      1. on maternity, paternity, or adoption leave, or
      2. on long-term sick leave lasting one month or longer,

and if requested to provide the specified documents set out in paragraph (9)(c) below, also provides, at the same time, the specified documents as set out in paragraph (9)(d) below.

- (9) (a) The Specified Documents in paragraph (8) are:
- (i) original formal payslips issued by the employer and showing the employer's name covering the full specified period, including the month preceding the date of application;
  - (ii) a letter from the Employer, on headed paper and signed by a senior official, confirming the authenticity of the payslips;
  - (iii) Personal bank or building society statements covering the full specified period above, which clearly show:
    - 1. the applicant's name,
    - 2. the account number,
    - 3. the date of the statement (The most recent statement must be dated no earlier than 31 days before the date of the application),
    - 4. the financial institution's name and logo, and
    - 5. transactions by the Employer; or
  - (iv) A building society pass book covering the full specified period above, which clearly shows:
    - 1. the applicant's name,
    - 2. the account number,
    - 3. the financial institution's name and logo, and
    - 4. transactions by the Employer.
- (b) If the applicant provides the bank or building society statements in (9)(a)(iii):
- (i) The statements must:
    - 1. be printed on paper bearing the bank or building society's letterhead,
    - 2. bear the official stamp of the bank on every page, or
    - 3. be accompanied by a supporting letter from the issuing bank or building society, on headed paper, confirming the authenticity of the statements provided;
  - (ii) The statements must not be mini-statements obtained from an Automated Teller Machine.
- (c) The specified documents as evidence of periods maternity, paternity, or adoption leave, as required in paragraph (8)(d)(ii), are:
- (i) The original full birth certificate or original full certificate of adoption (as appropriate) containing the names of the parents or adoptive parents of the child for whom the leave was taken, if this is available; and
  - (ii) At least one (or both, if the document in (i) is unavailable) of the following, if they are available:

1. An original letter from the applicant and his sponsor, on headed paper, confirming the start and end dates of the applicant's leave
  2. One of the types of documents set out in (a) above, covering the entire period of leave, and showing the maternity, paternity, or adoption payments, and
- (iii) If the applicant cannot provide two of the types of specified document in (i) and (ii), at least one of the types of specified documents in either (i) or (ii), a full explanation of why the other documents cannot be provided, and at least one of the following specified documents, from an official source and which is independently verifiable:
1. official adoption papers issued by the relevant authority,
  2. any relevant medical documents, or
  3. a relevant extract from a register of birth which is accompanied by an original letter from the issuing authority.
- (d) The specified documents as evidence of periods of long term sick leave, as required in paragraph (8)(d)(ii) are:
- (i) An original letter from the applicant's Employer, on headed paper, confirming the start and end dates of the applicant's leave;
  - (ii) One of the types of documents set out in (a) above, covering the entire period of leave, and showing the statutory sick pay and/or sick pay from health insurance, if these documents are available; and

If the applicant cannot provide the specified documents in both (d)(i) and (ii), a full explanation of why the other documents cannot be provided, and any relevant medical documents, from an official source and which are independently verifiable.

## **6.2 Requirements to be met for the issuance of Confirmation of Employment**

An immigration officer will issue a Confirmation of Employment to an Employer if the requirements listed below are met. If these requirements are not met, the application will be refused.

- (1) The Employer by whom the migrant is to be employed must be an Isle of Man Employer:
  - (a) For the purposes of this Appendix an Isle of Man Employer is an Isle of Man Government Department, Statutory Board or an office of the Government; or
  - (b) where (1)(a) does not apply an employer will be considered an Isle of Man Employer where:
    - (i) The Employer is an Isle of Man legal entity or is registered as a foreign company under the Foreign Companies Act 2014<sup>38</sup>, in the case of a Worker

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<sup>38</sup> AT 3 of 2014.

Migrant, or it has a registered office or principal place of business in the Isle of Man;

- (ii) it has a current, corporate bank account with a bank licensed by the Isle of Man Financial Services Authority or a current account with an overseas deposit taking institution;
  - (iii) it is subject to Isle of Man taxation and registered with the Isle of Man Treasury Income Tax Division for income tax and national insurance purposes as an employer; and
  - (iv) It is not classed as a sole trader;
- (c) Franchises operated by individuals and which are not a separate legal entity will not be issued with a Confirmation of Employment.

Paragraph (1)(b)(iv) does not apply to SOC Codes, 2413 – Solicitors, or 2211 – Medical practitioners.

(2) To support the assessment in paragraph (1) above Immigration Officers may request the following additional information and evidence:

- (a) A letter on paper produced by the Isle of Man employing Department confirming it is an Isle of Man Government Department, Statutory Board or an office of the Government;
- (b) A letter from the Isle of Man licensed bank setting out the nature of the account holder's business activities in the Isle of Man;
- (c) Proof of registration with the Isle of Man Treasury Income Tax Division for income tax and National Insurance purposes;
- (d) Latest annual employer's return submitted to Income Tax Division of the Isle of Man Treasury;
- (e) A copy of the employer's last annual return or declaration to Isle of Man Companies Registry;
- (f) Copy of the entry in the Isle of Man Land Registry, title deeds or lease agreement as evidence of ownership or lease of the employer's business premises. Where a copy of the lease agreement is provided it must be signed by all parties concerned.
- (g) Licence for premises to serve alcohol;
- (h) A certified copy of a Franchise Agreement signed by both parties;
- (i) Documentary evidence of registration with an appropriate regulatory body;
- (j) Documentary evidence of registration with the Isle of Man General Registry under the Charities Registration Act 1989;
- (k) For Worker (Intra Company Transfer) Migrant Confirmation of Employment applications, documentary evidence must be submitted showing the link between the overseas entity from which the migrant is being transferred (Entity A) the Isle of Man employer (Entity B) and the parent company or head office of both Entity A and Entity B (Parent Entity).

If either Entity A or B or a Parent Entity is not a company or corporate entity then the equivalent constitutional documents (i.e. limited partnership document, foundation or trust document, register of interests etc. should be supplied).

Where requested to provide evidence one of the following must be submitted:

- (i) Parent Entity's audited accounts clearly showing the link between Entity A and Entity B.
  - (ii) Parent Entity's audited annual report clearly showing the link between Entity A and Entity B.
  - (iii) an affidavit signed by a senior partner/director within Entity B, identifying all connected entities in the Isle of Man, UK and overseas.
  - (iv) where an organisation is registered on the main list of the London Stock Exchange or a UK FCA approved international stock exchange, a notarised statement by the company secretary of the organisation, setting out the global corporate structure with ownership percentages of each related corporate entity detailed including Entity A and Entity B.
  - (v) certified copy of the share register of Entity B showing ownership by the Entity A or a copy of the share registers of both Entity A and B showing the common Parent Entity.
  - (vi) certified copy of the agreement naming Entity A and Entity B as parties or Entity A as a party and Entity B as the subject of the agreement which allows Entity A to control the composition of the Entity B's board (this would normally be a shareholder's agreement or similar).
  - (vii) certified copy of the agreement naming Entity A and Entity B as parties or Entity A as a party and Entity B as the subject of the agreement which allows Entity A to cast or control the casting of more than half the maximum number of votes that might be cast at a general meeting of Entity B (this would normally be a Shareholder's Agreement or similar).
  - (viii) certified copy of the joint venture agreement naming Entity A and Entity B as parties or Entity A as a party and Entity B as the entity formed by that agreement.
  - (ix) certified copy of the agreement naming both Entity A and Entity B as parties or Entity A as a party and Entity B as the entity formed by that agreement that would constitute a joint venture agreement other than for the fact that joint venture agreements are not permitted in the country of operation.
- (3) For Worker Migrants and Worker (Intra Company Transfer) Migrants, the salary the migrant is to be paid must be declared and must;
- (a) be a minimum of £20,800 as set out in paragraph 1.1 of this Appendix, or
  - (b) the appropriate rate for the employment as set out in Part 7 of this Appendix, whichever is the higher.
- (3A) For Worker (Seasonal) Migrants the salary the migrant is to be paid must be declared and must be a minimum of £20,800 per annum.
- (4) The Resident Labour Market Test (RLMT) must be carried out:
- (a) for Worker Migrants and Worker (Intra Company Transfer) Migrants, as set out in paragraph 6.3, unless paragraph 6.3.1 (exemptions from test) applies; and

- (b) for Worker (Seasonal) Migrants, as set out in paragraph 6.4, unless paragraph 6.4(4) (exemptions from test) applies.
- (5) Where a prospective employer undertakes to do so, the prospective Employer must provide a declaration in writing that should it become necessary the Employer will maintain and accommodate the migrant until the end of the first month of his or her Employment and to a value of at least £945 in accordance with the provisions of Part 5(c) of Appendix C.
- (6) Unless paragraph 6.2(6A) applies, a Confirmation of Employment will not be issued where the employment the migrant is being hired to do amounts to—
  - (a) the hire of the migrant to a third party who is not the employer to fill a position with that party, whether temporary or permanent; or
  - (b) contract work to undertake an ongoing routine employment or to provide an ongoing routine service for a third party who is not the employer, regardless of the nature or length of any arrangement between the employer and the third party.
- (6A) Work for a third party may be permitted where all of the following requirements are met—
  - (a) the employer provides the name of the third party that the migrant will be undertaking work for;
  - (b) the work done for the third party must consist of performing any of the job tasks or duties falling within any of the following Standard Occupational Classification (SOC) codes—
    - (i) 2135;
    - (ii) 2136; or
    - (iii) 2137;
  - (c) the third party must be an Isle of Man employer in accordance with either paragraph 6.2(1)(a) or 6.2(1)(b) (except that paragraph 6.2(1)(b)(iv) does not apply), and the employer must provide any of the evidence listed at paragraph 6.2(2) on behalf of the third party if requested to do so by an immigration officer; and
  - (d) the third party must not be responsible for paying the migrant's salary.
- (7) An application for a Confirmation of Employment must be accompanied by:
  - (a) an original offer letter signed by the Employer which must;
    - (i) be on headed paper,
    - (ii) show the full name, date of birth, and address of the prospective employee,
    - (iii) show the employment title and list duties to be carried out by the employee,
    - (iv) show the relevant Standard Occupation Classification (SoC) code,
    - (v) show the proposed start date,
    - (vi) show the proposed period of engagement,

- (vii) show the gross annual salary, (this salary must meet the requirements of paragraph 1.1), and
  - (viii) declare any additional employment benefits.
- (b) evidence that the Resident Labour Market Test has been carried out, where applicable, in accordance with paragraph 6.3 of this Appendix.
- (8) The Confirmation of Employment will not be issued where the Minister or an Immigration Officer has reasonable grounds to believe, notwithstanding that the Employer has provided evidence in paragraphs (1) to (7), that:
- (a) that the migrant is not appropriately qualified or registered to undertake the employment in question (or will not be by the time they begin the employment),
  - (b) the requirements of the employment as stated in any advertisement for the employment are inappropriate and have been tailored to exclude Isle of Man workers or other Settled Workers from being recruited, or
  - (c) that the applicant is using an Employer, structure, a third party or other means to circumvent the rule against self-employment by Worker Migrants or Worker (Intra Company Transfer) Migrants.
- (9) To support the assessment in any of paragraphs (8), if the applicant is not yet appropriately qualified or registered to do the employment in question, he must provide evidence with his application showing that he can reasonably be expected to obtain the appropriate qualifications or registrations by the time he begins the employment, for example, a letter from the relevant body providing written confirmation that the applicant has registered to sit the relevant examinations.
- (10) If there is no suitable Standard Occupational Classification (SOC) code set out in the Tables in Part 7 (Sectors and Eligible Employments) for the employment, a letter from the Department for Enterprise which endorses the employment may be provided in lieu of a Standard Occupational Classification (SOC) code. The letter from the Department for Enterprise must—
- (a) be an original letter on Department for Enterprise headed paper;
  - (b) state the date that the letter was issued;
  - (c) state the job title;
  - (d) state the job role;
  - (e) state the minimum salary that must be paid for the role; and
  - (f) state whether or not the employment is to be considered a Key Employment.

Where this paragraph applies, the requirement in paragraph 6.2(7)(a)(iv) does not need to be met.

### **6.3 Resident Labour Market Test (RLMT) – Worker Migrants and Worker (Intra Company Transfer) Migrants**

Where this Appendix states paragraph 6.3 must be met, an employment only passes the Resident Labour Market Test if:

- (1) the Employer has advertised (or has had advertised on its behalf) the employment to settled workers, by the means set out in sub-paragraph (2), for a minimum of 14 days, or
- (a) Where the employment is re-advertised it must be advertised for a minimum of 7 days.
- (2) The Employer must have advertised (or had advertised on its behalf) the employment, at the Isle of Man JobCentre and at least one other from Table 1.

**Table 1**

Type of medium	Criteria for suitable media
Newspaper	Must be: <ul style="list-style-type: none"> <li>• marketed throughout the UK and Isle of Man, and</li> <li>• published at least once a week</li> </ul>
Professional journal	Must be: <ul style="list-style-type: none"> <li>• available throughout the UK and Isle of Man, published at least once a month, and</li> <li>• related to the nature of the employment i.e. a relevant trade journal, official journal of a professional occupational body, or subject-specific publication</li> </ul>
Website	Must be one of the following: <ul style="list-style-type: none"> <li>• an online version of a newspaper or professional journal which would satisfy the criteria above,</li> <li>• the website of a prominent professional recruitment organisation, which does not charge a fee to jobseekers to view employment advertisements or to apply for employments via those advertisements, or</li> <li>• if the Employer is a multinational organisation or has over 250 permanent employees in the UK/Isle of Man, the Employer's own website</li> </ul>

- (3) The advertisements must:
- (a) be in English
- (b) be fair and must not be tailored to suit a certain person;
- (c) be lawful under the Employment (Sex Discrimination) Act 2000, the Employment Act 2006, the Control of Employment Act 2014 and the Equality Act 2017;
- (d) contain the employment title;
- (e) state the main duties and responsibilities of the employment (job description)
- (f) the location of the employment;
- (g) an indication of the salary package or salary range or terms on offer;



- (h) the skills, qualifications and experience required for the employment,
  - (i) the closing date for applications, and
  - (j) have been advertised within six months before the date the application for a Confirmation of Employment is received by Immigration Officers.
- (4) Documentary evidence of the recruitment process must be provided:
- (a) Where Settled Workers have applied for employment but are considered unsuitable, the Employer must provide:
    - (i) evidence that the employment was advertised in accordance with 6.3(1), including a copy of the advertisement;
    - (ii) the specification of the employment (which must be reflected in the advertisement);
    - (iii) brief details as to the number of applications received from Settled Workers and the reasons why those workers are considered unsuitable.
  - (b) Where the information in (a) is considered insufficient, the Employer may be asked to provide, in redacted form:
    - (i) short-listing summary sheets;
    - (ii) application forms or CVs of all Isle of Man workers and Settled workers who applied for the employment, together with reasons why those workers were considered unsuitable;
    - (iii) interview assessment sheets; or
    - (iv) the report of the chairperson of the interview panel.

### **6.3.1 Resident Labour Market Test Exemptions Applies**

- (1) In order for a Resident Labour Market Test Exemption to apply under this Appendix:
- (a) The Confirmation of Employment application must be for a Worker (Intra Company Transfer) Migrant.
  - (b) The Confirmation of Employment application must be for a SOC Code listed as Key Employment in column 6 of Tables 1 to 6 of Part 7 of this Appendix and contracted working hours for the employment must be for at least 30 hours per week.
  - (c) The Confirmation of Employment application must be for a Worker Migrant who is applying for leave to remain, and the applicant must:
    - (i) have last been granted, or deemed to have been granted, entry clearance, leave to enter or leave to remain as a Worker Migrant;
    - (ii) be continuing employment with the same employer as recorded on the most recent Confirmation of Employment or Certificate of Sponsorship; and
    - (iii) be continuing in the same SOC code as recorded by the most recent Confirmation of Employment or Certificate of Sponsorship.
  - (d) The Confirmation of Employment application must be for a Worker Migrant who is applying for leave to remain, and the applicant must:
    - (i) have last been granted entry clearance, leave to enter or leave to remain as a Tier 2 (General) Migrant under the rules in place prior to 6 April 2018; and

- (ii) have a gross annual salary (including such allowances as are specified as acceptable for this purpose set in paragraph 6.3.2 of this Appendix) to be paid by the employer of £159,600 (or £155,300, if the recruitment took place before 6 April 2017) or higher.

### **6.3.2 Appropriate salary (Specified Allowances)**

- (1) For the purposes of paragraph 2.3(24) and paragraph 6.3.1(1)(d) the following items only will be taken into account to calculate the appropriate salary:
  - (a) guaranteed gross basic pay, and
  - (b) guaranteed allowances which will be paid for the duration of the applicant's employment in the Isle of Man and would be paid to a Settled Worker in similar circumstances.
- (2) For the purposes of paragraph 2.3(24) and paragraph 6.3.1(1)(d) the following items will not be taken into account to calculate the appropriate salary:
  - (a) any allowances other than those specified in (1)(b) above;
  - (b) one off payments, such as those associated with the cost of relocation which do not form part of the applicant's regular salary package;
  - (c) payments which cannot be guaranteed, such as bonus or incentive related pay;
  - (d) overtime payments, whether or not overtime is guaranteed;
  - (e) payments to cover business expenses, including (but not limited to) training, travel to and from the sending country, hotels and business travel within the Isle of Man or United Kingdom;
  - (f) any payments for which the applicant will need to reimburse the sponsor or any linked overseas business;
  - (g) employer pension contributions;
  - (h) medical benefits;
  - (i) payment of any tuition fees; or
  - (j) the value of any shares which the applicant has obtained in exchange for some of their Isle of Man employment rights as an employee owner.

### **6.4 Resident Labour Market Test (RLMT) – Worker (Seasonal) Migrants**

Where this Appendix states that the requirements of paragraph 6.4 must be met, an employment will only pass the Resident Labour Market Test if:

- (1) The role has been advertised to settled workers, at the Isle of Man JobCentre for a minimum of 14 days, unless paragraph 6.4(4) applies.
- (2) The advertisement must:
  - (a) be in English;

- (b) be fair and must not be tailored to suit a certain person;
  - (c) be lawful under the Employment (Sex Discrimination) Act 2000, the Employment Act 2006, the Control of Employment Act 2014 and the Equality Act 2017;
  - (d) contain the employment title;
  - (e) state the main duties and responsibilities of the employment (job description);
  - (f) state the location of the employment;
  - (g) state an indication of the salary package or salary range or terms on offer;
  - (h) state the skills, qualifications and experience required for the employment;
  - (i) state the closing date for applications; and
  - (j) have been advertised within 6 months before the date the application for a Confirmation of Employment is received by Immigration Officers.
- (3) Documentary evidence of the recruitment process is to be provided as follows:
- (a) where settled workers have applied for employment but are considered unsuitable, the Employer must provide:
    - (i) evidence that the employment was advertised in accordance with 6.4(1), including a copy of the advertisement;
    - (ii) the specification of the employment (which must be reflected in the advertisement); and
    - (iii) brief details as to the number of applications received from settled workers and the reasons why those workers are considered unsuitable.
  - (b) Where the information in (a) is considered insufficient, the Employer may be asked to provide, in redacted form:
    - (i) short-listing summary sheets;
    - (ii) application forms or CVs of all settled workers who applied for the employment, together with reasons why those workers were considered unsuitable;
    - (iii) interview assessment sheets; or
    - (iv) the report of the chairperson of the interview panel.
- (4) the exception referred to in paragraph 6.4(1) is where the eligible SOC code set out in Section 5 of the "Confirmation of Employment guidance" published by the Cabinet Office is listed as "Key Employment"<sup>39</sup>.

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<sup>39</sup> <https://www.gov.im/categories/travel-traffic-and-motoring/immigration/work/workers/guidance-forms-for-worker-migrant-routes/>

## **PART 7: SECTORS AND ELIGIBLE EMPLOYMENTS**

### Introduction

This Part sets out appropriate salary rates for employment, identified by a Standard Occupational Classification (SOC) Code.

### **Occupation Codes**

The Standard Occupational Classification (SOC) codes are based on the SOC 2010 system designed by the Office for National Statistics, except where otherwise stated. This system is designed to cover all possible employments.

References to "job" refer to the most appropriate match for the employment in question, as it appears in the tables in this Part. The job description must correlate with the most appropriate match, according to the SOC 2010 system. The Isle of Man Immigration Office will apply the most appropriate match based on the job description in an application, even if this is not the match stated by the applicant or their Employer.

Where this Appendix refers to an applicant continuing to work in the same Employment, this means:

- (1) the same SOC 2010 code as stated in the Certificate of Sponsorship or Confirmation of Employment that led to the applicant's previous grant,
- (2) any SOC 2010 code, providing the change is due solely to reclassification within the SOC system by the Office for National Statistics and not due to a change in the applicant's job.

### Appropriate Salary Rates

- (1) Where these Rules state that an applicant must be paid the appropriate rate for a job as set out in Part 7 of this Appendix, the rate will be determined accordance with the Tables below.
- (2) Where both "new entrant" and "experienced worker" rates are stated, the "new entrant" rate will only apply if:
  - (a) the applicant:
    - (i) was under the age of 26 on the date the application was made;
    - and
    - (ii) the applicant is applying for entry clearance or leave to remain (not for indefinite leave to remain); and
    - (iii) the applicant is not applying for a grant of leave that would extend his total stay as a Worker Migrant beyond 3 years and 1 month.

The "experienced worker" rate will apply in all other cases.

- (b) The salary rates stated are per annum and have been set by the Department for Enterprise.
- (c) In all cases, the pay must be compliant with regulations under the Minimum Wage Act 2001 .

**TABLE 1 – E-Business & Information Communication Technology**

<b>SOC Code</b>	<b>Description</b>	<b>Related Job Titles</b>	<b>Example Job Tasks</b>	<b>New Entrant Salary</b>	<b>Experienced Salary</b>	<b>Key Employment</b>
1136	Information Technology and Telecommunications Directors	<ul style="list-style-type: none"> <li>IT Director</li> <li>Technical director (computer services)</li> <li>Telecommunications director</li> </ul>	<ul style="list-style-type: none"> <li>develops in consultation with other senior management the IT/telecommunications strategy of the organisation;</li> <li>directs the implementation within the organisation of IT/telecommunications strategy, infrastructure, procurement, procedures and standards;</li> <li>develops the periodic business plan and operational budget for IT/telecommunications to deliver agreed service levels;</li> <li>considers the required IT/telecommunications staffing levels, oversees recruitment and appointment of staff and directs training policy;</li> <li>prioritises and schedules major IT/telecommunications projects;</li> <li>ensures that new technologies are researched and evaluated in the light of the organisation's broad requirements.</li> </ul>	£21,600	£28,000	
2133	IT specialist managers	<ul style="list-style-type: none"> <li>Data centre manager</li> <li>IT manager</li> <li>IT support manager</li> <li>Network operations manager (computer</li> </ul>	<p>Example job tasks</p> <ul style="list-style-type: none"> <li>plans, coordinates and manages the organisation's IT provision or a specialist area of IT activity;</li> <li>liaises with users, senior staff and internal/external clients to clarify IT requirements and development needs;</li> <li>takes responsibility for managing the development of a specialist aspect of IT provision such as user support, network operations, service delivery or quality control;</li> </ul>	£26,500	£40,300	

		<ul style="list-style-type: none"> <li>services)</li> <li>• Service delivery manager</li> </ul>	<ul style="list-style-type: none"> <li>• supervises the technical team and coordinates training;</li> <li>• plans and monitors work and maintenance schedules to ensure agreed service levels are achieved;</li> <li>• reports on IT activities to senior management.</li> </ul>			
2134	IT project and programme managers	<ul style="list-style-type: none"> <li>• Implementation manager (computing)</li> <li>• IT project manager</li> <li>• Programme manager (computing)</li> <li>• Project leader (software design)</li> </ul>	<ul style="list-style-type: none"> <li>• works with client or senior management to establish and clarify the aims, objectives and requirements of the IT project or programme;</li> <li>• plans the stages of the project or programme, reviews actions and amends plans as necessary;</li> <li>• coordinates and supervises the activities of the project/programme team;</li> <li>• manages third party contributions to the programme or project;</li> <li>• monitors progress including project/programme budget, timescale and quality;</li> <li>• coordinates and oversees implementation of the project or programme;</li> <li>• reports on project or programme to senior management and/or client.</li> </ul>	£28,200	£40,600	Yes
2135	IT business analysts, architects and systems designers	<ul style="list-style-type: none"> <li>• Business analyst (computing)</li> <li>• Data communications analyst</li> <li>• Systems analyst</li> <li>• Systems</li> </ul>	<ul style="list-style-type: none"> <li>• liaises with internal/external clients in order to analyse business procedure, clarify clients' requirements and to define the scope of existing software, hardware and network provision;</li> <li>• undertakes feasibility studies for major IT developments incorporating costs and benefits, and presents proposals to clients;</li> <li>• communicates the impact of emerging technologies to clients and advises upon the potential introduction of such</li> </ul>	£25,800	£33,000	Yes

		consultant <ul style="list-style-type: none"> <li>• Technical analyst (computing)</li> <li>• Technical architect</li> </ul>	technology; <ul style="list-style-type: none"> <li>• provides advice and assistance in the procurement, provision, delivery, installation, maintenance and use of IT systems and their environments;</li> <li>• examines existing business models and flows of data and designs functional specifications and test plans for new systems in order to meet clients' needs;</li> <li>• researches, analyses, evaluates and monitors network infrastructure and performance;</li> <li>• works closely with clients to implement new systems.</li> </ul>			
2136	Programmers and software development professionals	<ul style="list-style-type: none"> <li>• Analyst-programmer</li> <li>• Database developer</li> <li>• Games programmer</li> <li>• Programmer</li> <li>• Software engineer</li> </ul>	<ul style="list-style-type: none"> <li>• examines existing software and determines requirements for new/modified systems in the light of business needs;</li> <li>• undertakes feasibility study to design software solutions;</li> <li>• writes and codes individual programs according to specifications;</li> <li>• develops user interfaces;</li> <li>• tests and corrects software programs;</li> <li>• writes code for specialist programming for computer games, (for example, artificial intelligence, 3D engine development);</li> <li>• implements and evaluates the software;</li> <li>• plans and maintains database structures;</li> <li>• writes operational documentation and provides subsequent support and training for users.</li> </ul>	£24,000	£31,100	Yes
2137	Web design and development professionals	<ul style="list-style-type: none"> <li>• Internet developer</li> <li>• Multimedia developer</li> </ul>	<ul style="list-style-type: none"> <li>• liaises with internal/external client in order to define the requirements for the website;</li> <li>• presents design options to the client;</li> <li>• designs web pages including graphics, animation and</li> </ul>	£20,800	£23,400	Yes

		<ul style="list-style-type: none"> <li>• Web design consultant</li> <li>• Web designer</li> </ul>	<p>functionality to maximise visual effectiveness and facilitate appropriate access;</p> <ul style="list-style-type: none"> <li>• develops the website and applications;</li> <li>• designs and develops web interfaces for relational database systems;</li> <li>• establishes methods to ensure appropriate website security and recovery;</li> <li>• writes and publishes content for the website;</li> <li>• tests website interaction and performance prior to going 'live', and monitors and maintains functionality of the website;</li> <li>• activates the 'live' website.</li> </ul>			
2139	Information technology and telecommunications professionals not elsewhere classified	<ul style="list-style-type: none"> <li>• IT consultant</li> <li>• Quality analyst (computing)</li> <li>• Software tester</li> <li>• Systems tester (computing)</li> <li>• Telecommunications planner</li> </ul>	<ul style="list-style-type: none"> <li>• undertakes the testing of software, systems or computer games for errors, identifies source of problems and proposes solutions;</li> <li>• develops, implements and documents test plans for IT software, systems and computer games;</li> <li>• develops quality standards and validation techniques;</li> <li>• makes recommendations concerning software/system quality;</li> <li>• examines IT system for potential threats to its security and integrity and draws up plans for disaster recovery if security is compromised;</li> <li>• deals with and reports on breaches in security.</li> </ul>	£20,800	£29,900	Yes
2423	Management consultants and business analysts	<ul style="list-style-type: none"> <li>• Business adviser</li> <li>• Business consultant</li> <li>• Business continuity</li> </ul>	<ul style="list-style-type: none"> <li>• assesses the functions, objectives and requirements of the organisation seeking advice;</li> <li>• identifies problems concerned with business strategy, policy, organisation, procedures, methods and markets;</li> </ul>	£24,100	£33,300	Yes



		<p>manager</p> <ul style="list-style-type: none"> <li>• Financial risk analyst</li> <li>• Management consultant</li> </ul>	<ul style="list-style-type: none"> <li>• determines the appropriate method of data collection and research methodology, analyses and interprets information gained and formulates and implements recommendations and solutions;</li> <li>• advises governments, commercial enterprises, organisations and other clients in light of research findings;</li> <li>• runs workshops, and addresses seminars, conferences and the media to present results of research activity or to express professional views.</li> </ul>			
2424	Business and financial project management professionals	<ul style="list-style-type: none"> <li>• Chief knowledge officer</li> <li>• Contracts manager (security services)</li> <li>• Project manager</li> <li>• Research support officer</li> </ul>	<ul style="list-style-type: none"> <li>• finds out what the client or company wants to achieve;</li> <li>• agrees timescales, costs and resources needed;</li> <li>• draws up a detailed plan for how to achieve each stage of the project;</li> <li>• selects and leads a project team;</li> <li>• negotiates with contractors and suppliers for materials and services;</li> <li>• ensures that each stage of the project is progressing on time, on budget and to the right quality standards;</li> <li>• reports regularly on progress to the client or to senior managers.</li> </ul>	£24,100	£33,300	
2425	Actuaries, economists and statisticians	<ul style="list-style-type: none"> <li>• Actuarial consultant</li> <li>• Actuary</li> <li>• Economist</li> <li>• Statistician</li> <li>• Statistical analyst</li> </ul>	<ul style="list-style-type: none"> <li>• assesses the objectives and requirements of the organisation seeking advice;</li> <li>• uses a variety of techniques and theoretical principles to establish probability and risk in respect of e.g. life insurance or pensions;</li> <li>• uses appropriate techniques and theoretical principles to determine an appropriate method of data collection and research methodology, analyse and interpret information gained and formulate recommendations on issues such as future trends, improved efficiency;</li> </ul>	£26,500	£34,700	Yes

			<ul style="list-style-type: none"> <li>• designs and manages surveys and uses statistical techniques in order to analyse and interpret the quantitative data collected;</li> <li>• provides economic or statistical advice to governments, commercial enterprises, organisations and other clients in light of research findings;</li> <li>• addresses seminars, conferences and the media to present results of research activity or to express professional views.</li> </ul>			
2426	Business and related research professionals	<ul style="list-style-type: none"> <li>• Crime analyst (police force)</li> <li>• Fellow (research)</li> <li>• Games researcher (broadcasting)</li> <li>• Inventor</li> </ul>	<ul style="list-style-type: none"> <li>• liaises with production team to generate and develop ideas for film, television and radio programmes;</li> <li>• research sources for accurate factual material, finds suitable contributes to programmes or print features and deals with any copyright issues;</li> <li>• briefs presenters, scriptwriters or journalists as required via verbal or written reports;</li> <li>• provides administrative support for programme development such as booking facilities;</li> <li>• provides support to criminal intelligence or to military or other security operations by gathering and verifying intelligence data and sources;</li> <li>• presents findings in the required format, via written reports or presentations;</li> <li>• researches images for clients in a wide range of media using specialist picture libraries and archives, museums, galleries etc., or commissions new images;</li> <li>• liaises with client on the appropriate image/s to be used;</li> <li>• deals with copyright issues and negotiates fees.</li> </ul>	£20,800	£26,500	

3131	IT operations technicians	<ul style="list-style-type: none"> <li>• Computer games tester</li> <li>• Database administrator</li> <li>• IT technician</li> <li>• Network administrator</li> <li>• Systems administrator</li> </ul>	<ul style="list-style-type: none"> <li>• administers, monitors and supports internal/external networks, servers, email, database and security systems;</li> <li>• configures and sets up new server systems;</li> <li>• schedules and performs system maintenance tasks, such as loading user applications, programs and data;</li> <li>• analyses systems and makes recommendations to improve performance;</li> <li>• identifies problems, agrees remedial action and undertakes emergency maintenance if required;</li> <li>• performs server backup and recovery operations and restarts systems following outages;</li> <li>• acts as a liaison between users, outside suppliers, and other technical teams.</li> </ul>	£20,800	£21,800	
3132	IT user support technicians	<ul style="list-style-type: none"> <li>• Customer support analyst</li> <li>• Help desk operator</li> <li>• IT support technician</li> <li>• Systems support officer</li> <li>• Senior PC support analyst</li> <li>• Senior PC support</li> <li>• Technical pre- or post-sales support</li> <li>• Senior database</li> </ul>	<ul style="list-style-type: none"> <li>• provides technical support to IT users;</li> <li>• advises users on how to resolve hardware and software problems;</li> <li>• installs and upgrades hardware, cables, operating systems and/or appropriate software;</li> <li>• facilitates user access to systems;</li> <li>• refers more complex or intractable problems to appropriate IT professionals;</li> <li>• researches possible solutions in user guides, technical manuals and other documents;</li> <li>• maintains a log of work in progress, calls received, actions taken and problems detected;</li> <li>• reports on commonly occurring queries to detect underlying problems.</li> </ul>	n/a	£22,800	

		<p>administrator or analyst</p> <ul style="list-style-type: none"> <li>• Database administrator or analyst</li> <li>• Computer engineers, installation and maintenance</li> </ul>				
3417	<p>Photographers, audio-visual and broadcasting equipment operators</p>	<ul style="list-style-type: none"> <li>• Audio visual technician</li> <li>• Cameraman</li> <li>• Photographer</li> <li>• Projectionist</li> <li>• Sound engineer</li> <li>• Theatre technician (entertainment)</li> <li>• Audio visual technician</li> <li>• Senior audio visual technician</li> <li>• Photographer</li> <li>• Press photographer (regional)</li> <li>• Press photographer (National)</li> </ul>	<ul style="list-style-type: none"> <li>• selects subject and conceives composition of picture or discusses composition with colleagues;</li> <li>• arranges subject, lighting, camera equipment and any microphones;</li> <li>• inserts lenses and adjusts aperture and speed settings as necessary;</li> <li>• operates scanning equipment to transfer image to computer and manipulates image to achieve the desired effect;</li> <li>• photographs subject or follows action by moving camera;</li> <li>• takes, records and manipulates digital images and digital video footage;</li> <li>• controls transmission, broadcasting and satellite systems for television and radio programmes, identifies and solves related technical problems;</li> <li>• checks operation and positioning of projectors, vision and sound recording equipment, and mixing and dubbing equipment;</li> <li>• operates equipment to record, edit and play back films and television programmes;</li> <li>• manages health and safety issues;</li> </ul>	n/a	£20,800	

		<ul style="list-style-type: none"> <li>• Film technician</li> <li>• Sound recordist</li> <li>• Camera operator (film, television production)</li> </ul>	<ul style="list-style-type: none"> <li>• operates sound mixing and dubbing equipment to obtain desired mix, level and balance of sound.</li> </ul>			
3421	Graphic Designers	<ul style="list-style-type: none"> <li>• Commercial artist</li> <li>• Designer (advertising)</li> <li>• Graphic artist</li> <li>• Graphic designer</li> <li>• MAC operator</li> </ul>	<ul style="list-style-type: none"> <li>• liaises with client to clarify aims of project brief, discusses media, software and technology to be used, establishes timetable for project and defines budgetary constraints;</li> <li>• undertakes research into project, considers previous related projects and compares costs of using different processes;</li> <li>• prepares sketches, scale drawings, models, colour schemes and other mock-ups to show clients and discusses any required alterations;</li> <li>• prepares specification and instructions for realisation of the project;</li> <li>• liaises with other parts of the production team to ensure graphic design fits with other elements, processes and timescales;</li> <li>• produces or oversees creation of the final product.</li> </ul>	n/a	£21,300	
3545	Sales accounts and business development manager	<ul style="list-style-type: none"> <li>• Account manager (sales)</li> <li>• Area sales manager</li> <li>• Business development manager</li> <li>• Product development</li> </ul>	<ul style="list-style-type: none"> <li>• liaises with other senior staff to determine the range of goods or services to be sold, contributes to the development of sales strategies and setting of sales targets;</li> <li>• discusses employer's or client's requirements, carries out surveys and analyses customers' reactions to product, packaging, price, etc.;</li> <li>• compiles and analyses sales figures, prepares proposals for marketing campaigns and promotional activities and undertakes market research;</li> </ul>	£25,000	£32,500	Yes

		<p>manager</p> <ul style="list-style-type: none"> <li>• Sales manager</li> </ul>	<ul style="list-style-type: none"> <li>• handles customer accounts;</li> <li>• recruits and trains junior sales staff;</li> <li>• produces reports and recommendations concerning marketing and sales strategies for senior management;</li> <li>• keeps up to date with products and competitors.</li> </ul>			
5242	Telecommunications engineer	<ul style="list-style-type: none"> <li>• Network officer</li> <li>• Telecoms Engineer</li> <li>• Linesperson</li> </ul>	<ul style="list-style-type: none"> <li>• installs internal cabling and wiring for telephone systems and fits and wires junction and distribution boxes;</li> <li>• fixes connecting wires from underground and aerial lines to premises and connects cable terminals to inside wiring;</li> <li>• installs telephones, switchboards and coin operated phone boxes;</li> <li>• uses testing equipment to locate defective components of circuitry and makes any necessary repairs;</li> <li>• tests installation and makes any further necessary adjustments;</li> <li>• assists with the erection of wooden poles or steel towers to carry overhead lines;</li> <li>• connects cables and tests for any defects;</li> <li>• locates and repairs faults to lines and ancillary equipment;</li> <li>• erects and maintains mobile telecommunications infrastructure.</li> </ul>	£25,800	£28,800	
5244	TV, video and audio engineers	<ul style="list-style-type: none"> <li>• Installation engineer (radio, television and video)</li> <li>• Satellite engineer</li> </ul>	<ul style="list-style-type: none"> <li>• examines equipment and observes reception to determine nature of deficit;</li> <li>• uses electronic testing equipment to diagnose faults and check voltages and resistance;</li> <li>• dismantles equipment and repairs or replaces faulty components or wiring;</li> <li>• re-assembles equipment, tests for correct functioning and</li> </ul>	£23,600	£26,000	

			<p>makes any necessary further adjustments;</p> <ul style="list-style-type: none"> <li>• carries out service tasks such as cleaning and insulation testing according to schedule</li> </ul>			
5245	IT engineers	<ul style="list-style-type: none"> <li>• Computer service engineer</li> <li>• Hardware engineer</li> </ul>	<ul style="list-style-type: none"> <li>• installs, tests and maintains computer-related hardware (processor, memory chips, circuit boards, displays, sensors, data storage devices, printers, etc.) according to given specifications;</li> <li>• diagnoses hardware related faults;</li> <li>• repairs or replaces defective components;</li> <li>• advises on and installs operation soft/firm ware and may carry out upgrades;</li> <li>• maintains documentation to track and log work in progress and completed</li> </ul>	£21,700	£24,000	
5249	Electrical and electronic trades not elsewhere classified	<ul style="list-style-type: none"> <li>• Field engineer</li> <li>• Communication engineer</li> </ul>	<ul style="list-style-type: none"> <li>• examines drawings, wiring diagrams and specifications to determine appropriate methods and sequence of operations;</li> <li>• places prepared parts and sub-assemblies in position, checks their alignment and secures with hand tools to install x-ray and medical equipment, aircraft instruments and other electronic equipment;</li> <li>• removes protective sheath from wires and cables and connects by brazing, soldering or crimping and applies conductor insulation and protective coverings;</li> <li>• examines for defect and repairs electronic and related equipment;</li> <li>• tests for correct functioning and makes any further necessary adjustments;</li> <li>• performs routine servicing tasks, such as cleaning and insulation testing;</li> </ul>	£20,800	£25,000	

			<ul style="list-style-type: none"> <li>• assists with the erection of wood poles or steel towers to carry overhead lines;</li> <li>• connects and installs transformers, fuse gear, lightning arrestors, aircraft warning lights, cable boxes and other equipment;</li> <li>• connects cables to test equipment and tests for balance, resistance, insulation and any defects;</li> <li>• locates and repairs faults to lines and ancillary equipment</li> </ul>			
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TABLE 2 – Medical, health and social care

SOC Code	Description	Related Job Titles	Example Job Tasks	New Entrant Salary	Experienced Salary	Key Employment
1241	Health care practice managers	Clinic manager GP practice manager Veterinary practice manager	<p>plans work schedules, assigns tasks and delegates responsibilities of practice staff;</p> <p>oversees staff training and monitors training needs;</p> <p>takes responsibility for health and safety matters within the practice;</p> <p>negotiates contracts for services with other health care providers and purchasers;</p> <p>maintains patient files on medical history, consultations made and treatment undertaken and/or drugs prescribed;</p> <p>organises duty rosters for professional and support staff in practice;</p> <p>takes responsibility for stock control of practice equipment, drugs etc.;</p> <p>liaises with relevant outside organisations (e.g. NHS trust, PCT, social services, drug companies, professional bodies);</p> <p>responsible for budgeting, pricing and accounting activities within the practice</p>	<ul style="list-style-type: none"> <li>• £20,800</li> </ul>	<ul style="list-style-type: none"> <li>• £25,300</li> </ul>	
1242	Residential, day and domiciliary care managers and	Care home manager/owner Day care manager	<p>determines staffing, financial, material and other short and long-term requirements;</p> <p>plans work schedules, assigns tasks and delegates responsibilities to staff;</p> <p>arranges for payments of bills, keeps accounts and adheres to health, safety and other statutory</p>	<ul style="list-style-type: none"> <li>• £21,100</li> </ul>	<ul style="list-style-type: none"> <li>• £25,500</li> </ul>	

	proprietors		<p>requirements;</p> <p>maintains contact between service users and the local community and/or family and friends</p> <p>assesses service users' needs and ensures they have access to health and social care services as required;</p> <p>creates a friendly, secure atmosphere to gain the trust and confidence of those using the service;</p> <p>ensures that the physical comfort and all material needs of service users are provided and attempts to resolve problems that may arise</p>			
1181	Health services and public health manages and directors	<p>Director of nursing</p> <p>Health service manager</p>	<p>implements policies of the board, ensures statutory procedures are followed, with particular emphasis on patient safety and the management of risk;</p> <p>liaises with health care professionals to determine short and long-term needs and how to meet these objectives within budgetary constraints;</p> <p>oversees the day-to-day management of the unit or service and provides leadership to staff;</p> <p>uses statistical information to monitor performance and assist with planning;</p> <p>negotiates and manages contracts with providers and purchasers of health care services;</p> <p>manages staff, including recruitment, appraisal and development;</p> <p>monitors and reports upon the effectiveness of services with a view to improving the efficiency of health care provision;</p> <p>coordinates the promotion of public health and wellbeing in the actions and policies of public agencies and their social partners;</p>	<ul style="list-style-type: none"> <li>• £35,000</li> </ul>	<ul style="list-style-type: none"> <li>• £45,200</li> </ul>	

			monitors and reports upon the state of public health and wellbeing			
1184	Social services managers and directors	Care manager Social services manager and directors	<p>provides leadership and management to ensure services are delivered in accordance with statutory requirements and in line with the local authority social services department's policies and procedures;</p> <p>determines staffing, financial, material and other short and long-term needs;</p> <p>plans work schedules, assigns tasks and delegates responsibilities of social services staff;</p> <p>monitors and evaluates departmental performance with a view to improving social service provision;</p> <p>studies and advises upon changes in legislation that will impact upon social service provision;</p> <p>liaises with representatives of other relevant agencies</p>	<ul style="list-style-type: none"> <li>• £28,300</li> </ul>	<ul style="list-style-type: none"> <li>• £35,400</li> </ul>	
2211	Medical practitioners	Anaesthetist Consultant (Hospital Service) Doctor General practitioner Medical practitioner Paediatrician Psychiatrist Radiologist Surgeon	<p>examines patient, arranges for any necessary x-rays or other tests and interprets results;</p> <p>diagnoses condition and prescribes and/or administers appropriate treatment/surgery;</p> <p>administers medical tests and inoculations against communicable diseases;</p> <p>supervises patient's progress and advises on diet, exercise and other preventative action;</p> <p>refers patient to specialist where necessary and liaises with specialist;</p> <p>prepares and delivers lectures, undertakes research, and conducts and participates in clinical trials;</p> <p>supervises the implementation of care and treatment plans by other healthcare providers.</p>	<ul style="list-style-type: none"> <li>• Foundation year 1 (F1) and equivalent: £22,636</li> <li>• Foundation year 2 (F2) and equivalent: £28,076</li> <li>• Speciality registrar (StR) and equivalent: £30,002</li> <li>• Speciality doctor and equivalent: £37,176</li> <li>• Salaried General practitioner (GP) and equivalent: £54,863</li> <li>• Consultant and equivalent: £75,249</li> </ul>		Yes

2212	Psychologists	<p>Clinical psychologist Educational psychologist Forensic psychologist Occupational psychologist Psychologist</p>	<p>develops and administers tests to measure intelligence, abilities, aptitudes, etc. and assesses results;</p> <p>develops treatment and guidance methods and gives treatment or guidance using a variety of therapy and counselling techniques;</p> <p>observes and experiments on humans and animals to measure mental and physical characteristics;</p> <p>analyses the effect of hereditary, social and physical factors on thought and behaviour;</p> <p>studies psychological factors in the treatment and prevention of mental illness or emotional and personality disorders;</p> <p>maintains required contacts with family members, education or other health professionals, as appropriate, and recommends possible solutions to problems presented;</p> <p>applies professional knowledge and techniques within the workplace, addressing issues such as job design, work groups, motivation etc.;</p> <p>applies psychological treatment methods to help athletes achieve optimum mental health and enhance sporting performance.</p>	<ul style="list-style-type: none"> <li>• Band 5 &amp; equiv. £26,375</li> <li>• Band 6 &amp; equiv. £29,690</li> <li>• Band 7 &amp; equiv. £35,747</li> <li>• Band 8a &amp; equiv. £45,480</li> <li>• Band 8b &amp; equiv. £52,906</li> <li>• Band 8c &amp; equiv. £63,576</li> <li>• Band 8d &amp; equiv. £76,120</li> <li>• Band 9 &amp; equiv. £89,816</li> </ul>	
2213	Pharmacists	<p>Chemist (pharmaceutical) Dispensary manager Pharmaceutical chemist Pharmacist Pharmacy manager</p>	<p>prepares or directs the preparation of prescribed medicaments in liquid, powder, tablet, ointment or other form following prescriptions issued by medical doctors and other health professionals;</p> <p>advises health professionals on the selection and appropriate use of medicines;</p> <p>highlights a drug's potential side effects, identifies harmful interactions with other drugs and assesses</p>	<ul style="list-style-type: none"> <li>• Pre-registration Band 5 &amp; equiv. £26,375</li> <li>• Band 6 &amp; equiv. £29,690</li> <li>• Band 7 &amp; equiv. £35,747</li> <li>• Band 8a &amp; equiv. £45,480</li> <li>• Band 8b &amp; equiv. £52,906</li> </ul>	

			<p>the suitability of treatments for patients with particular health conditions;</p> <p>checks that recommended doses are not being exceeded and that instructions are understood by patients;</p> <p>maintains prescription files and records issue of narcotics, poisons and other habit-forming drugs;</p> <p>liaises with other professionals regarding the development manufacturing and testing of drugs;</p> <p>tests and analyses drugs to determine their identity, purity and strength;</p> <p>ensures that drugs and medicaments are in good supply and are stored properly.</p>	<ul style="list-style-type: none"> <li>• Band 8c &amp; equiv. £63,576</li> <li>• Band 8d &amp; equiv. £76,120</li> <li>• Band 9 &amp; equiv. £89,816</li> </ul>	
2214	Ophthalmic opticians	<p>Ophthalmic optician</p> <p>Optician</p> <p>Optologist</p> <p>Optometrist</p>	<p>examines eyes and tests vision of patient, identifies problems, defects, injuries and ill health;</p> <p>prescribes, supplies and fits appropriate spectacle lenses, contact lenses and other aids;</p> <p>advises patient on proper use of glasses, contact lenses and other aids, and on appropriate lighting conditions for reading and working;</p> <p>refers patient to a specialist, where necessary;</p> <p>carries out research with glass and lens manufacturers.</p>	<ul style="list-style-type: none"> <li>• Band 5 &amp; equiv. £26,375</li> <li>• Band 6 &amp; equiv. £29,690</li> <li>• Band 7 &amp; equiv. £35,747</li> <li>• Band 8a &amp; equiv. £45,480</li> <li>• Band 8b &amp; equiv. £52,906</li> <li>• Band 8c &amp; equiv. £63,576</li> <li>• Band 8d &amp; equiv. £76,120</li> <li>• Band 9 &amp; equiv. £89,816</li> </ul>	
2215	Dental practitioners	<p>Dental surgeon</p> <p>Dentist</p> <p>Orthodontist</p> <p>Periodontist</p>	<p>examines patient's teeth, gums and jaw, using dental and x-ray equipment, diagnoses dental conditions;</p> <p>assesses and recommends treatment options to patients;</p> <p>administers local anaesthetics;</p> <p>carries out clinical treatments, restores teeth affected</p>	<ul style="list-style-type: none"> <li>• Foundation year 1 (F1) (Hospital dental services) and equivalent: £30,433</li> <li>• Foundation year 2 (F2) (Hospital dental services) and equivalent: £29,912</li> </ul>	Yes

			<p>by decay etc., treats gum disease and other disorders; constructs and fits braces, inlays, dentures and other appliances;</p> <p>supervises patient's progress and advises on preventative action;</p> <p>educates patients on oral health care;</p> <p>refers patient to specialist, where necessary;</p> <p>maintains patients' dental health records;</p> <p>prepares and delivers lectures, undertakes research, and conducts and participates in clinical trials.</p>	<ul style="list-style-type: none"> <li>• Speciality registrar (StR) and equivalent: £30,002</li> <li>• Speciality dentist: £37,176</li> <li>• Band A posts (e.g. Community practitioner) and equivalent: £38,095</li> <li>• Band B posts (e.g. Senior dental officer) and equivalent: £59,259</li> <li>• Band C posts (e.g. Specialist / managerial posts) and equivalent: £70,899</li> <li>• Consultant (Hospital dental services) and equivalent: £75,249</li> </ul>		
2216	Veterinarians	<p>Veterinarian</p> <p>Veterinary practitioner</p> <p>Veterinary surgeon</p>	<p>examines animals, diagnoses condition and prescribes and administers appropriate drugs, dressings, etc., and arranges or undertakes any necessary x-ray or other tests;</p> <p>inoculates animals against communicable diseases;</p> <p>administers local or general anaesthetics and performs surgery;</p> <p>investigates outbreaks of animal diseases and advises owners on feeding, breeding and general care;</p> <p>euthanases old, sick, terminally ill and unwanted animals;</p> <p>performs tasks relating to food safety policy, regulation of veterinary drugs, quality control of veterinary products;</p> <p>performs ante-mortem inspection of animals destined for the food chain, and animal post-mortem</p>	£25,200	£35,800	Yes

			<p>examinations;</p> <p>carries out expert witness work and undertakes teaching of veterinary students;</p> <p>maintains records, raises and forwards reports and certificates in compliance with current legislation.</p>			
2217	Medical Radiographers	<p>Medical radiographer</p> <p>Radiographer</p> <p>Sonographer</p> <p>Therapeutic radiographer</p> <p>Vascular technologist</p>	<p>uses a range of imaging devices for diagnostic and therapeutic purposes;</p> <p>assesses patients and interprets clinical requirements to determine appropriate radiographic treatments;</p> <p>verifies identity of patient and ensures that necessary preparations have been made for the examination/treatment;</p> <p>decides length and intensity of exposure or strength of dosage of isotope;</p> <p>positions patient and operates x-ray, scanning or fluoroscopic equipment;</p> <p>maintains records of all radiographic/therapeutic work undertaken;</p> <p>plans course of treatment with clinical oncologists and physicists;</p> <p>calculates radiation dosage and maps volume to be treated;</p> <p>explains treatment to patient and management of any side effects;</p> <p>carries out post-treatment reviews and follow-ups.</p>	<ul style="list-style-type: none"> <li>• Band 5 &amp; equiv. £26,375</li> <li>• Band 6 &amp; equiv. £29,690</li> <li>• Band 7 &amp; equiv. £35,747</li> <li>• Band 8a &amp; equiv. £45,480</li> <li>• Band 8b &amp; equiv. £52,906</li> <li>• Band 8c &amp; equiv. £63,576</li> <li>• Band 8d &amp; equiv. £76,120</li> <li>• Band 9 &amp; equiv. £89,816</li> </ul>		
2218	Podiatrists	<p>Chiropodist</p> <p>Chiropodist-podiatrist</p> <p>Podiatrist</p>	<p>examines patient's feet to determine the nature and extent of disorder;</p> <p>provides vascular and neurological assessment for the long term management of chronic disorders and high</p>	<ul style="list-style-type: none"> <li>• Band 5 &amp; equiv. £26,375</li> <li>• Band 6 &amp; equiv. £29,690</li> <li>• Band 7 &amp; equiv. £35,747</li> </ul>		

			<p>risk patients;</p> <p>administers local anaesthetic where appropriate;</p> <p>treats conditions of the skin, nails and soft tissues of feet by minor surgery, massage and heat treatment, padding and strapping or drugs;</p> <p>prescribes, makes and fits pads and other orthotic appliances to correct and/or protect foot disorders;</p> <p>those with advanced training may carry out minor surgery on the feet;</p> <p>advises patients on aspects of foot care to avoid recurrence of foot problems;</p> <p>delivers foot health education to groups such as the elderly, children, the homeless, those with medical problems such as arthritis;</p> <p>refers patients who require further medical or surgical attention.</p>	<ul style="list-style-type: none"> <li>• Band 8a &amp; equiv. £45,480</li> <li>• Band 8b &amp; equiv. £52,906</li> <li>• Band 8c &amp; equiv. £63,576</li> <li>• Band 8d &amp; equiv. £76,120</li> <li>• Band 9 &amp; equiv. £89,816</li> </ul>	
2219	Health professionals not elsewhere classified	<p>Audiologist</p> <p>Dental hygiene therapist</p> <p>Dietician-nutritionist</p> <p>Family planner</p> <p>Occupational health adviser</p> <p>Paramedical practitioner</p>	<p>provides expert technical and technological support in the delivery of critical care;</p> <p>provides high level support within surgical teams before, during and after surgery;</p> <p>operate heart-lung machines during surgical procedures;</p> <p>conducts medical education relevant to specialism and provides team leadership and supervision;</p> <p>diagnoses and treats patients with a variety of hearing-related problems;</p> <p>carries out a range of oral/dental treatments;</p> <p>provides prosthetic devices to patients and advises on rehabilitation.</p>	<ul style="list-style-type: none"> <li>• Band 5 &amp; equiv. £26,375</li> <li>• Band 6 &amp; equiv. £29,690</li> <li>• Band 7 &amp; equiv. £35,747</li> <li>• Band 8a &amp; equiv. £45,480</li> <li>• Band 8b &amp; equiv. £52,906</li> <li>• Band 8c &amp; equiv. £63,576</li> <li>• Band 8d &amp; equiv. £76,120</li> <li>• Band 9 &amp; equiv. £89,816</li> </ul>	



2221	Physiotherapists	<p>Electro-therapist Physiotherapist Physiotherapy practitioner</p>	<p>examines medical reports and assesses patient to determine the condition of muscles, nerves or joints in need of treatment;</p> <p>writes up patients' case notes and reports, maintains their records and manages caseload;</p> <p>plans and undertakes therapy to improve circulation, restore joint mobility, strengthen muscles and reduce pain;</p> <p>explains treatment to and instructs patient in posture and other exercises and adapts treatment as necessary;</p> <p>offers advice and education on how to avoid injury and promote patient's future health and well-being;</p> <p>supervises physiotherapy assistants;</p> <p>monitors patient's progress and liaises with others concerned with the treatment and rehabilitation of patient, and refers patients requiring other specific medical attention.</p>	<ul style="list-style-type: none"> <li>• Band 5 &amp; equiv. £26,375</li> <li>• Band 6 &amp; equiv. £29,690</li> <li>• Band 7 &amp; equiv. £35,747</li> <li>• Band 8a &amp; equiv. £45,480</li> <li>• Band 8b &amp; equiv. £52,906</li> <li>• Band 8c &amp; equiv. £63,576</li> <li>• Band 8d &amp; equiv. £76,120</li> <li>• Band 9 &amp; equiv. £89,816</li> </ul>	
2222	Occupational therapists	Occupational therapist	<p>considers the physical, psychological and social needs of a patient that may result from illness, injury, congenital condition or lifestyle problems;</p> <p>devises, designs, initiates and monitors carefully selected and graded treatments and activities as part of the assessment and intervention process;</p> <p>liaises with a wide variety of other professionals in planning and reviewing ongoing treatments;</p> <p>trains students and supervises the work of occupational therapy assistants;</p> <p>makes home visits to clients, families and carers to</p>	<ul style="list-style-type: none"> <li>• Band 5 &amp; equiv. £26,375</li> <li>• Band 6 &amp; equiv. £29,690</li> <li>• Band 7 &amp; equiv. £35,747</li> <li>• Band 8a &amp; equiv. £45,480</li> <li>• Band 8b &amp; equiv. £52,906</li> <li>• Band 8c &amp; equiv. £63,576</li> <li>• Band 8d &amp; equiv. £76,120</li> <li>• Band 9 &amp; equiv. £89,816</li> </ul>	

			<p>organise support and rehabilitation and assist them to deal and cope with disability;</p> <p>counsels clients in ways to promote a healthy lifestyle, prevention of illness and/or preparation for coping with increasing stages of illness;</p> <p>maintains patient records, manages caseloads.</p>		
2223	Speech and language therapists	<p>Language therapist</p> <p>Speech and language therapist</p> <p>Speech therapist</p>	<p>assesses, tests and diagnoses a client's condition;</p> <p>designs and initiates appropriate rehabilitation and/or remedial programmes of treatment;</p> <p>treats speech and language disorders by coaching and counselling clients or through the use of artificial communication devices;</p> <p>attends case conferences and liaises with other specialists such as doctors, teachers, social workers and psychologists;</p> <p>counsels relatives to help cope with the problems created by a patient's disability;</p> <p>writes reports and maintains client caseloads.</p>	<ul style="list-style-type: none"> <li>• Band 5 &amp; equiv. £26,375</li> <li>• Band 6 &amp; equiv. £29,690</li> <li>• Band 7 &amp; equiv. £35,747</li> <li>• Band 8a &amp; equiv. £45,480</li> <li>• Band 8b &amp; equiv. £52,906</li> <li>• Band 8c &amp; equiv. £63,576</li> <li>• Band 8d &amp; equiv. £76,120 <ul style="list-style-type: none"> <li>• Band 9 &amp; equiv. £89,816</li> </ul> </li> </ul>	
2229	Therapy professionals not elsewhere classified	<p>Art therapist</p> <p>Chiropractor</p> <p>Cognitive behavioural therapist</p> <p>Dance movement therapist</p> <p>Family therapist</p> <p>Nutritionist</p> <p>Osteopath</p> <p>Psychotherapist</p>	<p>prescribes diet therapy and gives advice to patients, health care professionals and the public on dietetic and nutritional matters for those with special dietary requirements or to prevent illness amongst the general population;</p> <p>diagnoses and treats disorders of vision and eye movements, monitors subsequent progress and recommends further optical, pharmacological or surgical treatment as required;</p> <p>manipulates and massages patient to discover the cause of pain, relieve discomfort, restore function and mobility and to correct irregularities in body</p>	<ul style="list-style-type: none"> <li>• Band 5 &amp; equiv. £26,375</li> <li>• Band 6 &amp; equiv. £29,690</li> <li>• Band 7 &amp; equiv. £35,747</li> <li>• Band 8a &amp; equiv. £45,480</li> <li>• Band 8b &amp; equiv. £52,906</li> <li>• Band 8c &amp; equiv. £63,576</li> <li>• Band 8d &amp; equiv. £76,120 <ul style="list-style-type: none"> <li>• Band 9 &amp; equiv. £89,816</li> </ul> </li> </ul>	

			<p>structure;</p> <p>adopts a holistic approach in assessing the overall health of the patient, and treats by inserting needles under the skin at particular locations according to the disorder being treated;</p> <p>administers aromatic herbs and oils and massage to relieve pain and restore health;</p> <p>assesses and provides treatment for people with mental disabilities, or those suffering with mental illness, stress, and emotional and relationship problems;</p> <p>diagnoses and treats behavioural problems in animals.</p>		
2231	Nurses	<p>District nurse</p> <p>Health visitor</p> <p>Mental health practitioner</p> <p>Nurse</p> <p>Practice nurse</p> <p>Psychiatric nurse</p> <p>Staff nurse</p> <p>Student nurse</p>	<p>assists medical doctors and works with other healthcare professionals to deal with emergencies and pre-planned treatment of patients;</p> <p>manages own case load;</p> <p>monitors patient's progress, administers drugs and medicines, applies surgical dressings and gives other forms of treatment;</p> <p>participates in the preparation for physical and psychological treatment of mentally ill patients;</p> <p>plans duty rotas and organises and directs the work and training of ward and theatre nursing staff;</p> <p>advises on nursing care, disease prevention, nutrition, etc. and liaises with hospital board/ management on issues concerning nursing policy;</p> <p>plans, manages, provides and evaluates nursing care services for patients, supervises the implementation of nursing care plans;</p>	<p>Pre-registration candidate nurses who either:</p> <ul style="list-style-type: none"> <li>○ obtained a Nursing and Midwifery Council permission before 30 March 2015 to undertake the Overseas Nursing Programme, or</li> <li>○ have arranged to sit an Observed Structured Clinical Examination (OSCE) to obtain Nursing and Midwifery Council registration (Band 3 and equivalent):</li> <li>○ £16,271</li> </ul> <ul style="list-style-type: none"> <li>• Band 5 &amp; equiv. £26,375</li> <li>• Band 6 &amp; equiv. £29,690</li> </ul>	Yes

			delivers lectures and other forms of formal training relating to nursing practice.	<ul style="list-style-type: none"> <li>• Band 7 &amp; equiv. £35,747</li> <li>• Band 8a &amp; equiv. £45,480</li> <li>• Band 8b &amp; equiv. £52,906</li> <li>• Band 8c &amp; equiv. £63,576</li> <li>• Band 8d &amp; equiv. £76,120</li> </ul> <p>Band 9 &amp; equiv. £89,816</p> <p>A salary for this SOC code falls below the absolute minimum wage, in accordance with 1.1(1)(a) workers must be paid a minimum salary of £20,800 in order to be eligible for a Confirmation of Employment.</p>	
2232	Midwives	Midwife Midwifery sister	<p>monitors condition and progress of patient and baby throughout pregnancy;</p> <p>delivers babies in normal births and assists doctors with difficult deliveries;</p> <p>monitors recovery of mother in postnatal period and supervises the nursing of premature and other babies requiring special attention;</p> <p>advises on baby care, exercise, diet and family planning issues;</p> <p>supervises more junior staff and directs the work of the midwifery unit;</p> <p>plans and manages midwifery care services;</p> <p>delivers lectures and other forms of training in midwifery practice.</p>	<p>Pre-registration candidate midwives who either:</p> <ul style="list-style-type: none"> <li>○ obtained a Nursing and Midwifery Council permission before 30 March 2015 to undertake the Adaptation to Midwifery Programme, or</li> <li>○ have arranged to sit an Observed Structured Clinical Examination (OSCE) to obtain Nursing and Midwifery Council registration (Band 3 and equivalent): £16,271</li> </ul> <ul style="list-style-type: none"> <li>• Band 5 &amp; equiv. £26,375</li> <li>• Band 6 &amp; equiv. £29,690</li> </ul>	

				<ul style="list-style-type: none"> <li>• Band 7 &amp; equiv. £35,747</li> <li>• Band 8a &amp; equiv. £45,480</li> <li>• Band 8b &amp; equiv. £52,906</li> <li>• Band 8c &amp; equiv. £63,576</li> <li>• Band 8d &amp; equiv. £76,120</li> <li>• Band 9 &amp; equiv. £89,816</li> <li>• A salary for this SOC code falls below the absolute minimum wage, in accordance with 1.1(1)(a) workers must be paid a minimum salary of £20,800 in order to be eligible for a Confirmation of Employment.</li> </ul>	
2442	Social worker	<p>Psychiatric social worker Senior practitioner (local government: social services) Social worker</p>	<p>liaises with other health and social care professionals and agencies to identify those in need and at risk within the local community;</p> <p>interviews individuals and groups to assess and review the nature and extent of difficulties;</p> <p>undertakes and writes up assessments to specified standards;</p> <p>arranges for further counselling or assistance in the form of financial or material help;</p> <p>organises support and develops care plans to address service users' needs;</p> <p>keeps case records, prepares reports and participates in team meetings;</p> <p>gives evidence in court;</p> <p>participates in training and supervision.</p>	<ul style="list-style-type: none"> <li>• Band 5 &amp; equiv. £26,375</li> <li>• Band 6 &amp; equiv. £29,690</li> <li>• Band 7 &amp; equiv. £35,747</li> <li>• Band 8a &amp; equiv. £45,480</li> <li>• Band 8b &amp; equiv. £52,906</li> <li>• Band 8c &amp; equiv. £63,576</li> <li>• Band 8d &amp; equiv. £76,120</li> <li>• Band 9 &amp; equiv. £89,816</li> </ul>	

2449	Welfare professionals not elsewhere classified	Children's guardian Rehabilitation officer Social services officer Youth worker (professional)	<p>provides activities to assist young people develop and fulfil their potential as individuals and within the community;</p> <p>advises and supports families experiencing stress or crisis;</p> <p>acts as an advocate for and represents individuals and families at tribunals and similar hearings;</p> <p>oversees, supervises and provides counselling for the process of adoption;</p> <p>mentors and counsels those with mental health problems;</p> <p>provides rehabilitation services to individuals;</p> <p>manages volunteers and part-time workers, and liaises with other relevant professionals;</p> <p>keeps records and controls budgets.</p>	£20,800	£23,100	
3213	Paramedics	Ambulance paramedic Emergency care practitioner Paramedic Paramedic-ECP	<p>drives ambulance or accompanies driver to respond to calls for assistance at accidents, emergencies and other incidents;</p> <p>assesses the nature of injuries, provides first aid treatment and ascertains appropriate method of conveying patient;</p> <p>resuscitates and/or stabilises patient using relevant techniques, equipment and drugs;</p> <p>transports and accompanies patients who either require or potentially require skilled treatment whilst travelling;</p> <p>briefs other medical staff when handing over the patient, and completes patient report forms describing the patient's condition and any treatment provided.</p>	£20,400 The salary for this SOC code falls below the absolute minimum wage, in accordance with 1.1(1)(a) workers must be paid a minimum salary of £20,800 in	£32,100	

				order to be eligible for a Confirmation of Employment.		
3217	Pharmaceutical technicians	Dispensing technician	<p>checks received prescriptions for legality and accuracy;</p> <p>prepares drugs and medicines under the supervision of pharmacist;</p> <p>prepares specialised, tailor-made drugs for intravenous administration by hospital medical staff;</p> <p>labels and checks items prior to dispensing;</p> <p>maintains records of prescriptions received and drugs issued;</p> <p>advises patients or customers on the use of drugs prescribed or medication purchased over the counter;</p> <p>checks stock levels, orders new stock from pharmaceutical companies and ensures that drugs are stored appropriately</p>	<ul style="list-style-type: none"> <li>£20,800</li> </ul>	<ul style="list-style-type: none"> <li>£23,100</li> </ul>	
3218	Medical and dental technicians	<p>Cardiographer</p> <p>Dental hygienist</p> <p>Dental technician</p> <p>Medical technical officer</p> <p>Orthopaedic technician</p>	<p>operates equipment to diagnose and record or treat hearing, heart, brain, lung and kidney ailments;</p> <p>undertakes scaling and polishing of teeth, applies medicaments, carries out post-operative hygiene work and advises on preventative dentistry;</p> <p>makes dentures, crowns, bridges, orthodontic and other dental appliances according to individual patient requirements;</p> <p>measures patients for, and fits them with, surgical appliances, hearing aids and artificial limbs;</p> <p>performs related medical tasks including treating hair</p>	<ul style="list-style-type: none"> <li>Band 3 and equivalent: £20,751</li> <li>Band 4 and equivalent: £22,698</li> <li>Band 5 &amp; equiv. £26,375</li> <li>Band 6 &amp; equiv. £29,690</li> <li>Band 7 &amp; equiv. £35,747</li> <li>Band 9 &amp; equiv. £89,816</li> <li>A salary for this SOC code falls below the absolute minimum wage, in accordance with 1.1(1)(a) workers must be paid</li> </ul>		

			and scalp disorders and conducting tests on glaucoma patients; takes samples for clinical examination.	a minimum salary of £20,800 in order to be eligible for a Confirmation of Employment.	
3219	Health associate professionals not elsewhere classified	Acupuncturist Homeopath Hypnotherapist Massage therapist Reflexologist Sports therapist	Example job tasks: prescribes diet therapy and gives advice to patients, health care professionals and the public on dietetic and nutritional matters for those with special dietary requirements or to prevent illness; • diagnoses and treats disorders of vision and eye movements, monitors subsequent progress and recommends further optical, pharmacological or surgical treatment as required; • manipulates and massages patient to discover the cause of pain, relieve discomfort, restore function and mobility and to correct irregularities in body structure; • inserts needles under the skin, administers aromatic herbs and oils and massages body to relieve pain and restore health; • advises and prescribes in areas of complementary and alternative medicine.	<ul style="list-style-type: none"> <li>• Band 3 and equivalent: £16,271</li> <li>• Band 4 and equivalent: £18,838</li> <li>• Band 5 and equivalent: £21,478</li> <li>• Band 6 and equivalent: £25,783</li> <li>• Band 7 and equivalent: £30,765</li> <li>• A salary for this SOC code falls below the absolute minimum wage, in accordance with 1.1(1)(a) workers must be paid a minimum salary of £20,800 in order to be eligible for a Confirmation of Employment.</li> </ul>	
4211	Medical secretaries	Clinic co-ordinator Secretary	<p>sorts and files correspondence and maintains diary of the person/s for whom he/she works;</p> <p>transcribes dictation into required format;</p> <p>maintains patients' records and arranges appointments;</p> <p>answers enquiries and refers patient to appropriate experts;</p> <p>organises and attends meetings and takes minutes of proceedings;</p> <p>books resources such as rooms and refreshments, and orders stationery and other supplies as appropriate</p>	<ul style="list-style-type: none"> <li>• £20,800</li> </ul>	<ul style="list-style-type: none"> <li>• £23,000</li> </ul>



6131	Veterinary nurses	Veterinary nurse	<p>assists the veterinary surgeon during surgical and medical treatments of animals;</p> <p>prepares operating theatre, sterilises equipment and assists in theatre as required;</p> <p>dispenses and administers medication and applies dressings to animals under direction from the veterinarian;</p> <p>handles animals during treatment;</p> <p>collects and analyses blood, urine and other samples;</p> <p>cares for animals in hospital accommodation and keeps accurate records;</p> <p>maintains the biosecurity of the veterinary premises;</p> <p>advises clients on preventative medicine to maintain appropriate animal health and welfare.</p>	<ul style="list-style-type: none"> <li>• £20,800</li> </ul>	<ul style="list-style-type: none"> <li>• £22,000</li> </ul>	
6141	Nursing auxiliaries and assistants	<p>Auxiliary nurse</p> <p>Health care assistant (hospital service)</p> <p>Health care support worker</p> <p>Nursing assistant</p> <p>Nursing auxiliary</p>	<p>performs basic clinical tasks such as taking patients' temperature and pulse, weighing and measuring, performing urine tests and extracting blood samples;</p> <p>prepares patient for examination and treatment;</p> <p>distributes and serves food, assists patients in feeding and prepares snacks and hot drinks;</p> <p>assists patients in washing, dressing, toiletry activities and general mobility;</p> <p>changes bed linen, makes beds and tidies wards.</p>	<p>£16,271</p> <p>The salary for this SOC code falls below the absolute minimum wage, in accordance with 1.1(1)(a) workers must be paid a minimum salary of £20,800 in order to be</p>	<p>£18,838</p> <p>The salary for this SOC code falls below the absolute minimum wage, in accordance with 1.1(1)(a) workers must be paid a minimum salary of £20,800 in order to be</p>	

				eligible for a Confirmation of Employment.	eligible for a Confirmation of Employment.	
6143	Dental nurses	Dental assistant Dental nurse Dental technician	<p>prepares patient for examination;</p> <p>prepares and sterilises instruments and follows guidelines to maintain sterile conditions within the surgery;</p> <p>hands required equipment and medication to dentist during examination;</p> <p>assists with minor treatment, such as preparing materials for fillings;</p> <p>removes water and saliva from patient's mouth during treatment;</p> <p>maintains records, processes and mounts x ray films and undertakes reception duties</p>	£20,800	£21,909	
6145	Care workers and home carers	Care assistant Carer Home carer Support worker (nursing home)	<p>assists and enables service users to dress, undress, wash, use the toilet and bathe;</p> <p>serves meals to service users at table or in bed, and assists with feeding if required;</p> <p>assists with service users' overall comfort and wellbeing;</p> <p>provides interest and activities to stimulate and engage the service user;</p> <p>helps with daily activities such as letter writing, paying bills, collecting benefits;</p> <p>undertakes light cleaning and domestic duties including meal preparation as required;</p> <p>monitors service users' conditions by taking</p>	£20,800	£22,000	

			<p>temperature, pulse, respiration and weight, and contributes to record keeping;</p> <p>liaises with professional staff in carrying out care plans etc.</p>			
6146	Senior care workers	Senior care assistant	<p>routinely oversees and monitors care workers and home carers;</p> <p>takes responsibility for the shift and for the service while on duty;</p> <p>responds to emergencies and provides guidance and support to care workers;</p> <p>assists and enables service users to dress, undress, wash, use the toilet and bathe;</p> <p>serves meals to service users at table or in bed, assists with feeding if required;</p> <p>generally assists with service users' overall comfort and wellbeing;</p> <p>provides interest and activities to stimulate and engage the service user;</p> <p>helps with daily activities such as letter writing, paying bills, collecting benefits;</p> <p>undertakes light cleaning and domestic duties including meal preparation as required;</p> <p>monitors service users' conditions by taking temperature, pulse, respiration and weight, and contributes to record keeping;</p> <p>liaises with professional staff in carrying out care plans etc.</p>	£22,000	£25,000	

TABLE 3 – Education and training

SOC Code	Description	Related Job Titles	Example Job Tasks	New Entrant Salary	Experienced Salary	Key Employment
2311	Higher Education teaching professionals	<ul style="list-style-type: none"> <li>· Fellow (university)</li> <li>· Lecturer (higher education, university)</li> <li>· Professor (higher education, university)</li> <li>· Tutor (higher education, university)</li> <li>· University lecturer</li> </ul>	<p>prepares, delivers and directs lectures, seminars and tutorials;</p> <p>prepares, administers and marks examinations, essays and other assignments;</p> <p>advises students on academic matters and encourages independent research;</p> <p>provides pastoral care or guidance to students;</p> <p>participates in decision making processes regarding curricula, budgetary, departmental and other matters;</p> <p>directs the work of postgraduate students;</p> <p>undertakes research, writes articles and books and attends conferences and other meetings.</p>	£22,917	£28,772	
2312	Further education teaching professionals	<ul style="list-style-type: none"> <li>FE College lecturer</li> <li>Lecturer (further education)</li> <li>Teacher (further education)</li> <li>Tutor (further education)</li> </ul>	<p>prepares, delivers and directs lectures, seminars and tutorials;</p> <p>prepares, administers and marks examinations, essays and other assignments;</p> <p>arranges instructional visits and periods of employment experience for students;</p> <p>assists with the administration of teaching and the arranging of timetables;</p> <p>liaises with other professional and commercial organisations to review course content.</p>	<p>Lecturer or equivalent (new entrant): £23,705</p> <p>Senior lecturer / advanced teacher and equivalent: £38,563</p> <p>Further education management / principal lecturer and equivalent: £42,941</p>		

2314	Secondary education teaching professionals	Deputy head teacher (secondary school) Secondary school teacher Sixth form teacher Teacher (secondary school)	prepares and delivers courses and lessons in accordance with curriculum requirements and teaches one or more subjects; prepares, assigns and corrects exercises and examinations to record and evaluate students' progress; prepares students for external examinations and administers and invigilates these examinations; maintains records of students' progress and development; supervises any practical work and maintains classroom discipline; undertakes pastoral duties; supervises teaching assistants and trainees; discusses progress with student, parents and/or other education professionals; assists with or plans and develops curriculum and rota of teaching duties.	Unqualified teachers undertaking Overseas Trained Teachers Programme and equivalent: £20,800*  Qualified teachers and equivalent: £22,917  Post-threshold teachers and equivalent: £35,927  Leadership group, assistant head teacher, principal teacher and equivalent: £39,374	
2315	Primary and nursery education teaching professionals	Deputy head teacher (primary school) Infant teacher Nursery school teacher Primary school teacher	prepares and delivers courses and lessons in accordance with curriculum requirements and teaches a range of subjects; prepares, assigns and corrects exercises and examinations to record and evaluate students' progress; prepares students for external examinations and administers and invigilates these examinations; maintains records of students' progress and development; supervises students and maintains classroom discipline; teaches simple songs and rhymes, reads stories and organises various activities to promote	Unqualified teachers undertaking Overseas Trained Teachers Programme and equivalent: £20,800*  Qualified teachers and equivalent: £22,917  Post-threshold teachers and equivalent: £35,927  Leadership group, assistant head teacher, principal teacher and equivalent: £39,000	

			<p>language, social and physical development;</p> <p>undertakes pastoral duties;</p> <p>supervises teaching assistants and trainees;</p> <p>discusses progress with student, parents and/or other education professionals;</p> <p>assists with or plans and develops curriculum and rota of teaching duties.</p>			
2316	Special needs education teaching professionals	<p>Deputy head teacher (special school)</p> <p>Learning support teacher</p> <p>Special needs coordinator</p>	<p>creates a safe, stimulating and supportive learning environment for students;</p> <p>assesses student's abilities, identifies student's needs and devises curriculum and rota of teaching duties accordingly;</p> <p>gives instruction, using techniques appropriate to the student's handicap;</p> <p>develops and adapts conventional teaching methods to meet the individual student's needs;</p> <p>encourages the student to develop self-help skills to circumvent the limitations imposed by their disability;</p> <p>prepares, assigns and corrects exercises to record and evaluate students' progress;</p> <p>supervises students in classroom and maintains discipline;</p> <p>liaises with other professionals, such as social workers, speech and language therapists and educational psychologists;</p> <p>updates and maintains students' records to monitor development and progress;</p> <p>discusses student's progress with parents and other teaching professionals.</p>	£20,800	£27,000	
2317	Senior	Bursar	considers staffing, financial, material and other short- and	£29,000	£38,000	

	professionals of educational establishments	Head teacher (primary school) Principal (further education) Registrar (educational establishments)	<p>long-term needs;</p> <p>arranges for evaluation of management, accounting, information storage and retrieval and other facilities;</p> <p>provides administrative support to the academic team;</p> <p>leads or contributes to decision making processes regarding curricula, budgetary, disciplinary and other matters;</p> <p>controls administrative aspects of student admission, registration and graduation;</p> <p>acts as secretary to statutory and other bodies/committees associated with the educational establishment;</p> <p>drafts and interprets regulations and deals with queries and complaints procedures;</p> <p>organises examinations, necessary invigilations and any security procedures required;</p> <p>arranges for the preparation and publication of syllabuses and other official documents;</p> <p>assists with recruitment, public relations and marketing activities;</p> <p>coordinates and maintains quality assurance procedures.</p>			
2318	Education advisers and school inspectors	Curriculum adviser Education officer School inspector	<p>advises on all aspects of education and ensures that all statutory educational requirements are being met;</p> <p>plans and advises on the provision of special schools for children with physical or learning disabilities;</p> <p>appoints and controls teaching staff;</p> <p>verifies that school buildings are adequately maintained;</p> <p>arranges for the provision of school medical and meals services;</p> <p>observes teaching, assesses learning level and discusses</p>	£29,000	£38,000	

			<p>any apparent faults with teachers, heads of department and head teachers;</p> <p>prepares reports on schools concerning teaching standards, educational standards being achieved, the spiritual, moral and social development of pupils, resource management etc.</p>			
2319	Teaching and other educational professionals not elsewhere classified	<p>Trainer</p> <p>Assessor</p> <p>Teaching assistant</p>	<p>designs and implements methods of assessing the performance of students, co-ordinates and undertakes the evaluation of assessments and awards grades of merit based upon performance;</p> <p>co-ordinates the activities of private music and dancing schools, training centres and similar establishments;</p> <p>provides private academic, vocational and other instruction to individuals or groups;</p> <p>teaches English as a foreign language and assists in the tuition of foreign languages.</p>	£20,800	£27,000	
3563	Vocational and industrial trainers and instructors	<p>IT trainer</p> <p>NVQ assessor</p> <p>Technical instructor</p> <p>Training consultant</p> <p>Training manager</p>	<p>assesses training requirements and prepares lectures, demonstrations and study aids;</p> <p>supervises trainee development, assists trainees with difficulties and prepares regular progress reports on each trainee for management;</p> <p>arranges work experience and instructional visits for trainees;</p> <p>plans curriculum and rota of staff duties and updates or amends them in light of developments;</p> <p>advises on training programmes and discusses progress or problems with staff and trainees;</p> <p>devises general and specialised training courses in response to particular needs.</p>	£20,800	£22,000	



3564	Careers advisers and vocational guidance specialists	Careers advisor	<p>uses an interview, questionnaire and/or psychological or other test to determine the aptitude, preferences and temperament of the client;</p> <p>advises on appropriate courses of study or avenues into employment;</p> <p>visits educational and other establishments to give talks and distribute information regarding careers;</p> <p>liaises with employers to determine employment opportunities and advises schools, colleges or individuals accordingly;</p> <p>organises careers forums and exhibitions and establishes and maintains contact with local employers, colleges and training providers;</p> <p>monitors progress and welfare of young people in employment and advises them on any difficulties.</p>	£25,000	£28,500	
6121	Nursery nurses and assistants	Nursery assistant Early practitioner	<p>baths, dresses, prepares feed for and feeds babies, changes babies clothing whenever necessary;</p> <p>supervises young children at mealtimes;</p> <p>plans and organises games and other activities and supervises children's play;</p> <p>reads stories, organises counting games to help develop language and number skills;</p> <p>writes reports on children's development and maintains awareness of health and safety issues;</p> <p>communicates with parents and colleagues on children's development and well-being.</p>	£20,800	£22,000	

**TABLE 4 – Hospitality, Catering and Food production**

<b>SOC Code</b>	<b>Description</b>	<b>Related Job Titles</b>	<b>Example Job Tasks</b>	<b>New Entrant Salary</b>	<b>Experienced Salary</b>	<b>Key Employment</b>
1221	Hotel and accommodation managers and proprietors	<ul style="list-style-type: none"> <li>• Caravan park owner</li> <li>• Hotel manager</li> <li>• Revenue manager</li> <li>• Food &amp; beverage manager</li> <li>• Front of house manager</li> </ul>	<ul style="list-style-type: none"> <li>• analyses demand and decides on type, standard and cost of services to be offered;</li> <li>• determines financial, staffing, material and other short- and long-term needs;</li> <li>• ensures physical comfort of residents or passengers and makes special arrangements for children, the elderly and the infirm if required;</li> <li>• approves and arranges shipboard entertainment and shore trips and liaises with ship's agent to ensure that ship is adequately provisioned;</li> <li>• arranges for payment of bills, keeps accounts and ensures adherence to licensing and other statutory regulations.</li> </ul>	£20,800	£25,000	
1223	Restaurant and catering establishment managers and proprietors	<ul style="list-style-type: none"> <li>• Restaurant manager</li> <li>• Catering manager</li> <li>• Food &amp; beverage manager</li> <li>• Front of house manager</li> </ul>	<ul style="list-style-type: none"> <li>• plans catering services and directs staff;</li> <li>• decides on range and quality of meals and beverages to be provided;</li> <li>• discusses customer's requirements for special occasions;</li> <li>• purchases or directs the purchasing of supplies and arranges for preparation of accounts;</li> <li>• verifies that quality of food, beverages and waiting service is as required, that kitchen and dining areas are kept clean and appropriate hygiene standards are maintained in compliance with statutory requirements;</li> <li>• plans and arranges food preparation in collaboration with</li> </ul>	£20,800	£25,000	

			<p>other staff and organises the provision of waiting or counter staff;</p> <ul style="list-style-type: none"> <li>• checks that supplies are properly used and accounted for to prevent wastage and loss and to keep within budget limit;</li> <li>• determines staffing, financial, material and other short- and long-term requirements.</li> </ul>			
1224	Publicans and managers of licensed premises	<ul style="list-style-type: none"> <li>• Publican</li> <li>• Landlord/lady (public house)</li> <li>• Manager (wine bar)</li> </ul>	<ul style="list-style-type: none"> <li>• arranges purchase of alcoholic and other beverages, bar snacks, cigarettes and other items and ensures that stocks are stored in proper conditions;</li> <li>• supervises bar, kitchen and cleaning staff and, if necessary, assists with the serving of drinks;</li> <li>• observes licensing laws and other statutory regulations and regulates behaviour of customers as necessary;</li> <li>• maintains financial records for the establishment; determines financial, staffing, material and other short- and long-term needs.</li> </ul>	£20,800	£25,000	
1225	Leisure and sports manager	<ul style="list-style-type: none"> <li>• Leisure/sports manager</li> <li>• Facilities manager</li> </ul>	<ul style="list-style-type: none"> <li>• organises timetable of activities/schedule of programmes;</li> <li>• ensures that facilities are kept clean and in good condition and that appropriate health and safety requirements are adhered to;</li> <li>• keeps abreast of new trends and developments in recreational activities and arranges exhibitions, theatrical productions, concerts, demonstrations etc.;</li> <li>• advises on the facilities available and promotes publicity in relation to shows, games, races, new theme parks, etc.;</li> <li>• determines financial, staffing, material and other short- and long-term needs;</li> </ul>	£22,700	£25,500	

			<ul style="list-style-type: none"> <li>recruits, supervises and trains staff;</li> <li>ensures custody of all cash receipts and organises regular stock checks.</li> </ul>			
5111	Farmer (inc. aquacultures)	<ul style="list-style-type: none"> <li>Herd managers</li> <li>Livestock breeders</li> <li>Farmer</li> </ul>	<ul style="list-style-type: none"> <li>feeds and waters animals, takes responsibility for livestock health and welfare, treats minor ailments and calls vet if necessary;</li> <li>plants, propagates, sprays, fertilises and harvests field crops;</li> <li>undertakes farm maintenance tasks such as fencing, hedging, cleaning and building maintenance;</li> <li>operates and maintains farm machinery such as combine harvesters, straw balers, milking machines and tractors;</li> <li>arranges for the sale of crops, livestock and other farm produce;</li> <li>maintains records of production, finance and breeding;</li> <li>ensures good environmental practice is observed in all tasks.</li> </ul>	£20,800	£23,000	
5119	Agricultural and fishing trades not elsewhere classified	<ul style="list-style-type: none"> <li>Trawler skipper</li> <li>Share fisherman</li> <li>Fish processor</li> </ul>	<ul style="list-style-type: none"> <li>Harvests oysters, mussels, scallops and clams from artificial or sea beds;</li> <li>Navigates and maintains shipping vessels, assists with the shooting, hauling and repairing of fishing nets, prepares, lays and empties baited pots, and guts, sorts and stows fish;</li> <li>Processes fish and shellfish by sorting, cleaning, gutting and separating product from waste material.</li> </ul>	£20,800		Yes
5431	Butchers	<ul style="list-style-type: none"> <li>Butcher</li> <li>Butchery</li> </ul>	<ul style="list-style-type: none"> <li>slaughters animal and removes skin, hide, hairs, internal organs, etc.</li> </ul>	£22,000		

		<ul style="list-style-type: none"> <li>manager</li> <li>• Master butcher</li> <li>• Slaughter man</li> </ul>	<ul style="list-style-type: none"> <li>• cuts or saws carcasses into manageable portions;</li> <li>• removes bones, gristle, surplus fat, rind and other waste material;</li> <li>• cuts carcass parts into chops, joints, steaks, etc. for sale;</li> <li>• prepares meat for curing or other processing; cleans tools and work surfaces.</li> </ul>			
5432	Baker	<ul style="list-style-type: none"> <li>• Cake decorator</li> <li>• Confectioner</li> <li>• Baker</li> </ul>	<ul style="list-style-type: none"> <li>• weighs ingredients according to recipe;</li> <li>• mixes ingredients using hand or machine to obtain the required consistency;</li> <li>• rolls and cuts pastry, stretches, kneads and moulds dough to form bread, rolls and buns;</li> <li>• fills and glazes pastry, mixes ingredients for cakes;</li> <li>• bakes bread, pastry and cakes;</li> <li>• makes cake decorations, spreads icing, fillings and toppings on products.</li> </ul>	£20,800	£23,000	
5433	Fishmonger and poultry dresser	<ul style="list-style-type: none"> <li>• Fishmonger</li> </ul>	<ul style="list-style-type: none"> <li>• scrubs, de-scales, heads, guts, washes and bones fish;</li> <li>• cuts and slits fish for curing by hand or machine;</li> <li>• removes feathers and internal organs, extracts edible offal and cuts off feet and head from poultry carcasses and dresses as required;</li> <li>• cleans tools and work surfaces.</li> </ul>	£20,800	£23,000	

5434	Chefs	<ul style="list-style-type: none"> <li>• Head Chef</li> <li>• Sous Chef</li> <li>• Chef de Partie / Pastry Chef</li> <li>• Commis Chef</li> </ul>	<ul style="list-style-type: none"> <li>• Requisitions or purchases and examines foodstuffs from suppliers to ensure quality;</li> <li>• plans menus, prepares, seasons and cooks foodstuffs or oversees their preparation and monitors the quality of finished dishes;</li> <li>• supervises, organises and instructs kitchen staff and manages the whole kitchen or an area of the kitchen;</li> <li>• ensures relevant hygiene and health and safety standards are maintained within the kitchen;</li> <li>• plans and co-ordinates kitchen work such as fetching, clearing and cleaning of equipment and utensils.</li> </ul>	Head Chef: £29,570 Sous Chef: £25,500 Chef de Partie / Pastry Chef: £23,000 Commis Chef: £21,000		Yes
5435	Cooks	<ul style="list-style-type: none"> <li>• Fish fryer</li> <li>• Cook</li> </ul>	<ul style="list-style-type: none"> <li>• requisitions or purchases foodstuffs and checks quality;</li> <li>• plans meals, prepares, seasons and cooks foodstuffs;</li> <li>• cooks and sells a range of meals, such as fish and chips, over the counter;</li> <li>• plans and co-ordinates kitchen work such as fetching, clearing and cleaning of equipment and utensils.</li> </ul>	£20,800	£23,000	
5436	Catering and bar managers	<ul style="list-style-type: none"> <li>• Floor manager</li> <li>• Food and beverage manager</li> <li>• Bar manager</li> </ul>	<ul style="list-style-type: none"> <li>• plans catering or bar services and supervises staff;</li> <li>• decides on range and quality of meals and beverages to be provided or discusses customer's requirements for special occasions;</li> <li>• purchases or directs the purchasing of supplies and arranges for preparation of accounts;</li> <li>• verifies that quality of food, beverages and waiting service are as required and that kitchen and dining areas are kept clean in compliance with statutory requirements;</li> <li>• checks that supplies are properly used and accounted for to prevent wastage and loss and to keep within budget</li> </ul>	£20,800	£23,000	

			limit			
6211	Sports and leisure assistants	<ul style="list-style-type: none"> <li>• Croupier</li> <li>• Lifeguard</li> <li>• Sports assistant</li> <li>• Compere</li> </ul>	<ul style="list-style-type: none"> <li>• maintains sports and leisure equipment and prepares equipment for use;</li> <li>• supervises the use of swimming pools, gymnasium apparatus, fitness machines and other recreational equipment;</li> <li>• assesses likely outcome of an event and establishes odds, accepts and records bets, issues receipts and pays out on winning bets;</li> <li>• controls the progress of games of cards, roulette and other gambling activities according to established rules;</li> <li>• provides support in production and broadcasting operations, such as helping set up and maintain the set, running errands, moving equipment, looking after guests, and transporting crew and cast between locations;</li> <li>• maintains hygienic operation of swimming pools and associated facilities such as hot tubs, showers and changing areas;</li> <li>• carries clubs for golfers, advises on the layout and distance of golf courses and appropriate choice of golf club;</li> <li>• announces acts, makes introductions, proposes toasts and maintains the continuity of entertainment events and social functions.</li> </ul>	£20,800	£23,000	
8111	Food, drink and tobacco process operatives	<ul style="list-style-type: none"> <li>• Bakery assistant</li> <li>• Meat processor</li> <li>• Process worker (brewery/dairy)</li> </ul>	<ul style="list-style-type: none"> <li>• sets, operates and attends machinery and ovens to mix, bake and otherwise prepare bread and flour confectionery products;</li> <li>• operates machinery to crush, mix, malt, cook and ferment grains and fruits to produce beer, wines, malt</li> </ul>	£20,800	£25,000	

			<p>liquors, vinegar, yeast and related products;</p> <ul style="list-style-type: none"> <li>• attends equipment to make jam, toffee, cheese, processed cheese, margarine, syrup, ice, pasta, ice-cream, sausages, chocolate, maize starch, edible fats and dextrin;</li> <li>• operates equipment to cool, heat, dry, roast, blanch, pasteurise, smoke, sterilise, freeze, evaporate and concentrate foodstuffs and liquids used in food processing;</li> <li>• mixes, pulps, grinds, blends and separates foodstuffs and liquids with churning, pressing, sieving, grinding and filtering equipment;</li> <li>• processes tobacco leaves by hand or machine to make cigarettes, cigars, pipe and other tobacco products.</li> </ul>			
9111	Farmhand	<ul style="list-style-type: none"> <li>• Farm labourers</li> <li>• Agricultural worker</li> <li>• Shepard</li> </ul>	<ul style="list-style-type: none"> <li>• operates farm machinery to prepare soil, fertilise and treat crops;</li> <li>• cultivates growing crops by hoeing, spraying and thinning as necessary;</li> <li>• weighs and measures foodstuffs, feeds animals and checks them for any signs of disease;</li> <li>• cleans barns, sheds, pens, yards, incubators and breeding units and sterilises milking and other equipment as necessary;</li> <li>• treats minor ailments and assists veterinary surgeon as required;</li> <li>• moves and handles livestock and tends them during birth and rearing of young;</li> <li>• carries out maintenance on farm buildings, hedges, ditches and erects and repairs fences.</li> </ul>	£20,800	£22,500	



9272	Kitchen and catering assistants	<ul style="list-style-type: none"> <li>• Kitchen porter</li> <li>• Sandwich artist</li> <li>• Crew member (fast food)</li> </ul>	<ul style="list-style-type: none"> <li>• cleans or prepares food for cooks by hand or machine;</li> <li>• carries meat, vegetables and other foodstuffs from delivery van to storeroom and from storeroom to kitchen;</li> <li>• cleans and tidies service area, kitchen surfaces, crockery, cutlery, glassware, kitchen utensils and disposes of rubbish;</li> <li>• prepares and serves beverages and light refreshments, accepts payment and gives change;</li> <li>• keeps service area well stocked.</li> </ul>	£20,800	£22,500	
9273	Waiters and waitresses	<ul style="list-style-type: none"> <li>• Waiting on staff</li> <li>• Food &amp; beverage assistant</li> <li>• Server</li> </ul>	<ul style="list-style-type: none"> <li>• sets tables with clean linen, cutlery, crockery and glassware;</li> <li>• presents menus and wine lists to patrons and may describe dishes and advise on selection of food or wines;</li> <li>• takes down orders for food and/or drinks and passes order to kitchen and/or bar;</li> <li>• serves food and drinks;</li> <li>• presents bill and accepts payment at end of the meal.</li> </ul>	£20,800	£22,500	

**TABLE 5 – Horticulture and the environment**

SOC Code	Description	Related Job Titles	Example Job Tasks	New Entrant Salary	Experienced Salary	Key Employment
1211	Managers and proprietors in agriculture and horticulture	<ul style="list-style-type: none"> <li>• Farm manager</li> <li>• Farm owner</li> <li>• Nursery manager (horticulture)</li> </ul>	<ul style="list-style-type: none"> <li>• determines financial, staffing and other short and long-term needs;</li> <li>• produces and maintains records of production, finance and breeding;</li> <li>• decides or advises on the types of crops and/or produce to be grown or livestock raised;</li> <li>• plans intensity and sequence of farm or horticultural operations and orders seed, fertiliser, equipment and other supplies;</li> <li>• markets and arranges for the sale of crops, livestock and other farm or horticultural produce.</li> </ul>	£20,800	£25,000	
1213	Managers and proprietors in forestry, fishing and related services	<ul style="list-style-type: none"> <li>• Racehorse trainer</li> <li>• Forestry manager</li> <li>• Fisheries manager</li> </ul>	<ul style="list-style-type: none"> <li>• determines financial, staffing and other short- and long-term needs;</li> <li>• manages and trains staff;</li> <li>• decides, or advises on, type of animal to be bred and/or trained, and selects, buys and trains animals accordingly;</li> <li>• plans and directs the establishment and maintenance of forest /woodland areas and regularly inspects forest work;</li> <li>• liaises with neighbouring landowners, contractors and local authorities;</li> </ul>	£20,800	£25,000	

			<ul style="list-style-type: none"> <li>• oversees facilities such as visitor centres, nature trails, footpaths, etc.;</li> <li>• selects suitable breeding grounds for shellfish, sea and freshwater fish and purchases stock;</li> <li>• arranges rearing and feeding and ensures health of fish stocks;</li> <li>• oversees maintenance of equipment and fish habitats;</li> <li>• plans fishing voyages, maintains vessel/s and equipment and oversees operational safety;</li> <li>• arranges for sale of catch, liaises with onshore agents;</li> <li>• ensures observance of maritime laws and international fishing regulations.</li> </ul>			
2141	Conservation professionals	<ul style="list-style-type: none"> <li>• Conservation officer</li> <li>• Ecologist</li> <li>• Marine conservationist</li> </ul>	<ul style="list-style-type: none"> <li>• promotes and implements local and national biodiversity action plans, particularly with regard to threatened species and habitats;</li> <li>• carries out environmental impact assessments and field surveys;</li> <li>• implements, evaluates and monitors schemes for the management and protection of natural habitats;</li> <li>• provides advice and information to government at national and local levels, clients, landowners, planners and developers to facilitate the protection of the natural environment;</li> <li>• liaises with other groups in the selection and maintenance of the Protected Site System including</li> </ul>	£20,800	£27,000	

			<p>Special Areas of Conservation (SACs), Ramsar sites, and Sites of Special Scientific Interest (SSSIs) and National Nature Reserves (NNRs);</p> <ul style="list-style-type: none"> <li>• maintains and develops knowledge in relevant policy areas within a national and European legislative context;</li> <li>• promotes conservation issues via educational talks, displays, workshops and literature and liaison with the media;</li> <li>• prepares applications for funding to other organisations, and assessing applications for funding from other organisations;</li> <li>• carries out research into aspects of the natural world.</li> </ul>			
2142	Environment professionals	<ul style="list-style-type: none"> <li>• Environmental protection officer</li> <li>• Environmental scientist</li> </ul>	<ul style="list-style-type: none"> <li>• identifies contamination of land, air or water and assesses any adverse impact on the environment;</li> <li>• advises on and provides solutions for mitigating the effects of such contamination;</li> <li>• implements remediation works;</li> <li>• carries out environment-related desk-based research and fieldwork to collect, analyse and interpret data to determine their validity, quality and significance;</li> <li>• carries out environmental audits and environmental impact assessments;</li> <li>• communicates scientific and technical information to relevant audiences in an appropriate form, via</li> </ul>	£20,900	£26,400	

			<p>reports, workshops, educational events, public hearings;</p> <ul style="list-style-type: none"> <li>• assists organisations to conduct their activities in an environmentally appropriate manner;</li> <li>• implements, reviews and advises on regulatory and legislative standards, guidelines and policies;</li> <li>• provides professional guidance to clients, government agencies, regulators and other relevant bodies, having regard for sustainable approaches and solutions.</li> </ul>			
2463	Environmental health professionals	<ul style="list-style-type: none"> <li>• Air pollution inspector</li> <li>• Environmental health officer</li> <li>• Food inspector</li> <li>• Public health inspector</li> </ul>	<ul style="list-style-type: none"> <li>• inspects businesses for compliance with legislation on health and safety, food hygiene and food standards and takes appropriate action in the event of non-compliance;</li> <li>• follows up complaints of unsafe workplaces, investigating accidents;</li> <li>• investigates outbreaks of food poisoning, infectious diseases or pests;</li> <li>• monitors radiation activity, levels of noise, air, land and water pollution and takes appropriate action when safety levels are exceeded;</li> <li>• ensures animal welfare for compliance with legislation, issues licences for premises such as pet shops, zoos and abattoirs;</li> <li>• gives talks at public enquiries and meetings, ensures compliance through education, advice and enforcement;</li> </ul>	£23,800	£30,800	

			<ul style="list-style-type: none"> <li>initiates legal proceedings and gives evidence in court.</li> </ul>			
3550	Conservation and environmental associate professionals	<ul style="list-style-type: none"> <li>Conservation worker</li> <li>Countryside ranger</li> </ul>	<ul style="list-style-type: none"> <li>assists with ecological surveys to identify plant and animal species, map their habitat and draw up conservation plans;</li> <li>implements schemes for the management and protection of natural habitats;</li> <li>assists with environmental audits and impact assessments;</li> <li>organises and supervises conservation projects and the work of part-time and voluntary staff;</li> <li>provides information and education to the public through setting up displays, writing leaflets and making presentations;</li> <li>organises guided walks and answers questions from the public about an area and its wildlife;</li> <li>works with the emergency services in instances of fire, flood, injury or mountain rescue.</li> </ul>	£20,800	£23,000	
5112	Horticultural trades	<ul style="list-style-type: none"> <li>Grower</li> <li>Horticulturalist</li> <li>Farmhand</li> </ul>	<ul style="list-style-type: none"> <li>prepares soil in field, bed or pot by hand or machine;</li> <li>mixes soil, composts, fertilisers and/or organic matter and spreads fertiliser and manure;</li> <li>sows seeds and bulbs and transplants seedlings;</li> <li>propagates plants by taking cuttings and by grafting and budding, applies weed-killer, fungicide and insecticide to control pests and diseases;</li> </ul>	£20,800	£23,000	

			<ul style="list-style-type: none"> <li>• prunes and thins trees and shrubs;</li> <li>• supports trees by staking and wiring.</li> </ul>			
5113	Gardeners and landscape gardeners	<ul style="list-style-type: none"> <li>• Garden designer</li> <li>• Landscape gardener</li> </ul>	<ul style="list-style-type: none"> <li>• levels ground and installs drainage system as required;</li> <li>• prepares soil and plants and transplants, prunes, weeds and otherwise tends plant life;</li> <li>• protects plants from pests and diseases;</li> <li>• cuts and lays turf using hand and machine tools and repairs damaged turf;</li> <li>• performs general garden maintenance;</li> <li>• prepares or interprets garden design plans;</li> <li>• moves soil to alter surface contour of land using mechanical equipment and constructs paths, rockeries, ponds and other features.</li> </ul>	£20,800	£23,000	
5114	Groundsmen and greenkeepers	<ul style="list-style-type: none"> <li>• Greenkeeper</li> <li>• Groundskeeper</li> </ul>	<ul style="list-style-type: none"> <li>• levels ground and installs drainage system as required;</li> <li>• cuts and lays turf using hand and machine tools and repairs damaged turf;</li> <li>• moves soil to alter surface contour of land using mechanical equipment and constructs appropriate landscaping features and maintains such features;</li> <li>• monitors and maintains the quality and condition of turf;</li> <li>• rolls, mows and waters grass, marks out pitches.</li> </ul>	£20,800	£23,000	

**TALBE 6 – Financial and Professional Services**

<b>SOC Code</b>	<b>Description</b>	<b>Related Job Titles</b>	<b>Example Job Tasks</b>	<b>New Entrant Salary</b>	<b>Experienced Salary</b>	<b>Key Employment</b>
1131	Financial Managers & Directors	<ul style="list-style-type: none"> <li>• Investment banker</li> <li>• Treasury manager</li> </ul>	<ul style="list-style-type: none"> <li>• participates in the formulation of strategic and long-term business plans, assesses the implications for the organisation financial mechanisms and oversees their implementation;</li> <li>• plans external and internal audit programmes, arranges for the collection and analysis of accounting, budgetary and related information, and manages the company's financial systems;</li> <li>• determines staffing levels appropriate for accounting activities;</li> <li>• assesses and advises on factors affecting business performance.</li> </ul>	£26,700	£40,400	Yes
1150	Financial Institution managers and directors	<ul style="list-style-type: none"> <li>• Bank manager</li> <li>• Insurance manager</li> </ul>	<ul style="list-style-type: none"> <li>• plans, organises, directs and co-ordinates the activities of financial institutions;</li> <li>• verifies that accounting, recording and information storage and retrieval procedures are adhered to;</li> <li>• authorises loans and mortgages in accordance with bank or building society policy;</li> <li>• promotes financial services, establishes contact with the local business community and professional firms;</li> <li>• preparing general reports and briefs on more complex cases for senior management;</li> </ul>	£26,600	£35,800	



			<ul style="list-style-type: none"> <li>ensures compliance with the statutory regulatory framework.</li> </ul>			
2421	Chartered and certified accountants	<ul style="list-style-type: none"> <li>Qualified Accountant</li> <li>Qualified Auditor</li> <li>Chartered Accountant</li> <li>Company Accountant</li> <li>Qualified Cost Accountant</li> <li>Qualified Financial controller</li> <li>Qualified Management Accountant</li> </ul>	<ul style="list-style-type: none"> <li>plans and oversees implementation of accountancy system and policies;</li> <li>prepares financial documents and reports for management, shareholders, statutory or other bodies;</li> <li>audits accounts and book-keeping records;</li> <li>prepares tax returns, advises on tax problems and contests disputed claim before tax official;</li> <li>conducts financial investigations concerning insolvency, fraud, possible mergers, etc.;</li> <li>evaluates financial information for management purposes;</li> <li>liaises with management and other professionals to compile budgets and other costs;</li> <li>prepares periodic accounts, budgetary reviews and financial forecasts;</li> <li>conducts investigations and advises management on financial aspects of productivity, stock holding, sales, new products, etc.</li> </ul>	£21,600	£28,600	Yes
3532	Brokers	<ul style="list-style-type: none"> <li>Foreign exchange dealer</li> <li>Insurance broker</li> <li>Investment</li> </ul>	<ul style="list-style-type: none"> <li>advises client on the suitability of particular insurance schemes and places insurance on behalf of client;</li> <li>discusses buying and or selling requirements of client and gives advice accordingly;</li> <li>analyses information concerning market trends for</li> </ul>	£22,200	£40,500	

		<p>administrator</p> <ul style="list-style-type: none"> <li>• Stockbroker</li> <li>• Trader (stock exchange)</li> </ul>	<p>commodities, financial assets and foreign exchange and advises client and employer on the suitability of a particular investment;</p> <ul style="list-style-type: none"> <li>• records and transmits buy and sell orders for stocks, shares and bonds and calculates transaction costs;</li> <li>• provides independent advice on the suitability of insurance schemes and places insurance on behalf of client;</li> <li>• arranges for the production of auction catalogues, fixes reserve prices, attends auction and bids on behalf of client, or negotiates purchase/sale by private treaty of goods not sold at auction;</li> <li>• obtains cargo space, fixes freight charges and signs and issues bills of loading;</li> <li>• collects freight charges from client and undertakes all necessary formalities concerning customs and the loading/ unloading of cargo.</li> </ul>			
3533	Insurance underwriters	<ul style="list-style-type: none"> <li>• Underwriter</li> <li>• Insurance underwriter</li> <li>• Group underwriter</li> </ul>	<ul style="list-style-type: none"> <li>• provide technical underwriting support and guidance to customers and distributors;</li> <li>• collect data and undertake analysis, providing recommendations to facilitate underwriting decisions;</li> <li>• provide specialist underwriting advice in respect of technical queries;</li> <li>• contribute to the development of technical underwriting standards;</li> <li>• complete underwriting decisions commensurate with delegated authority and organisation policies.</li> </ul>	£26,000	£32,500	Yes

3534	Finance and investment analysts and advisers	<ul style="list-style-type: none"> <li>• Financial adviser</li> <li>• Financial analyst</li> <li>• Financial consultant</li> <li>• Mortgage adviser</li> <li>• Pensions consultant</li> </ul>	<ul style="list-style-type: none"> <li>• predicts the likely long- and short-term future performance of securities and other financial products and advises upon what will be an appropriate investment for their clients;</li> <li>• analyses the financial position of clients, taking into account outgoings, dependants and commitments;</li> <li>• advises on the relative merits of pension schemes, insurance policies and mortgages that best meet the needs of clients given their personal circumstances;</li> <li>• monitors information on the socio-economic environment and interprets the implications of such information for their clients;</li> <li>• prepares summary reports of findings for fund managers;</li> <li>• keeps up to date with financial products, legislation and requirements for compliance with the relevant regulatory authority;</li> <li>• identifies and attracts new clients by arranging visits and explaining the benefits of financial products.</li> </ul>	£21,400	£26,900	
3535	Taxation experts	<ul style="list-style-type: none"> <li>• Tax adviser</li> <li>• Tax consultant</li> <li>• Tax inspector</li> <li>• Taxation specialist</li> </ul>	<ul style="list-style-type: none"> <li>• examines accounts of industrial, commercial and other establishments to determine their tax liability and makes adjustments to claims where necessary;</li> <li>• considers particular problems concerning all forms of personal and company taxation;</li> <li>• stays abreast of all changes in tax law and precedent;</li> <li>• discusses disputed cases with accountants and other</li> </ul>	£20,800	£33,900	

			<ul style="list-style-type: none"> <li>specialists;</li> <li>represents Government, client or employer in contested claims before tax officials or an independent tribunal.</li> </ul>			
3537	Financial and accounting technicians	<ul style="list-style-type: none"> <li>Accounting technician</li> <li>Business associate (banking)</li> <li>Financial controller</li> <li>Insolvency administrator</li> <li>Managing clerk (accountancy)</li> </ul>	<ul style="list-style-type: none"> <li>maintains profit and loss accounts, budgets, cash flow forecasts and other accounting records;</li> <li>produces, collates and reports financial information for managers;</li> <li>liaises with clients to ensure that payments are made on time and credit limits are not exceeded;</li> <li>ensures invoices and payments are correct and sent out on time;</li> <li>monitors accounting systems to determine accounts are being maintained effectively and provides information on accounting practices to auditors.</li> </ul>	£21,500	£28,800	
3538	Financial accounts managers	<ul style="list-style-type: none"> <li>Accounts manager</li> <li>Audit manager</li> <li>Credit manager</li> <li>Fund manager</li> <li>Relationship manager (bank)</li> </ul>	<ul style="list-style-type: none"> <li>develops and manages business accounts to increase sales of financial products;</li> <li>takes responsibility for the efficient and effective operation of several business accounts;</li> <li>manages teams handling insurance claims;</li> <li>checks customers' credit rating with banks and credit reference agencies, and decides whether to offer credit;</li> <li>establishes terms of credit and ensures timely payment by customer, renegotiates payment terms and initiates legal action to recover debts if</li> </ul>	£22,200	£27,500	

			<p>necessary;</p> <ul style="list-style-type: none"> <li>• carries out and/or supervises general accounting and administrative work.</li> </ul>			
3539	Business and related associate professionals not elsewhere classified	<ul style="list-style-type: none"> <li>• Business systems analyst</li> <li>• Data analyst</li> <li>• Marine consultant</li> <li>• Planning assistant</li> <li>• Project administrator</li> <li>• Project coordinator</li> </ul>	<ul style="list-style-type: none"> <li>• studies particular department or problem area and assesses its interrelationships with other activities;</li> <li>• studies work methods and procedures by measuring work involved and computing standard times for specified activities, and produces report detailing suggestions for increasing efficiency and lowering costs;</li> <li>• analyses project components, organises them into a logical sequence and establishes the minimum time required for the project;</li> <li>• purchases services, receives payment from clients, processes contracts and deals with contractual arrangements;</li> <li>• canvasses political opinion, writes and distributes leaflets, writes and distributes press releases and other such material to promote the image and policies of a political party or election candidate, arranges fund raising activities, and organises and participates in election campaigns.</li> </ul>	£20,800	£21,900	
3541	Buyers and procurement officers	<ul style="list-style-type: none"> <li>• Buyer</li> <li>• Procurement officer</li> <li>• Purchasing consultant</li> </ul>	<ul style="list-style-type: none"> <li>• attends trade fairs, shows and demonstrations to research new product lines and suppliers, checks catalogues;</li> <li>• keeps up with market trends and chooses products/services;</li> </ul>	£20,800	£23,800	

		<ul style="list-style-type: none"> <li>Project coordinator</li> </ul>	<ul style="list-style-type: none"> <li>assesses budgetary limitations and customer requirements and decides on quantity, type, range and quality of goods or services to be bought;</li> <li>assesses bids from suppliers, finds suppliers and negotiates prices;</li> <li>helps negotiate contract with supplier and specifies details of goods or services required;</li> <li>looks at ways to improve supply networks, presents new ideas to senior management team;</li> <li>ensures that delivered items comply with order, monitors quality of incoming goods and returns unsatisfactory or faulty items, monitors performance and makes sure targets are met;</li> <li>supervises clerical, administrative and warehouse distribution staff, deals with recruitment and training;</li> <li>works closely with merchandisers who allocate stock and develop sales forecasts;</li> <li>maintains records and prepares reports as necessary.</li> </ul>			
4121	Credit controllers	<ul style="list-style-type: none"> <li>Debt management associate</li> <li>Loans administrator</li> </ul>	<ul style="list-style-type: none"> <li>receives requests for credit submissions and lending proposals;</li> <li>arranges for investigations of the credit worthiness of individuals or companies;</li> <li>deals with any enquiries or difficulties concerning the acceptance or rejection of credit applications;</li> <li>checks that accounting, recording and statutory procedures are adhered to for all credit transactions;</li> <li>arranges for the collection of arrears of payment.</li> </ul>	£20,800	£25,000	

4122	Book-keepers, payroll managers and wage clerks	<ul style="list-style-type: none"> <li>• Accounts administrator</li> <li>• Accounts assistant</li> <li>• Auditor</li> </ul>	<ul style="list-style-type: none"> <li>• records and checks accuracy of daily financial transactions;</li> <li>• prepares provisional balances and reconciles these with appropriate accounts;</li> <li>• supervises payroll team and develops payroll systems and procedures;</li> <li>• calculates and records hours worked, wages due, deductions and voluntary contributions;</li> <li>• processes holiday, sick and maternity pay and travel and subsistence expenses;</li> <li>• compiles schedules and distributes or arranges distribution of wages and salaries;</li> <li>• calculates costs and overheads and prepares analyses for management.</li> </ul>	£20,800	£23,000	
4123	Banks and post office clerks	<ul style="list-style-type: none"> <li>• Bank clerk</li> <li>• Bank Cashier</li> <li>• Customer adviser (building society)</li> <li>• Customer service officer (bank)</li> <li>• Post office clerk</li> </ul>	<ul style="list-style-type: none"> <li>• deals with enquiries from customers, other banks and other authorised enquirers;</li> <li>• maintains records of transactions and compiles information;</li> <li>• advises customers on financial services and products available;</li> <li>• manages the operations of a sub-post office;</li> <li>• receives and pays out cash, cheques, money orders, credit notes, foreign currency or travellers cheques;</li> <li>• provides postal services, pays state pensions, unemployment and other state benefits to claimants, supplies official forms and documentation to the public, and performs other tasks specific to the activities of a post office.</li> </ul>	<p>£18,000</p> <p>The salary for this SOC code falls below the absolute minimum wage, in accordance with 1.1(1)(a) workers must be paid a minimum salary of £20,800 in order to be eligible for a Confirmation of</p>	£22,000	

				Employment.		
4124	Finance officers	<ul style="list-style-type: none"> <li>Finance officer/clerk</li> </ul>	<ul style="list-style-type: none"> <li>oversees the recording and checking of daily financial transactions, the preparation of provisional balances and reconciliation of accounts;</li> <li>prepares or arranges the preparation of financial reports for managers;</li> <li>plans work schedules and assigns tasks to financial clerks;</li> <li>coordinates the activities and resources of finance departments.</li> </ul>	£20,800	£25,000	
4129	Financial administrative occupations not elsewhere classified	<ul style="list-style-type: none"> <li>Cashier</li> <li>Finance administrator</li> <li>Finance assistant</li> <li>Finance clerk</li> <li>Tax assistant</li> <li>Treasurer</li> <li>Valuation assistant</li> </ul>	<ul style="list-style-type: none"> <li>receives and pays out cash to customers in non-financial organisations such as turf accountants;</li> <li>sells tickets in theatre and cinema box offices, sports stadiums etc.;</li> <li>performs duties as cashier in schools, local government and other public sector organisations, legal and insurance services;</li> <li>administers grants and student loans in educational institutions;</li> <li>carries out clerical tasks in stockbroking companies, banking and credit card companies.</li> </ul>	<p>£18,000</p> <p>The salary for this SOC code falls below the absolute minimum wage, in accordance with 1.1(1)(a) workers must be paid a minimum salary of £20,800 in order to be eligible for a Confirmation of Employment.</p>	£22,000	
4132	Pensions and insurance clerks and assistants	<ul style="list-style-type: none"> <li>Pension officer</li> <li>Insurance clerk</li> </ul>	<ul style="list-style-type: none"> <li>answers queries from clients and assists in interpreting and completing information requested on forms;</li> </ul>	£20,800	£23,000	



			<ul style="list-style-type: none"><li>• checks forms completed by clients and contacts clients to obtain additional information or to clarify details;</li><li>• makes arrangements for financial advisers to visit clients and potential customers;</li><li>• transfers information from application forms and other documentation to computerised records;</li><li>• receives notice of changes to personal circumstances and updates files;</li><li>• issues application forms, policy documents, reminders, claims forms and other standard documentation;</li><li>• performs general clerical duties to support senior staff.</li></ul>			
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**TABLE 7 – Engineering & Manufacturing**

<b>SOC Code</b>	<b>Description</b>	<b>Related Job Titles</b>	<b>Example Job Tasks</b>	<b>New Entrant Salary</b>	<b>Experienced Salary</b>	<b>Key Employment</b>
1121	Production managers and directors in manufacturing	<ul style="list-style-type: none"> <li>• Operations manager/director (manufacturing)</li> <li>• Production manager</li> <li>• Scheduler/Planner</li> </ul>	<ul style="list-style-type: none"> <li>• liaises with other managers to plan overall production activity and daily manufacturing activity, sets quality standards and estimates timescales and costs;</li> <li>• manages production to ensure that orders are completed to an agreed date and conform to customer and other requirements;</li> <li>• monitors production and production costs and undertakes or arranges for the preparation of reports and records;</li> <li>• oversees supervision of the production line and its staff, ensures targets are met.</li> </ul>	£21,700	£31,900	
2121	Civil engineers	<ul style="list-style-type: none"> <li>• Highways engineer</li> <li>• Building engineer</li> </ul>	<ul style="list-style-type: none"> <li>• undertakes research and advises on soil mechanics, concrete technology, hydraulics, water and waste water treatment processes and other civil engineering matters;</li> <li>• determines and specifies construction methods, materials, quality and safety standards and ensures that equipment operation and maintenance comply with design specifications;</li> <li>• designs foundations and earthworks;</li> <li>• designs structures such as roads, dams, bridges, railways, hydraulic systems, sewerage systems, industrial and other buildings and plans the layout of tunnels, wells and construction shafts;</li> </ul>	£25,700	£31,600	

			<ul style="list-style-type: none"> <li>organises and plans projects, arranges work schedules, carries out inspection work and plans maintenance control;</li> <li>organises and establishes control systems to monitor operational efficiency and performance of materials and systems.</li> </ul>			
2122	Mechanical Engineers	<ul style="list-style-type: none"> <li>Aeronautical engineer (professional)</li> <li>Aerospace engineer</li> <li>Automotive engineer (professional)</li> <li>Marine engineer (professional)</li> <li>Mechanical engineer (professional)</li> </ul>	<ul style="list-style-type: none"> <li>undertakes research and advises on energy use, materials handling, thermodynamic processes, fluid mechanics, vehicles and environmental controls;</li> <li>determines materials, equipment, piping, capacities, layout of plant or system and specification for manufacture;</li> <li>designs mechanical equipment, such as steam, internal combustion and other non-electrical motors for railway locomotives, road vehicles, aeroplanes and other machinery;</li> <li>ensures that equipment, operation and maintenance comply with design specifications and safety standards;</li> <li>organises and establishes control systems to monitor operational efficiency and performance of</li> <li>materials and systems.</li> </ul>	£27,400	£32,900	
2123	Electrical engineers	<ul style="list-style-type: none"> <li>Electrical engineer</li> </ul>	<ul style="list-style-type: none"> <li>supervises, controls and monitors the operation of electrical generation, transmission and distribution systems;</li> <li>determines and specifies manufacturing methods of electrical systems;</li> <li>ensures that manufacture, operation and maintenance</li> </ul>	£25,00	£35,200	

			<p>comply with design specifications and contractual arrangements;</p> <ul style="list-style-type: none"> <li>organises and establishes control systems to monitor the performance and safety of electrical assemblies and systems.</li> </ul>			
2124	Electronics Engineers	<ul style="list-style-type: none"> <li>Avionics engineer</li> <li>Broadcasting engineer (professional)</li> <li>Electronics engineer (professional)</li> <li>Microwave engineer</li> <li>Telecommunications engineer (professional)</li> </ul>	<ul style="list-style-type: none"> <li>undertakes research and advises on all aspects of telecommunications equipment, radar, telemetry and remote control systems, data processing equipment, microwaves and other electronic equipment;</li> <li>determines and specifies appropriate production and/or installation methods and quality and safety standards;</li> <li>organises and establishes control systems to monitor performance and evaluate designs;</li> <li>tests, diagnoses faults and undertakes repair of electronic equipment.</li> </ul>	£25,200	£31,300	
2126	Design and development engineer	<ul style="list-style-type: none"> <li>Research and development engineer</li> <li>Design engineer</li> <li>Aero engineer</li> </ul>	<ul style="list-style-type: none"> <li>assesses product requirements, including costs, manufacturing feasibility and market requirements;</li> <li>prepares working designs for steam, aero, turbine, marine and electrical engines, mechanical instruments, aircraft and missile structures, vehicle and ship structures, plant and machinery equipment, domestic electrical appliances, building systems and services, and electronic computing and telecommunications equipment;</li> <li>arranges construction and testing of model or prototype</li> </ul>	£25,300	£31,600	

			<p>and modifies design if necessary;</p> <ul style="list-style-type: none"> <li>• produces final design information for use in preparation of layouts, parts lists, etc.;</li> <li>• prepares specifications for materials and other components.</li> </ul>			
2127	Production and process engineer	<ul style="list-style-type: none"> <li>• Chemical engineer</li> <li>• Industrial engineer</li> </ul>	<ul style="list-style-type: none"> <li>• studies existing and alternative production methods, regarding work flow, plant layout, types of machinery and cost;</li> <li>• recommends optimum equipment and layout and prepares drawings and specifications;</li> <li>• devises and implements production control methods to monitor operational efficiency;</li> <li>• investigates and eliminates potential hazards and bottlenecks in production;</li> <li>• advises management on and ensures effective implementation of new production methods, techniques and equipment;</li> <li>• liaises with materials buying, storing and controlling departments to ensure a steady flow of supplies;</li> <li>• undertakes research and develops processes to achieve physical and/or chemical change for oil, pharmaceutical, synthetic, plastic, food and other products;</li> <li>• designs, controls and constructs process plants to manufacture products.</li> </ul>	£23,700	£30,500	
2129	Engineering professionals not elsewhere	<ul style="list-style-type: none"> <li>• Acoustician (professional)</li> </ul>	<ul style="list-style-type: none"> <li>• researches into problem areas to advance basic knowledge, evaluate new theories and techniques and to</li> </ul>	£26,100	£32,000	

	classified	<ul style="list-style-type: none"> <li>• Ceramicist</li> <li>• Food technologist</li> <li>• Metallurgist</li> <li>• Patent agent</li> <li>• Project engineer</li> <li>• Scientific consultant</li> <li>• Technical engineer</li> <li>• Technologist</li> <li>• Traffic engineer</li> </ul>	<ul style="list-style-type: none"> <li>• solve specific problems;</li> <li>• establishes principles and techniques to improve the quality, durability and performance of materials such as textiles, glass, rubber, plastics, ceramics, metals and alloys;</li> <li>• designs new systems and equipment with regard to cost, market requirements and feasibility of manufacture;</li> <li>• devises and implements control systems to monitor operational efficiency and performance of system and materials;</li> <li>• prepare sketches, drawings and specifications showing materials to be used, construction and finishing methods and other details;</li> <li>• examines and advises on patent applications;</li> <li>• provides technical consultancy services.</li> </ul>			
2461	Quality control and planning engineers	<ul style="list-style-type: none"> <li>• Quality manager</li> <li>• Quality engineer</li> <li>• Planning manager</li> </ul>	<ul style="list-style-type: none"> <li>• devises inspection, testing and evaluation methods for bought-in materials, components, semi-finished and finished products;</li> <li>• ensures accuracy of machines, jigs, fixtures, gauges and other manufacturing and testing equipment;</li> <li>• prepares work flow charts for individual departments and compiles detailed instructions on processes, work methods and quality and safety standards for workers;</li> <li>• analyses plans, drawings, specifications and safety, quality, accuracy, reliability and contractual requirements;</li> <li>• prepares plan of sequence of operations and completion</li> </ul>	£23,800	£29,600	

			<p>dates for each phase of production or processing;</p> <ul style="list-style-type: none"> <li>oversees effective implementation of adopted processes, schedules and procedures.</li> </ul>			
3112	Electrical and electronics technicians	<ul style="list-style-type: none"> <li>Avionics technician</li> <li>Installation engineer (electricity supplier)</li> </ul>	<ul style="list-style-type: none"> <li>plans and prepares work and test schedules based on specifications and drawings;</li> <li>sets up equipment, undertakes tests, takes readings, performs calculations and records and interprets data;</li> <li>plans installation methods, checks completed installation for safety and controls or undertakes the initial running of the new electrical or electronic equipment or system;</li> <li>diagnoses and detects faults and implements procedures to maintain efficient operation of systems and equipment;</li> <li>visits and advises clients on the use and servicing of electrical and electronic systems and equipment.</li> </ul>	£22,400	£25,400	
3113	Engineering technicians	<ul style="list-style-type: none"> <li>Aircraft technician</li> <li>Commissioning engineer</li> <li>Manufacturing engineer</li> </ul>	<ul style="list-style-type: none"> <li>plans and prepares work and test schedules based on specifications and drawings;</li> <li>sets up equipment, undertakes tests, takes readings, performs calculations and records and interprets data;</li> <li>prepares estimates of materials, equipment and labour required for engineering projects;</li> <li>diagnoses and detects faults and implements procedures to maintain efficient operation of systems and equipment;</li> <li>inspects completed aircraft maintenance work to certify that it meets standards and the aircraft is ready for</li> </ul>	£28,600	£32,000	

			<p>operation;</p> <ul style="list-style-type: none"> <li>visits and advises clients on the use and servicing of mechanical and chemical engineering products and services.</li> </ul>			
3114	Building and civil engineering technicians	<ul style="list-style-type: none"> <li>Survey technician</li> </ul>	<ul style="list-style-type: none"> <li>sets up apparatus and equipment and undertakes field and laboratory tests of soil and work materials;</li> <li>performs calculations and collects, records and interprets data;</li> <li>sets out construction site, supervises excavations and marks out position of building work to be undertaken;</li> <li>inspects construction materials and supervises work of contractors to ensure compliance with specifications and arranges remedial work as necessary.</li> </ul>	£21,900	£23,500	
3115	Quality assurance technicians	<ul style="list-style-type: none"> <li>Test technician</li> </ul>	<ul style="list-style-type: none"> <li>sets up scientific, electronic, or other technical equipment to perform functional and inspection tests;</li> <li>analyses and interprets the results of tests undertaken and writes up reports upon completion;</li> <li>supervises the work of routine inspection staff and notes any defects reported;</li> <li>assists quality control engineers in undertaking production audits;</li> <li>liaises with production engineers and staff to maintain the quality of output and to develop quality management systems.</li> </ul>	£21,800	£23,400	
3116	Planning, process and	<ul style="list-style-type: none"> <li>Technician</li> </ul>	<ul style="list-style-type: none"> <li>supports planning and production engineers in assessing</li> </ul>	£20,800	£23,400	



	production technicians		<p>existing and alternative production methods;</p> <ul style="list-style-type: none"> <li>works from, and helps implement, professional engineers' drawings and specifications for equipment and layout, and helps implement modifications required for existing plant machinery/layout;</li> <li>works with engineers on production control methods to monitor operational efficiency and helps to eliminate potential hazards and bottlenecks in production;</li> <li>liaises with materials buying, storing and controlling departments to ensure a steady flow of supplies;</li> <li>supports professional engineers in reviewing safety, quality, accuracy, reliability and contractual requirements;</li> <li>supports implementation of plans of sequence of operations and completion dates for each phase of production or processing;</li> <li>ensures implementation of inspection, testing and evaluation methods for bought-in materials, components, semi-finished and finished products;</li> <li>ensures accuracy of manufacturing and testing equipment;</li> <li>ensures effective completion and implementation of detailed instructions on processes, work methods and quality and safety standards for workers.</li> </ul>			
3119	Science, engineering and production technicians not	<ul style="list-style-type: none"> <li>Technical assistant</li> <li>Workshop technician</li> </ul>	<ul style="list-style-type: none"> <li>sets up apparatus for experimental, demonstration or other purposes;</li> <li>undertakes tests and takes measurements and readings;</li> </ul>	£20,800	£23,000	

	elsewhere classified		<ul style="list-style-type: none"> <li>performs calculations and records and interprets data;</li> <li>otherwise assists technologists as directed</li> </ul>			
3122	Draughtsperson	<ul style="list-style-type: none"> <li>CAD operator</li> <li>Cartographer</li> <li>Design technician</li> </ul>	<ul style="list-style-type: none"> <li>examines design specification to determine general requirements;</li> <li>considers the suitability of different materials with regard to the dimensions and weight and calculates the likely fatigue, stresses, tolerances, bonds and threads;</li> <li>prepares design drawings, plans or sketches and checks feasibility of construction and compliance with safety regulations;</li> <li>prepares detailed drawings, plans, charts or maps that include natural features, desired surface finish, elevations, electrical circuitry and other details as required;</li> <li>arranges for completed drawings to be reproduced for use as working drawings.</li> </ul>	£23,600	£25,800	
5215	Welder	<ul style="list-style-type: none"> <li>Welder</li> <li>Coded welder</li> </ul>	<ul style="list-style-type: none"> <li>selects appropriate welding equipment such as electric arc, gas torch, etc.;</li> <li>connects wires to power supply, or hoses to oxygen, acetylene, argon, carbon dioxide, electric arc, or other source and adjusts controls to regulate gas pressure and rate of flow;</li> <li>cuts metal pieces using gas torch or electric arc;</li> <li>guides electrode or torch along line of weld, burns away damaged areas, and melts brazing alloy or solder into joints;</li> </ul>	£21,200	£23,500	

			<ul style="list-style-type: none"> <li>cleans and smoothes weld;</li> <li>checks finished workpiece for defects and conformity with specification.</li> </ul>			
5221	Metal machining setters and setter operators	<ul style="list-style-type: none"> <li>CBC machinist</li> <li>Centre lathe turner</li> <li>Tool setter</li> <li>Turner</li> </ul>	<ul style="list-style-type: none"> <li>sets machine controls for rotation speeds, depth of cut and stroke, and adjusts machine table, stops and guides;</li> <li>operates automatic or manual controls to feed tool to workpiece or vice versa and checks accuracy of machining;</li> <li>repositions workpiece, changes tools and resets machine as necessary during production run;</li> <li>instructs operators on the safe and correct method of operation of the machine.</li> </ul>	£21,000	£23,000	
5222	Toolmaker	<ul style="list-style-type: none"> <li>Engineer-toolmaker</li> <li>Jig maker</li> <li>Tool fitter</li> <li>Tool maker</li> </ul>	<ul style="list-style-type: none"> <li>examines drawings and specifications to determine appropriate method and sequence of operations;</li> <li>marks out reference points using measuring instruments and tools such as punches, rules and squares;</li> <li>operates hand and machine tools to shape workpieces to specifications and checks accuracy of machining;</li> <li>assembles prepared parts, checks their alignment with micrometers, optical projectors and other measuring equipment and adjusts as necessary;</li> <li>repairs damaged or worn tools.</li> </ul>	£23,700	£26,000	
5223	Metal working production and maintenance	<ul style="list-style-type: none"> <li>Fabricator</li> <li>Installation</li> </ul>	<ul style="list-style-type: none"> <li>examines drawings and specifications to determine appropriate methods and sequence of operations;</li> </ul>	£23,000	£25,500	

	fitter	<p>engineer</p> <ul style="list-style-type: none"> <li>• Mechanical engineer</li> <li>• Engineering machinist</li> </ul>	<ul style="list-style-type: none"> <li>• fits and assembles parts and/or metal sub-assemblies to fine tolerances to make marine engines, prototype metal products, agricultural machinery and machine tools;</li> <li>• fits and assembles, other than to fine tolerances, prepared parts and sub-assemblies to make motor vehicles, printing and agricultural machinery, orthopaedic appliances and other metal goods;</li> <li>• examines drawings and specifications to determine appropriate methods and sequence of operations;</li> <li>• fits and assembles parts and/or metal sub-assemblies to fine tolerances to make marine engines, prototype metal products, agricultural machinery and machine tools;</li> <li>• fits and assembles, other than to fine tolerances, prepared parts and sub-assemblies to make motor vehicles, printing and agricultural machinery, orthopaedic appliances and other metal goods;</li> <li>• examines operation of, and makes adjustments to internal combustion engines and motor vehicles;</li> <li>• erects, installs, repairs and services plant and industrial machinery, including railway stock, textile machines, coin operated machines, locks, sewing machines, bicycles and gas and oil appliances.</li> </ul>			
5224	Precision instrument makes and repairers	<ul style="list-style-type: none"> <li>• Horologist</li> <li>• Instrument technician</li> <li>• Optical technician</li> <li>• Precision engineer</li> </ul>	<ul style="list-style-type: none"> <li>• examines drawings or specifications to determine appropriate methods, materials and sequence of operation;</li> <li>• marks out and machines aluminium, brass, steel and plastics using machine tools such as grinders, lathes and</li> </ul>	£21,000	£24,000	

		<ul style="list-style-type: none"> <li>• Calibration engineer</li> </ul>	<p>shapers;</p> <ul style="list-style-type: none"> <li>• tests watches and clocks for repair to diagnose faults and removes, repairs or replaces damaged and worn parts;</li> <li>• tests completed timepiece for accuracy using electronic or other test equipment;</li> <li>• carries out service tasks such as cleaning, oiling and regulating;</li> <li>• checks prepared parts for accuracy using measuring equipment, assembles parts and adjusts as necessary using hand and machine tools;</li> <li>• positions, aligns and secures optical lenses in mounts;</li> <li>• tests, adjusts and repairs precision and optical instruments.</li> </ul>			
5225	Air-conditioning and refrigeration engineers	<ul style="list-style-type: none"> <li>• Service engineer (refrigeration)</li> <li>• Air conditioning fitter</li> <li>• Refrigeration technician</li> </ul>	<ul style="list-style-type: none"> <li>• examines the proposed site to establish if installation plans are practical;</li> <li>• plans layout of the system (pipework, ducts and control panels);</li> <li>• produces detailed estimate of costs of the work;</li> <li>• plans work schedule and installs the system;</li> <li>• inspects and tests the installation;</li> <li>• carries out maintenance checks and repairs;</li> <li>• examines the proposed site to establish if installation plans are practical.</li> </ul>	£20,800	£24,000	
5250	Skilled metal,	<ul style="list-style-type: none"> <li>• Electrical supervisor</li> </ul>	<ul style="list-style-type: none"> <li>• directly supervises and coordinates the activities of</li> </ul>	£23,000	£27,000	

	electrical and electronic trades supervisor	<ul style="list-style-type: none"> <li>• Workshop manager</li> <li>• Maintenance supervisor</li> </ul>	<p>skilled metal, electrical and electronic trades workers;</p> <ul style="list-style-type: none"> <li>• establishes and monitors work schedules to meet productivity requirements;</li> <li>• liaises with managers and other departments and contractors to resolve operational problems;</li> <li>• determines or recommends staffing and other needs to meet productivity requirements;</li> <li>• reports as required to managerial staff on departmental activities.</li> </ul>			
8131	Assemblers (electrical and electronic products)	<ul style="list-style-type: none"> <li>• Solderer</li> <li>• Line operator (electrical)</li> </ul>	<ul style="list-style-type: none"> <li>• examines drawings, specifications and wiring diagrams to identify appropriate materials and sequence of operations;</li> <li>• selects, cuts and connects wire to appropriate terminals by crimping or soldering;</li> <li>• positions and secures switches, transformers, tags, valve holders or other parts and connects capacitors, resistors, transistors or sub-assemblies to appropriate terminals by soldering;</li> <li>• lays out and secures wire to make harnesses and operates machine to wind heavy and light coils of wire or copper for transformers, armatures, rotors, stators and light electrical equipment;</li> <li>• assembles previously prepared electrical or electronic components by winding, bolting, screwing or otherwise fastening using an assembly machine or hand tools.</li> </ul>	£20,800	£23,000	
8133	Routine inspectors and	<ul style="list-style-type: none"> <li>• Quality assurance</li> </ul>	<ul style="list-style-type: none"> <li>• examines articles for surface flaws such as cracks, dents, defective sealing or broken wires by visual inspection or</li> </ul>	£25,000	£28,000	

	testers	<p>inspector</p> <ul style="list-style-type: none"> <li>• Quality controller</li> <li>• Test engineer (manufacturing)</li> </ul>	<p>using aids such as microscopes or magnifying glasses;</p> <ul style="list-style-type: none"> <li>• checks sequence of assembly operations and checks assemblies and sub-assemblies against parts lists to detect missing items;</li> <li>• sets up test equipment, connects items/system to power source/pressure outlet, etc. and operates controls to check performance and operation of electrical plant and machinery and electronics systems;</li> <li>• examines yarn packages, textile fabrics and garments, wood or wood products, paper and paperboard, plastics and rubber materials, food products, food storage containers, etc., checks specifications, marks any repairable defects and rejects faulty items;</li> <li>• reports any recurrent or major defects and recommends improvements to production methods.</li> </ul>			
8139	Assemblers and routine operatives not elsewhere classified	<ul style="list-style-type: none"> <li>• Production assistant</li> </ul>	<ul style="list-style-type: none"> <li>• follows instructions and drawings and positions components on work bench or in assembly machine;</li> <li>• assembles prepared components in sequence by soldering, bolting, fastening, spot-welding, screwing, nailing, stapling, dipping and fastening using power and hand tools or assembly machine;</li> <li>• rejects faulty assembly components, inspects finished article for faults, monitors assembly machine operation and reports any faults;</li> <li>• applies enamel to jewellery and coats, lacquers, dips and touches up articles (other than ceramic);</li> <li>• sets up and operates machines to apply colour to</li> </ul>	£20,800	£23,000	

			<p>wallpaper and to coat articles (other than ceramic) with paint, cellulose or other protective/ decorative material;</p> <ul style="list-style-type: none"> <li>• performs miscellaneous painting and coating tasks not elsewhere classified including, staining articles, applying transfers, operating French polishing machines, removing surplus enamel from components and marking design outlines on articles.</li> </ul>			
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TABLE 8 – Construction

SOC Code	Description	Related Job Titles	Example Job Tasks	New Entrant Salary	Experienced Salary	Key Employment
1122	Production managers and directors in construction	<ul style="list-style-type: none"> <li>• Building services manager</li> <li>• Site manager</li> <li>• Civil engineering manager/director</li> </ul>	<ul style="list-style-type: none"> <li>• liaises with other managers to plan overall production activity and construction activities, sets quality standards and estimates timescales and costs;</li> <li>• receives invitations to tender, arranges for estimates and liaises with client, architect and engineers for the preparation of contracts;</li> <li>• plans, directs and co-ordinates the construction and maintenance of civil and structural engineering works, including demolition, open-cast mining works and pipeline and piling;</li> <li>• receives reports upon work in progress to ensure that materials and construction methods meet with specifications and statutory requirements and that there are no deviations from agreed plans.</li> </ul>	£25,000	£33,200	
2431	Architect	<ul style="list-style-type: none"> <li>• Architect</li> </ul>	<ul style="list-style-type: none"> <li>• liaises with client and other professionals to establish building type, style, cost limitations and landscaping requirements;</li> <li>• studies condition and characteristics of site, taking into account drainage, topsoil, trees, rock formations, etc.;</li> <li>• analyses site survey and advises client on development and construction details and ensures</li> </ul>	£21,600	£32,100	

			<p>that proposed design blends in with the surrounding area;</p> <ul style="list-style-type: none"> <li>prepares detailed scale drawings and specifications for design and construction and submits these for planning approval;</li> <li>monitors construction work in progress to ensure compliance with specifications.</li> </ul>			
2432	Town planning officers	<ul style="list-style-type: none"> <li>Planning officer</li> </ul>	<ul style="list-style-type: none"> <li>analyses information to establish the nature, extent, growth rate and likely development requirements of the area;</li> <li>consults statutory bodies and other interested parties to ensure that local interests are catered for and to evaluate competing development proposals;</li> <li>drafts and presents graphic and narrative plans affecting the use of public and private land, housing and transport facilities;</li> <li>examines and evaluates development proposals submitted and recommends acceptance, modification or rejection;</li> <li>liaises with national and local government and other bodies to advise on urban and regional planning issues.</li> </ul>	£22,800	£26,700	
2433	Quantity surveyor	<ul style="list-style-type: none"> <li>Quantity surveyor</li> </ul>	<ul style="list-style-type: none"> <li>liaises with client on project costs, formulates detailed cost plan and advises contractors and engineers to ensure that they remain within cost limit;</li> <li>examines plans and specifications and prepares</li> </ul>	£23,400	£30,400	

			<p>details of the material and labour required for the project;</p> <ul style="list-style-type: none"> <li>• prepares bills of quantities for use by contractors when tendering for work;</li> <li>• examines tenders received, advises client on the most acceptable and assists with preparation of a contract document;</li> <li>• measures and values work in progress and examines any deviations from original contract;</li> <li>• measures and values completed contract for authorisation of payment.</li> </ul>			
2434	Chartered surveyors	<ul style="list-style-type: none"> <li>• Chartered surveyor</li> </ul>	<ul style="list-style-type: none"> <li>• surveys, measures and describes land surfaces to establish property boundaries and to aid with construction or cartographic work;</li> <li>• surveys mines, prepares drawings of surfaces, hazards and other features to control the extent and direction of mining;</li> <li>• surveys buildings to determine necessary alterations and repairs;</li> <li>• measures shore lines, elevations and underwater contours, establishes high and low water marks, plots shore features and defines navigable channels.</li> </ul>	£23,100	£29,100	
2435	Chartered architectural technologists	<ul style="list-style-type: none"> <li>• Architectural technologist</li> </ul>	<ul style="list-style-type: none"> <li>• develops construction project briefs and design programmes;</li> <li>• advises clients on methods of project procurement</li> </ul>	£22,800	£28,500	

			<p>and forms of contract;</p> <ul style="list-style-type: none"> <li>• advises on environmental, regulatory and legal requirements and assesses environmental impact;</li> <li>• prepares and presents design proposals and manages and coordinates design team;</li> <li>• monitors compliance with design, statutory and professional requirements, undertakes stage inspections;</li> <li>• administers contracts and certification and manages project handover;</li> <li>• evaluates and advises on refurbishment, recycling and deconstruction of buildings;</li> <li>• manages health and safety and carries out design stage risk assessments.</li> </ul>			
5241	Electrician	<ul style="list-style-type: none"> <li>• Electrical contractor</li> <li>• Electrical engineer</li> <li>• Electrical fitter</li> </ul>	<ul style="list-style-type: none"> <li>• examines drawings, specifications and wiring diagrams to determine the method and sequence of operations;</li> <li>• selects, cuts and lays wires and connects to sockets, plugs or terminals by crimping, soldering, brazing or bolting;</li> <li>• cuts, bends and installs electrical conduit;</li> <li>• assembles parts and sub-assemblies using hand tools and by brazing, riveting or welding;</li> <li>• installs electrical plant, machinery and other electrical fixtures and appliances such as fuse boxes, generators, light sockets etc.;</li> </ul>	£20,800	£24,000	

			<ul style="list-style-type: none"> <li>examines electrical plant or machinery, domestic appliances and other electrical assembly for faults using test equipment and replaces worn parts and faulty wiring.</li> </ul>			
5311	Scaffolder	<ul style="list-style-type: none"> <li>Steel erectors</li> <li>Scaffolder</li> </ul>	<ul style="list-style-type: none"> <li>examines drawings and specifications to assess job requirements;</li> <li>erects ladders, scaffolding or working cage;</li> <li>directs hoisting and positioning of girders and other metal parts and checks alignment;</li> <li>arranges for or undertakes bolting and welding of metal parts;</li> <li>checks alignment of metal parts using spirit level and plumb rule.</li> </ul>	£20,800	£24,000	
5312	Bricklayer	<ul style="list-style-type: none"> <li>Dry stone waller</li> <li>Stone mason</li> </ul>	<ul style="list-style-type: none"> <li>examines drawings, photographs and specifications to determine job requirements;</li> <li>marks and cuts stone using hammers, mallet and hand or pneumatic chisels;</li> <li>spreads mortar on foundations and bricks, and places, levels and aligns bricks in mortar bed;</li> <li>uses hand and power tools to shape, trim, carve, cut letters in and polish stone;</li> <li>levels, aligns and embeds stone in mortar and faces brick, concrete or steel frame with stone to make and repair structures.</li> </ul>	£20,800	£24,000	
5313	Roofer	<ul style="list-style-type: none"> <li>Roof tiler</li> </ul>	<ul style="list-style-type: none"> <li>measures roof or exterior wall and calculates required amounts of underfelt, tiles, slates or</li> </ul>	£20,800	£24,000	

		<ul style="list-style-type: none"> <li>• Slater</li> <li>• Thatcher</li> </ul>	<p>thatching material;</p> <ul style="list-style-type: none"> <li>• cuts wooden battens, felt and underfelt to required size;</li> <li>• lays and secures underfelt and covers with hot bitumen or other adhesive compound;</li> <li>• lays, aligns and secures successive overlapping layers of roofing material;</li> <li>• seals edges of roof with mortar and ensures that joints are watertight.</li> </ul>			
5314	Plumber	<ul style="list-style-type: none"> <li>• Plumber</li> <li>• Plumbing and heating engineer</li> <li>• Gas fitter</li> </ul>	<ul style="list-style-type: none"> <li>• examines drawings and specifications to determine layout of system;</li> <li>• measures and cuts required lengths of copper, lead, steel, iron, aluminium or plastic using hand or machine tools;</li> <li>• installs fittings such as storage tanks, cookers, baths, toilets, taps and valves, refrigerators, boilers, radiators and fires;</li> <li>• tests completed installation for leaks and makes any necessary adjustments;</li> <li>• attaches fittings and joins piping by welding, soldering, cementing, fusing, screwing or other methods;</li> <li>• repairs burst pipes and mechanical and combustion faults and replaces faulty taps, washers, valves, etc.</li> </ul>	£20,800	£24,000	
5315	Carpenters and joiners	<ul style="list-style-type: none"> <li>• Kitchen fitter</li> </ul>	<ul style="list-style-type: none"> <li>• examines drawings and specifications to determine job requirements;</li> </ul>	£20,800	£24,000	

		<ul style="list-style-type: none"> <li>• Joiner</li> </ul>	<ul style="list-style-type: none"> <li>• selects and measures appropriate wood and cuts, shapes and drills to specification using saws, planes, chisels and other power or hand tools;</li> <li>• aligns and fixes prepared wood pieces by screwing, nailing, gluing and dowelling to form frames, shop fronts, counter units, decking, theatrical sets, furniture, small wooden craft, scale models and wooden templates;</li> <li>• checks accuracy of work with square, rule and spirit level;</li> <li>• maintains and repairs woodwork and fittings.</li> </ul>			
5316	Glazier	<ul style="list-style-type: none"> <li>• Window fitter</li> <li>• Glass cutter</li> <li>• Window fabricator</li> </ul>	<ul style="list-style-type: none"> <li>• examines drawings or specifications to determine job requirements;</li> <li>• scores plain, coloured, safety and ornamental glass with hand cutter and breaks off glass by hand or with pliers;</li> <li>• smooths edges of glass and positions and secures in frame or grooved lead strips;</li> <li>• applies mastic, putty or adhesive between glass and frame and trims off excess with knife;</li> <li>• fixes mirror panels to interior and exterior walls and repairs and replaces broken glass;</li> <li>• sets up and operates machinery to manufacture windows and window frames.</li> </ul>	£20,800	£24,000	
5319	Construction and building trades not	<ul style="list-style-type: none"> <li>• Builder</li> <li>• Building contractor</li> </ul>	<ul style="list-style-type: none"> <li>• selects, measures and cuts steel bars, rods and wire to required lengths, positions and fixes reinforcements into position and tensions as</li> </ul>	£20,800	£24,000	

	elsewhere classified	<ul style="list-style-type: none"> <li>• Maintenance manager (building and other structures)</li> <li>• Property developer (building construction)</li> </ul>	<p>required using hydraulic jacks;</p> <ul style="list-style-type: none"> <li>• lays bricks, tiles and building blocks to construct, repair and decorate buildings;</li> <li>• pours and levels concrete, prepares surfaces for painting and plastering, and mixes and applies plaster and paint;</li> <li>• installs plumbing fixtures, woodwork structures and fittings, and sets glass in frames;</li> <li>• maintains and repairs steeples, industrial chimneys and other high structures, and installs and replaces lightning conductors;</li> <li>• erects and repairs fencing;</li> <li>• checks and puts on diving suit and equipment and descends underwater to carry out construction, maintenance and repair tasks on sites such as oil rigs, harbours, bridges etc.</li> </ul>			
5321	Plasterer	<ul style="list-style-type: none"> <li>• Plasterer</li> </ul>	<ul style="list-style-type: none"> <li>• selects appropriate plasterboard or dry lining panels, cuts them to required size and fixes them to ceilings and walls;</li> <li>• mixes, or directs the mixing of, plaster to desired consistency;</li> <li>• applies and smooths one or more coats of plaster and produces a finished surface, using hand tools or mechanical spray;</li> <li>• pours liquid plaster into mould to cast ornamental plaster work;</li> <li>• measures, cuts, installs and secures plaster board</li> </ul>	£20,800	£24,000	



			<p>and/or ornamental plasterwork to walls and ceilings;</p> <ul style="list-style-type: none"> <li>• covers and seals joints between boards and finishes surface;</li> <li>• checks surface level using line, spirit level and straight edge.</li> </ul>			
5322	Floorers and wall tilers	<ul style="list-style-type: none"> <li>• Carpet fitter</li> <li>• Ceramic tiler</li> <li>• Flooring tiler</li> </ul>	<ul style="list-style-type: none"> <li>• examines drawings and specifications to determine job requirements;</li> <li>• cleans floor surface, fixes wooden laying guides and mixes, pours and levels granite and terrazzo mixtures, bitumen, synthetic resin or other composition mixtures to form flooring;</li> <li>• examines premises to plan suitable layout and cuts, lays and secures underlay, carpet and linoleum;</li> <li>• finishes covering by rolling, smoothing, grouting or polishing;</li> <li>• mixes cement screed or other adhesive, cuts and positions floor and wall tiles and checks alignment of tiling with spirit level.</li> </ul>	£20,800	£24,000	
5323	Painter and decorator	<ul style="list-style-type: none"> <li>• Painter</li> <li>• Decorator</li> </ul>	<ul style="list-style-type: none"> <li>• erects working platform or scaffolding up to five metres in height;</li> <li>• prepares surfaces by cleaning, sanding and filling cracks and holes with appropriate filler;</li> <li>• applies primer, undercoat and finishing coat(s) using brush, roller, or spray equipment;</li> <li>• mixes adhesive or removes self-adhesive backing</li> </ul>	£20,800	£24,000	

			<p>and positions covering material on wall, matching up patterns where appropriate and removing wrinkles and air bubbles by hand or brush;</p> <ul style="list-style-type: none"> <li>• stains, waxes and French polishes wood surfaces by hand.</li> </ul>			
5330	Site manager	<ul style="list-style-type: none"> <li>• Site foreman</li> <li>• Builder's foreman</li> <li>• Construction supervisor</li> </ul>	<ul style="list-style-type: none"> <li>• directly supervises and coordinates the activities of construction and building workers and/or subcontractors;</li> <li>• establishes and monitors work schedules to meet productivity requirements;</li> <li>• liaises with managers and contractors to resolve operational problems;</li> <li>• determines or recommends staffing and other needs to meet productivity requirements;</li> <li>• reports as required to managerial staff on work-related matters.</li> </ul>	£22,500	£27,000	
8142	Road construction operatives	<ul style="list-style-type: none"> <li>• Asphalter</li> <li>• Highways operative</li> <li>• Paver</li> <li>• Road worker</li> <li>• Tarmacer</li> </ul>	<ul style="list-style-type: none"> <li>• inspects road surfaces for hazards or signs of deterioration, clears mud, weeds and debris from road and spreads grit or salt as required;</li> <li>• sets up traffic management systems around work site such as cones, lights and barriers;</li> <li>• cuts away broken road surface with pick or pneumatic drill;</li> <li>• heats bitumen in bucket, applies it to newly laid asphalt and beats or draws tamper head on asphalt to close joints;</li> </ul>	£20,800	£23,000	

			<ul style="list-style-type: none"> <li>removes damaged paving slabs and kerb stones, lays bedding of sand, concrete or mortar on prepared foundation, lays new slabs or stones and fills joints with mortar;</li> <li>spreads bitumen, tar or asphalt and compacts surface using roller;</li> <li>spreads aggregate over road surfaces using shovel, lays markings on road surface and repairs crash barriers.</li> </ul>			
8221	Crane drivers	<ul style="list-style-type: none"> <li>Crane operator</li> </ul>	<ul style="list-style-type: none"> <li>gives signals for movement of cage carrying workers/equipment;</li> <li>starts crane or engine motor and checks that cables run freely and that brakes and drum(s) are working;</li> <li>manipulates levers, switches and pedals to rotate jibs into position and turns winding drum to raise or lower hook, bucket or other holding equipment;</li> <li>lifts load or cage, or hauls object into required position and lowers or positions for ground workers to detach, unload or load;</li> <li>watches control panel for warning lights and indications of wind speed and direction and carrying capacity of crane;</li> <li>oils and greases machine and checks ropes.</li> </ul>	£22,500	25,800	
8229	Mobile machine drivers and operatives not	<ul style="list-style-type: none"> <li>Tractor driver</li> <li>Agricultural</li> </ul>	<ul style="list-style-type: none"> <li>fixes any necessary extensions onto machine and loads machine with asphalt, concrete, bitumen, tar, stone chippings or any other required materials;</li> </ul>	£22,500	£25,800	

	<p>elsewhere classified</p>	<p>machinist</p> <ul style="list-style-type: none"> <li>• Excavator driver</li> <li>• Plant operator</li> <li>• JCB driver</li> </ul>	<ul style="list-style-type: none"> <li>• manipulates levers, pedals and switches to manoeuvre vehicle, regulate angle and height of blades, buckets and hammers and starts conveyor, suction or water spraying system;</li> <li>• watches operation and removes any likely obstacle or obstructions;</li> <li>• operates tractors, combine harvesters or other farm vehicles, attaches plough, cultivator or other implements and adjusts depth, speed and height to requirements;</li> <li>• drives and operates machinery to plough, fertilise, plant, cultivate or harvest crops;</li> <li>• manipulates levers, pedals and switches to manoeuvre vehicle, regulate angle and height of blades, buckets and hammers and starts conveyor, suction or water spraying system.</li> </ul>			
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TABLE 9 – Law

SOC Code	Description	Related Job Titles	Example Job Tasks	New Entrant Salary	Experienced Salary	Key Employment
2412	Barristers and judges	<ul style="list-style-type: none"> <li>• Advocate</li> <li>• Deemster</li> <li>• High bailiff</li> </ul>	<ul style="list-style-type: none"> <li>• becomes acquainted with the facts of a case through reading statements, law reports, and consulting with clients or other professionals;</li> <li>• advises client on the basis of legal knowledge, research and past precedent as to whether to proceed with legal action;</li> <li>• drafts pleadings and questions in preparation for court cases, appears in court to present evidence to the judge and jury, cross examines witnesses and sums up why the court should decide in their client's favour;</li> <li>• hears, reads and evaluates evidence, and instructs or advises the jury on points of law or procedure;</li> <li>• conducts trials according to rules of procedure, announces the verdict and passes sentence and/or awards costs and damages.</li> </ul>	£29,800	£42,500	
2413	Solicitors	<ul style="list-style-type: none"> <li>• Managing clerk (qualified solicitor)</li> <li>• Solicitor</li> <li>• Solicitor-partner</li> <li>• Solicitor to the council</li> </ul>	<ul style="list-style-type: none"> <li>• draws up contracts, leases, wills and other legal documents;</li> <li>• undertakes legal business on behalf of client in areas of business law, criminal law, probate, conveyancing and litigation, and acts as trustee or executor if required;</li> <li>• instructs counsel in higher and lower courts and</li> </ul>	£24,700	£32,000	

			<p>pleads cases in lower courts as appropriate;</p> <ul style="list-style-type: none"> <li>scrutinises statements, reports and legal documents relevant to the case being undertaken and prepares papers for court;</li> <li>represents clients in court.</li> </ul>			
2419	Legal professionals not elsewhere classified	<ul style="list-style-type: none"> <li>Attorney</li> <li>Justice's clerk</li> <li>Lawyer</li> <li>Legal adviser</li> <li>Legal consultant</li> <li>Legal counsel</li> <li>Solicitor's clerk (articled)</li> </ul>	<ul style="list-style-type: none"> <li>co-ordinates the activities of magistrates courts and advises magistrates on law and legal procedure;</li> <li>provides legal advice to individuals within Citizens Advice, Law Centres and other such establishments;</li> <li>drafts and negotiates contracts on behalf of employers;</li> <li>advises employers, local and national government and other organisations on aspects of law and legislative implications of decisions made;</li> <li>represents public and private organisations in court as necessary.</li> </ul>	£33,300	£44,100	
3520	Legal associate professionals	<ul style="list-style-type: none"> <li>Conveyancer</li> <li>Legal executive</li> <li>Litigator</li> <li>Paralegal</li> </ul>	<ul style="list-style-type: none"> <li>runs chambers on behalf of principals, develops the practice, manages the flow of work, decides which cases to accept, arranges appropriate fees and prepares financial records;</li> <li>collates information, drafts briefs and other documents;</li> <li>interviews and advises clients, undertakes preparatory work for court cases;</li> <li>attends court to assist barristers and solicitors in the presentation of a case;</li> </ul>	£21,300	£25,500	

			<ul style="list-style-type: none"> <li>• assists in all aspects of property conveyancing and probate and common law practice.</li> </ul>			
4212	Legal secretaries	<ul style="list-style-type: none"> <li>• Legal clerk</li> <li>• Legal secretary</li> </ul>	<ul style="list-style-type: none"> <li>• types letters and legal documents such as wills and contracts;</li> <li>• maintains court and clients' records, organises diaries and arranges appointments;</li> <li>• answers enquiries and directs clients to appropriate experts;</li> <li>• attends meetings and keeps records of proceedings;</li> <li>• delivers and collects documents;</li> <li>• sorts and files correspondence and carries out general clerical work.</li> </ul>	£25,000	£28,000	

**TABLE 10 – Scientific**

<b>SOC Code</b>	<b>Description</b>	<b>Related Job Titles</b>	<b>Example Job Tasks</b>	<b>New Entrant Salary</b>	<b>Experienced Salary</b>	<b>Key Employment</b>
2111	Chemical Scientists	<ul style="list-style-type: none"> <li>• Analytical chemist</li> <li>• Chemist</li> <li>• Development chemist</li> <li>• Industrial chemist</li> <li>• Research chemist</li> </ul>	<ul style="list-style-type: none"> <li>• develops experimental procedures, instruments and recording and testing systems;</li> <li>• conducts experiments to identify chemical composition, energy and chemical changes in natural substances and processed materials;</li> <li>• analyses results and experimental data;</li> <li>• tests techniques and processes for reliability under a variety of conditions;</li> <li>• develops procedures for quality control of manufactured products.</li> </ul>	£21,000	£27,200	
2112	Biological scientists and biochemists	<ul style="list-style-type: none"> <li>• Biomedical scientist</li> <li>• Forensic scientist</li> <li>• Horticulturist</li> <li>• Microbiologist</li> <li>• Pathologist</li> </ul>	<ul style="list-style-type: none"> <li>• studies the physical and chemical form, structure, composition and function of living organisms;</li> <li>• identifies and studies the chemical substances, including microbial infections, involved in physiological processes and the progress of disease;</li> <li>• performs tests to study physiological and pathological characteristics within cells and other organisms;</li> <li>• researches the effects of internal and external environmental factors on the life processes and other functions of living organisms;</li> </ul>	£21,600	£28,000	



			<ul style="list-style-type: none"> <li>• observes the structure of communities of organisms in the laboratory and in their natural environment;</li> <li>• advises farmers, medical staff and others, on the nature of field crops, livestock and produce and on the treatment and prevention of disease;</li> <li>• monitors the distribution, presence and behaviour of plants, animals and aquatic life, and performs other scientific tasks related to conservation not performed by jobholders in SOC codes beginning "214".</li> </ul>			
2113	Physical scientists	<ul style="list-style-type: none"> <li>• Geologist</li> <li>• Geophysicist</li> <li>• Meteorologist</li> <li>• Oceanographer</li> </ul>	<ul style="list-style-type: none"> <li>• conducts experiments and tests and uses mathematical models and theories to investigate the structure and properties of matter, transformations and propagations of energy, the behaviour of particles and their interaction with various forms of energy;</li> <li>• uses surveys, seismology and other methods to determine the earth's mantle, crust, rock structure and type, and to analyse and predict the occurrence of seismological activity;</li> <li>• observes, records and collates data on atmospheric conditions from weather stations, satellites, and observation vessels to plot and forecast weather conditions;</li> <li>• applies mathematical models and techniques to assist in the solution of scientific problems in industry and commerce and seeks out new applications of mathematical analysis.</li> </ul>	£21,600	£28,000	

2114	Social and humanities scientists	<ul style="list-style-type: none"> <li>• Anthropologist</li> <li>• Archaeologist</li> <li>• Criminologist</li> <li>• Epidemiologist</li> <li>• Geographer</li> <li>• Historian</li> <li>• Political scientist</li> <li>• Social scientist</li> </ul>	<ul style="list-style-type: none"> <li>• studies society and the manner in which people behave and impact upon the world;</li> <li>• undertakes research across the humanities that furthers understanding of human culture and creativity;</li> <li>• traces the evolution of word and language forms, compares grammatical structures and analyses the relationships between ancient, parent and modern languages;</li> <li>• identifies, compiles and analyses economic, demographic, legal, political, social and other data to address research objectives;</li> <li>• administers questionnaires, carries out interviews, organises focus groups and implements other social research tools;</li> <li>• undertakes analyses of data, presents results of research to sponsors, the media and other interested organisations;</li> <li>• addresses conferences and publishes articles detailing the methodology and results of research undertaken.</li> </ul>	£21,600	£28,000	
2119	Natural and social scientists not elsewhere classified (Note: for immigration purposes this code includes researchers in	<ul style="list-style-type: none"> <li>• Researcher</li> <li>• Scientific officer</li> <li>• Scientist</li> </ul>	<ul style="list-style-type: none"> <li>• plans, directs and undertakes research into natural phenomena;</li> <li>• provides technical advisory and consulting services;</li> <li>• designs tests and experiments to address research objective and find solutions;</li> <li>• applies models and techniques to medical,</li> </ul>	£21,600	£28,000	

	research organisations other than universities)		<p>industrial, agricultural, military and similar applications;</p> <ul style="list-style-type: none"> <li>• analyses results and writes up results of tests and experiments undertaken;</li> <li>• presents results of scientific research to sponsors, addresses conferences and publishes articles outlining the methodology and results of research undertaken;</li> <li>• designs and develops an appropriate research methodology in order to address the research objective;</li> <li>• compiles and analyses quantitative and qualitative data, prepares reports and presents results to summarise main findings and conclusions;</li> <li>• advises government, private organisations and special interest groups on policy issues;</li> <li>• writes journal articles, and books, and addresses conferences, seminars and the media to reveal research findings.</li> </ul>			
2150	Research & Development managers	<ul style="list-style-type: none"> <li>• Creative manager (research and development)</li> <li>• Design manager</li> <li>• Market research manager</li> <li>• Research manager</li> </ul>	<ul style="list-style-type: none"> <li>• establishes product design and performance objectives in consultation with other business functions;</li> <li>• liaises with production departments to investigate and resolve manufacturing problems;</li> <li>• develops research methodology, implements and reports upon research investigations undertaken;</li> <li>• plans work schedules, assigns tasks and delegates</li> </ul>	£27,700	£34,800	

		(broadcasting)	<p>responsibilities to the research and development team;</p> <ul style="list-style-type: none"> <li>monitors the standards of scientific and technical research undertaken by the research team.</li> </ul>			
3111	Laboratory technicians	<ul style="list-style-type: none"> <li>Water tester</li> <li>Laboratory analyst</li> </ul>	<ul style="list-style-type: none"> <li>sets up and assists with the construction and the development of scientific apparatus for experimental, demonstration or other purposes;</li> <li>prepares and analyses body fluids, secretions and/or tissue to detect infections or to examine the effects of different drugs;</li> <li>grows cultures of bacteria and viruses, prepares tissue sections and other organic and inorganic material for examination and stains and fixes slides for microscope work;</li> <li>operates and services specialised scientific equipment, undertakes prescribed measurements and analyses and ensures that sterile conditions necessary for some equipment are maintained;</li> <li>records and collates data obtained from experimental work and documents all work carried out.</li> </ul>	£20,800	£23,000	

TABLE 11 – Retail

SOC Code	Description	Related Job Titles	Example Job Tasks	New Entrant Salary	Experienced Salary	Key Employment
1190	Managers and directors in retail and wholesale	<ul style="list-style-type: none"> <li>• Retail manager</li> <li>• Shop manager</li> <li>• Area manager</li> </ul>	<ul style="list-style-type: none"> <li>• appoints staff, assigns tasks and monitors and reviews staff performance;</li> <li>• liaises with other staff to provide information about merchandise, special promotions etc. to customers;</li> <li>• ensures that adequate reserves of merchandise are held and that stock keeping is carried out efficiently;</li> <li>• ensures customer complaints and queries regarding sales and service are appropriately handled;</li> <li>• oversees the maintenance of financial and other records and controls security arrangements for the premises;</li> <li>• authorises payment for supplies received and decides on vending price, discount rates and credit terms;</li> <li>• examines quality of merchandise and ensures that effective use is made of advertising and display facilities.</li> </ul>	£20,800	£25,000	
1254	Shopkeepers and proprietors – wholesale and retail	<ul style="list-style-type: none"> <li>• Fashion retailer</li> <li>• Newsagent</li> </ul>	<ul style="list-style-type: none"> <li>• defines the market position for the business, decides what to sell, forecasts demand and develops the brand image of the business;</li> <li>• determines staffing, financial, material and other</li> </ul>	£25,000	£28,000	

			<p>short- and long-term requirements;</p> <ul style="list-style-type: none"> <li>• oversees staff training, rotas and the allocation of work;</li> <li>• provides information about merchandise to staff and customers and ensures customer complaints are appropriately dealt with;</li> <li>• ensures that adequate reserves of merchandise are held and orders new stock as required;</li> <li>• maintains financial and other shop records and controls security arrangements for the premises;</li> <li>• authorises payment for supplies received and decides on vending price and credit terms;</li> <li>• examines quality of merchandise and ensures that effective use is made of advertising and display facilities.</li> </ul>			
1259	Managers and proprietors in other services not elsewhere classified	<ul style="list-style-type: none"> <li>• Betting shop manager</li> <li>• Graphic design classified manager</li> <li>• Library manager</li> <li>• Plant hire manager</li> </ul>	<ul style="list-style-type: none"> <li>• determines staffing, financial, material and other short- and long-term requirements;</li> <li>• ensures that adequate reserves of merchandise are held and that stock keeping is carried out efficiently;</li> <li>• authorises payment for supplies received and decides on vending price and credit terms;</li> <li>• examines quality of merchandise and ensures that effective use is made of advertising and display facilities;</li> <li>• manages agencies to provide services out-sourced</li> </ul>	£20,800	£23,600	

			<ul style="list-style-type: none"> <li>by other organisations and businesses;</li> <li>ensures maintenance of appropriate service levels to meet the objectives of the business.</li> </ul>			
4133	Stock control clerks and assistants	<ul style="list-style-type: none"> <li>Despatch clerk</li> <li>Stock controller</li> <li>Supply chain co-ordinator</li> </ul>	<ul style="list-style-type: none"> <li>receives and checks in deliveries from suppliers or completed stock to be despatched to customers;</li> <li>allocates appropriate storage space in accordance with stock control and space utilisation policies;</li> <li>receives enquiries and orders from customers, and quotes prices, discounts, delivery dates and other relevant information;</li> <li>prepares requisitions, consignments and other despatch documents;</li> <li>checks requisitions against stock records and forwards to issuing department;</li> <li>adjusts stock records as orders are received, reports on damaged stock and prepares requisitions to replenish damaged stock.</li> </ul>	£20,800	£23,000	
4151	Sales administrators	<ul style="list-style-type: none"> <li>Marketing administrator</li> <li>Sales team member</li> <li>Sales assistant</li> </ul>	<ul style="list-style-type: none"> <li>provides information to customers on products and prices;</li> <li>fields telephone enquiries from prospective customers on behalf of the sales team;</li> <li>prepares sales invoices and maintains records and accounts of sales activity;</li> <li>handles customer complaints or forwards them to relevant member of sales team;</li> </ul>	£20,800	£23,000	

			<ul style="list-style-type: none"> <li>• carries out general clerical duties.</li> </ul>			
7130	Sales supervisor	<ul style="list-style-type: none"> <li>• Team leader</li> <li>• Retail supervisor</li> </ul>	<ul style="list-style-type: none"> <li>• directly supervises and coordinates the activities of sales and related workers;</li> <li>• establishes and monitors work schedules to meet sales and productivity targets;</li> <li>• liaises with managers and other departments to resolve operational problems;</li> <li>• determines or recommends staffing and other needs to meet sales and productivity targets;</li> <li>• reports as required to managerial staff on departmental activities.</li> </ul>	£20,800	£23,000	
7220	Customer service managers and supervisors	<ul style="list-style-type: none"> <li>• After sales manager</li> <li>• Call centre supervisor</li> <li>• Customer service supervisor</li> <li>• Team leader (customer care)</li> </ul>	<ul style="list-style-type: none"> <li>• develops and implements policies and procedures to deal effectively with customer requirements and complaints;</li> <li>• co-ordinates and controls the work of those within customer services departments;</li> <li>• discusses customer responses with other managers with a view to improving the product or service provided;</li> <li>• plans and co-ordinates the operations of help and advisory services to provide support for customers and users.</li> </ul>	£20,800	£23,000	



**TABLE 12 – Utilities, Mining and Quarrying**

<b>SOC Code</b>	<b>Description</b>	<b>Related Job Titles</b>	<b>Example Job Tasks</b>	<b>New Entrant Salary</b>	<b>Experienced Salary</b>	<b>Key Employment</b>
1123	Production managers and directors in mining and energy	<ul style="list-style-type: none"> <li>• Quarry manager</li> <li>• Operations manager</li> <li>• Operations director (energy &amp; utilities)</li> </ul>	<ul style="list-style-type: none"> <li>• co-ordinates the activities of mines, quarries, drilling operations and offshore installations;</li> <li>• determines staffing, material and other needs;</li> <li>• co-ordinates and supervises coal-face production activities and ensures compliance with health and safety regulations;</li> <li>• ensures that all haulage, storage, purification and distribution work is performed efficiently and in compliance with statutory and other regulations;</li> <li>• arranges for the provision of gas, water and electricity supplies;</li> <li>• ensures compliance with issues relating to the environmental impact of operations.</li> </ul>	£20,800	£32,000	
1255	Waste disposal and environmental services managers	<ul style="list-style-type: none"> <li>• Recycling plant manager</li> <li>• Scrap metal dealer</li> <li>• Waste services manager</li> <li>• Environmental services manager</li> </ul>	<ul style="list-style-type: none"> <li>• determines staffing, financial, material and other short- and long-term requirements;</li> <li>• manages and delegates tasks to staff and co-ordinates the maintenance and optimum utilisation of waste disposal and related equipment to provide an efficient service;</li> <li>• monitors levels of waste disposal, recycling and related environmental services, compiles statistics and produces reports;</li> </ul>	£20,800	£28,300	

			<ul style="list-style-type: none"> <li>• liaises with members of the local community to educate and promote the concept of recycling and appropriate waste management;</li> <li>• keeps up to date with new legislation and liaises with appropriate regulatory bodies to ensure compliance with legislation regarding waste disposal and environmental services;</li> <li>• co-ordinates the resources and activities relating to the procurement, collection, storage, processing and sale of scrap metal and related products.</li> </ul>			
8123	Quarry workers and related operatives	<ul style="list-style-type: none"> <li>• Quarry operative</li> <li>• Plant operative (quarry)</li> </ul>	<ul style="list-style-type: none"> <li>• inspects blasting area, drills shot holes, inserts explosives and detonates charges to loosen large pieces of rock, coal or ore;</li> <li>• assembles drilling and cutting tools, operates controls to start machines and to regulate the speed and pressure of cutting and drilling;</li> <li>• erects timber or metal supports to shore up tunnel and assists tunnel miner with the excavation of vertical shafts and underground tunnels;</li> <li>• operates heading, ripping and cutting-loading machines to remove material from working face and monitors conveyor carrying away loose material;</li> <li>• conveys goods and materials to and from the workface, loads and unloads mine cars and transfers materials from underground and surface conveyors to bunkers, tubs and rail trucks;</li> <li>• operates agitators/vibrators to separate minerals</li> </ul>	£23,000	£27,000	

			<p>and ensures that screened, filtered, crushed and separated material is discharged to appropriate chutes or conveyors;</p> <ul style="list-style-type: none"> <li>performs other mining and quarrying tasks not elsewhere classified including digging clay from open pits, operating high-pressure hoses to wash china clay from open pit faces and otherwise assisting mine.</li> </ul>			
8124	Energy plant operatives	<ul style="list-style-type: none"> <li>Plant operative</li> </ul>	<ul style="list-style-type: none"> <li>determines job requirements from switchboard attendant or operating instructions;</li> <li>opens valves and operates controls to regulate the flow of fuel to boiler or generating equipment;</li> <li>operates remote control panel to load fuel and remove discharged fuel elements from nuclear reactors;</li> <li>adjusts controls to maintain correct running speed of turbine or generator and monitors temperature and pressure controls on boilers;</li> <li>records instrument readings periodically and shuts down turbine/generator or boiler as demand decreases;</li> <li>carries out minor maintenance tasks and prescribed tests and reports any faults.</li> </ul>	£23,000	£27,000	
8126	Water and sewerage plant operatives	<ul style="list-style-type: none"> <li>Boiler person</li> <li>Control room operator</li> <li>Hydraulic engine</li> </ul>	<ul style="list-style-type: none"> <li>attends water filtration and purification plant, monitors chemical treatment and regulates treatment of water supply within strict guidelines;</li> <li>opens and closes valves to regulate quantity and</li> </ul>	£23,000	£27,000	

		<p>operative</p> <ul style="list-style-type: none"> <li>• Power station operator</li> </ul>	<p>pressure of water and reports defective valves or abnormal water pressure;</p> <ul style="list-style-type: none"> <li>• stops water supply in an emergency and informs consumers likely to be affected;</li> <li>• regulates flow of raw sewage into screening plant, releases screened sewage and regulates its flow into detritus pits, sedimentation tanks and filtration beds;</li> <li>• cleans out screen compartments, sedimentation tanks and filtration beds manually or using mechanical scraper;</li> <li>• patrols sections of sewer, examines for any blockages or gas releases and clears blockages by flushing or by using boring rods;</li> <li>• digs trench and assists pipe layers to lay, renew or repair sewerage pipes.</li> </ul>			
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**TABLE 13 – Logistics and transport**

SOC Code	Description	Related Job Titles	Example Job Tasks	New Entrant Salary	Experienced Salary	Key Employment
1161	Managers and directors in transport and distribution	<ul style="list-style-type: none"> <li>• Fleet manager</li> <li>• Rolling stock manager</li> <li>• Harbour master</li> </ul>	<ul style="list-style-type: none"> <li>• plans the optimum utilisation of staff and operating equipment, and co-ordinates maintenance activities to ensure least possible disruption to services;</li> <li>• examines traffic reports, load patterns, traffic receipts and other data and revises transport services or freight rates accordingly;</li> <li>• directs the movement, handling and storage of freight in transit, and reviews space utilisation, staffing and distribution expenditure to determine future distribution policies;</li> <li>• ensures that regulations regarding hours of work, the licensing of crews and transport equipment, the operational safety and efficiency of equipment, the insurance of vehicles and other statutory regulations are complied with;</li> <li>• ensures that harbour channels and berths are maintained and liaises with ship owners, crew, customs officials, dock and harbour staff to arrange entry, berthing and servicing of ships;</li> <li>• supervises day-to-day activities in a railway station;</li> <li>• arranges for maintenance of airport runways and buildings, liaises with fuel and catering crews to ensure adequate supplies and resolves any complaints and problems raised by airport users.</li> </ul>	£25,000	£29,200	

1162	Managers and directors in storage and warehousing	<ul style="list-style-type: none"> <li>• Logistics manager</li> <li>• Stock manager</li> <li>• Cold store manager</li> </ul>	<ul style="list-style-type: none"> <li>• liaises with production, maintenance, sales and other departments to determine the materials and other items required for current and future production schedules and sales commitments;</li> <li>• reviews, develops and implements stock control, handling and distribution policies to maximise use of space, money, labour and other resources;</li> <li>• advises purchasing department on type, quality and quantity of goods required and dates by which they must be available;</li> <li>• prepares reports on expenditure and advises on materials and parts standardisation, future stores and stock control policies;</li> <li>• decides on storage conditions for particular items, allocates warehouse space and arranges for regular stock inspections to detect deterioration or damage.</li> </ul>	£22,800	£25,900	
1252	Garage managers and proprietors	<ul style="list-style-type: none"> <li>• Garage manager/owner</li> <li>• Repair shop manager</li> </ul>	<ul style="list-style-type: none"> <li>• determines staffing, financial, material and other short- and long-term requirements;</li> <li>• ensures that necessary spare parts, materials and equipment are available or obtainable at short notice;</li> <li>• arranges for maintenance staff to perform necessary maintenance and repair work on vehicles or motorcycles;</li> <li>• checks completed work for compliance with safety and other statutory regulations;</li> </ul>	£25,000	£28,000	

			<ul style="list-style-type: none"> <li>• maintains records of repair work to detect recurrent faults;</li> <li>• provides information about garage merchandise for staff and customers;</li> <li>• ensures the business accounts are maintained.</li> </ul>			
3511	Air traffic controllers	<ul style="list-style-type: none"> <li>• Flight planner</li> <li>• Air traffic controller</li> </ul>	<ul style="list-style-type: none"> <li>• maintains radio and/or radar or visual contact with aircraft and liaises with other air traffic controllers and control centres to direct aircraft in and out of controlled airspace and into holding areas ready for landing;</li> <li>• directs the movement of aircraft en route to its destination and ensures minimum distances are maintained between planes;</li> <li>• gives landing instructions to pilot and monitors descent of aircraft;</li> <li>• directs movement of aircraft and motor vehicles on runways, taxiways and in parking bays;</li> <li>• obtains information regarding weather conditions, navigational hazards, landing conditions, seating arrangements, loading of cargo, fuel and catering supplies;</li> <li>• calculates fuel consumption and optimum flying height, plans route and prepares flight plan for aircraft pilot;</li> <li>• discusses operational requirements with pilot, issues duty schedules for flight deck and cabin crews, maintains records of flight progress and</li> </ul>	£56,200		

			<p>authorises flight departure;</p> <ul style="list-style-type: none"> <li>handles emergencies, unscheduled traffic and other unanticipated incidents.</li> </ul>			
3512	Aircraft pilots and flight engineers	<ul style="list-style-type: none"> <li>Pilot</li> <li>First officer</li> <li>Aircraft engineer</li> </ul>	<ul style="list-style-type: none"> <li>studies flight plan, discusses it with flight deck crew and makes any necessary adjustments;</li> <li>directs or undertakes routine checks on engines, instruments, control panels, cargo distribution and fuel supplies;</li> <li>directs or undertakes the operation of controls to fly aeroplanes and helicopters, complying with air traffic control and aircraft operating procedures;</li> <li>monitors fuel consumption, air pressure, engine performance and other indicators during flight and advises pilot of any factors that affect the navigation or performance of the aircraft;</li> <li>maintains radio contact and discusses weather conditions with air traffic controllers;</li> <li>performs specified tests to determine aircraft's stability, response to controls and overall performance;</li> <li>accompanies pupil on training flights and demonstrates flying techniques.</li> </ul>	£25,000	£33,000	
3513	Ship and hovercraft officers	<ul style="list-style-type: none"> <li>Chief engineer (shipping)</li> <li>Marine engineer (shipping)</li> </ul>	<ul style="list-style-type: none"> <li>allocates duties to ship's officers and co-ordinates and directs the activities of deck and engine room ratings;</li> <li>directs or undertakes the operation of controls to inflate air cushions, run engines and propel and</li> </ul>	£33,100	£51,500	



		<ul style="list-style-type: none"> <li>• Merchant navy officer</li> <li>• Petty officer</li> <li>• Tug master</li> <li>• Yacht skipper</li> </ul>	<ul style="list-style-type: none"> <li>• steer ships, hovercraft and other vessels;</li> <li>• locates the position of vessel using electronic and other navigational aids such as charts and compasses and advises on navigation where appropriate;</li> <li>• monitors the operation of engines, generators and other mechanical and electrical equipment and undertakes any necessary minor repairs;</li> <li>• maintains radio contact with other vessels and coast stations;</li> <li>• prepares watch keeping rota and maintains a look-out for other vessels or obstacles;</li> <li>• maintains log of vessel's progress, weather conditions, conduct of crew, etc.</li> </ul>			
4134	Transport and distribution clerks and assistants	<ul style="list-style-type: none"> <li>• Warehouse operative</li> <li>• Fleet officer</li> </ul>	<ul style="list-style-type: none"> <li>• processes customer orders and forwards requisition documentation to storage and distribution personnel;</li> <li>• formulates delivery loads, vehicle schedules and routes to be followed by delivery staff;</li> <li>• monitors tachograph readings and maintains records of hours worked and distance travelled by drivers;</li> <li>• obtains customs clearance and processes import and export documentation necessary for the movement of goods between countries;</li> <li>• maintains records regarding the movement and location of freight, containers and staff</li> </ul>	£20,800	£23,000	

5235	Aircraft maintenance and related trades	<ul style="list-style-type: none"> <li>• Aeronautical engineer</li> <li>• Aircraft engineer</li> <li>• Aircraft fitter</li> <li>• Aircraft mechanic</li> </ul>	<ul style="list-style-type: none"> <li>• examines drawings, manuals and specifications to determine appropriate methods and sequence of operations;</li> <li>• fits and assembles parts and/or metal sub-assemblies to fine tolerances to make aircraft engines;</li> <li>• replaces engine components or complete engines, installs and tests electrical and electronic components and systems in aircraft;</li> <li>• examines and inspects airframes and aircraft components, including landing gear, hydraulic systems, and de-icers to detect wear, cracks, breaks, leaks, or other problems;</li> <li>• maintains, repairs and rebuilds aircraft structures, functional components, and parts;</li> <li>• maintains comprehensive repair logs.</li> </ul>	£28,400	£32,500	
5236	Boat and ship builders and repairers	<ul style="list-style-type: none"> <li>• Boat builder</li> <li>• Fitter (boat building)</li> <li>• Frame turner (ship building)</li> <li>• Marine engineer</li> <li>• Ship's joiner</li> <li>• Shipwright</li> </ul>	<ul style="list-style-type: none"> <li>• examines drawings and specifications to determine job requirements;</li> <li>• uses rules, scribes and punches to mark out metal plate with guidelines and reference points and cuts plates using appropriate tools;</li> <li>• uses machine tools to bend, curve, punch, drill and straighten metal plate as required and positions and aligns metal platework or frame for welding and bolting;</li> <li>• rivets together metal plates and girders, seals seams, smoothes welds, fixes metal doors, collars,</li> </ul>	£21,400	£24,000	

			<p>portholes, tank and hatch covers;</p> <ul style="list-style-type: none"> <li>• selects and measures appropriate wood and cuts, shapes and drills to specification using saws, planes, chisels and other power or hand tools;</li> <li>• aligns and fixes prepared wood pieces by screwing, nailing, gluing and dowelling to form decking, small wooden marine craft and their interiors and fittings;</li> <li>• maintains and repairs woodwork and fittings.</li> </ul>			
6214	Air travel assistants	<ul style="list-style-type: none"> <li>• Cabin crew</li> <li>• Flight attendant</li> </ul>	<ul style="list-style-type: none"> <li>• passengers at airport terminal, examines tickets and other documentation, checks in luggage and distributes boarding passes;</li> <li>• checks emergency equipment, distributes reading material, blankets and other items, and ensures that the aircraft is ready for the receipt of passengers;</li> <li>• welcomes passengers on board the aircraft, guides them to their seats and assists with any hand luggage;</li> <li>• ensures that sufficient stocks of meals and beverages are on board the aircraft prior to take off and serves passengers during the flight;</li> <li>• sells duty-free goods during the flight;</li> <li>• makes announcements on behalf of the pilot, demonstrates the use of emergency equipment and checks that safety belts are fastened;</li> <li>• directs and instructs passengers in the event of an emergency, ensures safety procedures are</li> </ul>	£20,800	£23,000	

			followed.			
6215	Rail travel assistants	<ul style="list-style-type: none"> <li>• Train conductor/guard</li> <li>• Train manager</li> </ul>	<ul style="list-style-type: none"> <li>• examines and collects tickets at the ticket barrier of a railway station;</li> <li>• helps with passenger enquiries and makes announcements over a public address system at stations;</li> <li>• loads and unloads mail, goods and luggage, operates lifts and hoists and drives small trucks;</li> <li>• assists passengers with special needs to board and leave trains;</li> <li>• attends to the safety, welfare and comfort of passengers on trains and manages train crew;</li> <li>• checks control panel operation before start of journey, operates train door controls and signals to driver to start or stop train;</li> <li>• inspects and issues tickets on trains, deals with passenger enquiries, and takes charge of goods being transported on train.</li> </ul>	£20,800	£25,800	
8211	LGV driver	<ul style="list-style-type: none"> <li>• Lorry driver</li> <li>• HGV driver</li> <li>• Tanker driver</li> </ul>	<ul style="list-style-type: none"> <li>• checks tyres, brakes, lights, oil, water and fuel levels and general condition of the vehicle;</li> <li>• drives vehicle from depot to loading/unloading point;</li> <li>• agrees delivery schedule and route with transport management;</li> <li>• assists with loading/unloading and ensures that load is evenly distributed and safely secured;</li> <li>• drives vehicle to destination in accordance with</li> </ul>	£22,500	£25,800	

			<p>schedule;</p> <ul style="list-style-type: none"> <li>• maintains records of journey times, mileage and hours worked;</li> <li>• undertakes minor repairs and notifies supervisor of any mechanical faults.</li> </ul>			
8213	Bus and coach driver	<ul style="list-style-type: none"> <li>• Bus driver</li> <li>• Coach driver</li> </ul>	<ul style="list-style-type: none"> <li>• checks tyres, brakes, lights, oil, water and fuel levels and general condition of the vehicle;</li> <li>• drives single- and double-decked vehicle over pre-determined route, complying with traffic regulations and keeping to time schedule;</li> <li>• stops and opens and closes doors at pre-arranged places to allow passengers to board and alight, observing regulations concerning the number of passengers carried;</li> <li>• may collect fares from passengers and issue tickets or ensure that they use a ticket machine;</li> <li>• may plan routes in conjunction with private hirer and assist with loading and unloading of luggage;</li> <li>• balances cash taken with tickets sold and may be responsible for cleanliness of vehicle;</li> <li>• maintains records of journey times, mileage and hours worked.</li> </ul>	£22,500	£25,800	
8214	Taxi and cab drivers	<ul style="list-style-type: none"> <li>• Taxi driver</li> <li>• Private hire driver</li> </ul>	<ul style="list-style-type: none"> <li>• drives passenger-carrying motor cars, taxis and other motor cars and motorcycles, complying with road and traffic regulations;</li> <li>• collects passengers when hailed or in response to</li> </ul>	£20,800	£22,500	

			<p>telephone/radio message and helps them to secure their luggage;</p> <ul style="list-style-type: none"> <li>conveys passenger to destination and helps unload luggage.</li> </ul>			
8232	Marine and waterways transport operatives	<ul style="list-style-type: none"> <li>Engine room attendant</li> <li>Merchant seaman</li> </ul>	<ul style="list-style-type: none"> <li>ensures that necessary fuel supplies are on board and inspects engine, boilers and other mechanisms for correct functioning;</li> <li>removes and repairs or replaces damaged or worn parts of plant and machinery and ensures that engine and plant machinery are well lubricated;</li> <li>stows cargo, assists passengers to embark and disembark, watches for hazards and moors or casts off mooring ropes as required;</li> <li>steers ship, under the supervision of a duty officer, checks navigational aids and keeps bridge, wheel and chartroom clean and tidy;</li> <li>performs other deck duties, including servicing and maintaining deck gear and rigging, splicing wire and fibre ropes, greasing winches and derricks, opening up and battening down hatches, securing gangways and ladders and lowering and raising lifeboats.</li> </ul>	£25,800	£28,800	
8233	Air transport operatives	<ul style="list-style-type: none"> <li>Ramp agent</li> <li>Baggage handler</li> <li>Ground staff (airport)</li> </ul>	<ul style="list-style-type: none"> <li>refuels aircraft from mobile tankers;</li> <li>directs the ground movement of aircraft at airports;</li> <li>responds to emergencies or incidents on the airfield and completes runway inspections;</li> <li>loads and unloads conveyor belts to transport</li> </ul>	£20,800	£24,000	

		<ul style="list-style-type: none"> <li>• Airfield controller</li> <li>• Cargo handler</li> </ul>	<ul style="list-style-type: none"> <li>luggage between terminal buildings and aircraft, monitors conveyor belts and clears any blockages;</li> <li>• loads aircraft with luggage, in-flight meals, refreshments and other items;</li> <li>• operates retractable gangway or positions mobile staircases to enable passengers and crew to board and disembark aircraft.</li> </ul>			
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**TABLE 14 – Public service**

<b>SOC Code</b>	<b>Description</b>	<b>Related Job Titles</b>	<b>Example Job Tasks</b>	<b>New Entrant Salary</b>	<b>Experienced Salary</b>	<b>Key Employment</b>
1172	Senior police officers	<ul style="list-style-type: none"> <li>Chief superintendent (police service)</li> <li>Detective inspector</li> <li>Police inspector</li> </ul>	<ul style="list-style-type: none"> <li>liaises with senior officers to determine staff, financial and other short- and long-term needs;</li> <li>plans, directs and co-ordinates general policing for an area or functional unit;</li> <li>directs and monitors the work of subordinate officers;</li> <li>establishes contacts and sources of information concerning crimes planned or committed;</li> <li>directs and co-ordinates the operation of record keeping systems and the preparation of reports.</li> </ul>	£38,100	£57,500	
1173	Senior officers in fire, ambulance, prison and related services	<ul style="list-style-type: none"> <li>Fire service officer (government)</li> <li>Prison governor</li> <li>Station officer (ambulance service)</li> </ul>	<ul style="list-style-type: none"> <li>liaises with other senior officials and/or government departments to determine staffing, financial and other short and long-term needs;</li> <li>prepares reports for insurance companies, government Departments, and other bodies as necessary;</li> <li>advises on the recruitment, training and monitoring of staff;</li> <li>fire officers plan, direct and co-ordinate an operational plan for one or more fire stations, attend fires and other emergencies to minimise danger to property and people, arrange for the salvaging of goods, immediate temporary repairs</li> </ul>	£37,100		



			<p>and security measures for fire damaged premises as necessary;</p> <ul style="list-style-type: none"> <li>• ambulance officers plan, organise, direct and co-ordinate the activities of ambulance personnel and control room assistants, for the provision of ambulance services for emergency and non-emergency cases;</li> <li>• prison officers interview prisoners on arrival and discharge/ departure, receive reports on disciplinary problems and decide on appropriate action, make periodic checks on internal and external security, and provide care and support to prisoners in custody;</li> <li>• revenue and customs, excise and immigration officers advise on the interpretation of regulations concerning taxes, duties and immigration requirements and enforce these regulations through monitoring of premises, examining goods entering the country to ensure correct duty is paid and establishing that passengers have the necessary authorisation for crossing national borders.</li> </ul>		
3312	Police officers (sergeant and below)	<ul style="list-style-type: none"> <li>• Police constable</li> <li>• Police officer</li> <li>• Sergeant</li> </ul>	<ul style="list-style-type: none"> <li>• receives instructions from senior officers and patrols an assigned area on foot, horseback, motorcycle, motor car or boat to check security and enforce regulations;</li> <li>• directs and controls traffic or crowds at demonstrations and large public events;</li> <li>• investigates complaints, crimes, accidents, any</li> </ul>	£28,400	

			<p>suspicious activities or other incidents;</p> <ul style="list-style-type: none"> <li>• interviews suspects, takes statements from witnesses and stops, searches and/or arrests suspects;</li> <li>• attends accidents;</li> <li>• prepares briefs or reports for senior officers;</li> <li>• works on station reception desk and or in communications room;</li> <li>• gives evidence in court cases.</li> </ul>		
3313	Fire service officers (watch manager and below)	<ul style="list-style-type: none"> <li>• Fire officer</li> </ul>	<ul style="list-style-type: none"> <li>• inspects premises to identify potential fire hazards and to check that firefighting equipment is available and in working order and that statutory fire safety regulations are met;</li> <li>• arranges fire drills and tests alarm systems and equipment;</li> <li>• travels to fire or other emergency by vehicle and locates water mains if necessary;</li> </ul>	£28,400	
3561	Public services associate professionals	<ul style="list-style-type: none"> <li>• Higher executive officer (government)</li> <li>• Senior executive officer (government)</li> </ul>	<ul style="list-style-type: none"> <li>• manages the activities of government office staff, assigns tasks and responsibilities and makes changes in procedures to deal with variations in workload;</li> <li>• assists senior government officers with policy work, external liaison or general administrative work;</li> <li>• supervises a variety of administrative functions in government departments such as recruitment and training, the negotiation and arrangement of</li> </ul>	£38,000	£42,000

			<p>contracts, building and capital management, monitoring and authorising department expenditure etc.;</p> <ul style="list-style-type: none"> <li>• organises resources for the acceptance and recording of vacancy details, the selection of suitable applicants and other Job Centre activities;</li> <li>• authorises the payment of social security benefits, assesses the financial circumstances of claimants and investigates any state insurance contribution problems;</li> <li>• undertakes supervisory duties specific to the operation of Revenue and Customs offices, Job Centres, Benefits Agency offices and other local offices of national government;</li> <li>• advises the public or companies on general tax problems and arranges for the issue, receipt and examination of tax forms, the computation of tax arrears and rebates;</li> <li>• discusses business strategy, products, services and target client base with management to identify public relations requirements;</li> <li>• writes, edits and arranges for the distribution of press releases and other public relations material, addresses target groups through meetings, presentations, the media and other events to enhance the public image of the organisation, and monitors and evaluates its effectiveness.</li> </ul>			
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**TABLE 15 – Other roles not elsewhere specified**

SOC Code	Description	Related Job Titles	Example Job Tasks	New Entrant Salary	Experienced Salary	Key Employment
1115	Chief Executives and Senior Officials	<ul style="list-style-type: none"> <li>• Chief executive</li> <li>• Chief medical officer</li> <li>• Civil servant (grade 5 &amp; above)</li> <li>• Vice President</li> </ul>	<ul style="list-style-type: none"> <li>• analyses economic, social, legal and other data, and plans, formulates and directs at strategic level the operation of a company or organisation;</li> <li>• consults with subordinates to formulate, implement and review company/organisation policy, authorises funding for policy implementation programmes and institutes reporting, auditing and control systems;</li> <li>• prepares, or arranges for the preparation of, reports, budgets, forecasts or other information;</li> <li>• plans and controls the allocation of resources and the selection of senior staff;</li> <li>• evaluates government/local authority departmental activities, discusses problems with government/local authority officials and administrators and formulates departmental policy;</li> <li>• negotiates and monitors contracted out services provided to the local authority by the private sector;</li> <li>• studies and acts upon any legislation that may affect the local authority;</li> <li>• stimulates public interest by providing publicity, giving lectures and interviews and organising appeals for a variety of causes;</li> </ul>	£35,300	£52,900	

			<ul style="list-style-type: none"> <li>directs or undertakes the preparation, publication and dissemination of reports and other information of interest to members and other interested parties.</li> </ul>			
1132	Marketing & Sales Directors	<ul style="list-style-type: none"> <li>Marketing director</li> <li>Sales director</li> </ul>	<ul style="list-style-type: none"> <li>liaises with other senior staff to determine the range of goods or services to be sold;</li> <li>discusses employer's or clients' requirements, plans and monitors surveys and analyses of customers' reactions to products;</li> <li>examines and analyses sales figures, advises on and monitors marketing campaigns and promotional activities;</li> <li>controls the recruitment and training of staff;</li> <li>produces and/or assesses reports and recommendations concerning marketing and sales strategies.</li> </ul>	£33,300	£47,900	Yes
1133	Purchasing managers and directors	<ul style="list-style-type: none"> <li>Bid manager</li> <li>Purchasing manager</li> </ul>	<ul style="list-style-type: none"> <li>determines what goods, services and equipment need to be sourced;</li> <li>devises purchasing policies, decides on whether orders should be put out to tender and evaluates suppliers' bids;</li> <li>negotiates prices and contracts with suppliers and draws up contract documents;</li> <li>arranges for quality checks of incoming goods and ensures suppliers deliver on time;</li> <li>interviews suppliers' representatives and visits trade fairs;</li> </ul>	£30,000	£36,600	

			<ul style="list-style-type: none"> <li>• researches and identifies new products and suppliers;</li> <li>• stays abreast of and ensures adherence to relevant legislation regarding tendering and procurement procedures.</li> </ul>			
1134	Advertising and public relations directors	<ul style="list-style-type: none"> <li>• Account director (advertising)</li> <li>• Head of public relations</li> </ul>	<ul style="list-style-type: none"> <li>• liaises with client to discuss product/service to be marketed and develops the most appropriate strategy to deliver the objectives;</li> <li>• defines target group and implements strategy through appropriate media planning work;</li> <li>• conceives advertising campaign to impart the desired product image in an effective and economical way;</li> <li>• reviews and revises campaign strategy in light of sales figures, surveys, etc. and takes appropriate corrective measures if necessary;</li> <li>• stays abreast of changes in media, readership or viewing figures and advertising rates;</li> <li>• directs the arranging of conferences, exhibitions, seminars, etc. to promote the image of a product, service or organisation.</li> </ul>	£28,300	£46,000	
1135	Human resource managers and directors	<ul style="list-style-type: none"> <li>• Human resources manager</li> <li>• Personnel manager</li> <li>• Recruitment manager</li> </ul>	<ul style="list-style-type: none"> <li>• determines staffing needs;</li> <li>• oversees the preparation of job descriptions, drafts advertisements and interviews candidates;</li> <li>• oversees the monitoring of employee performance and career development needs; provides or arranges for provision of training courses;</li> </ul>	£27,000	£35,000	

			<ul style="list-style-type: none"> <li>• undertakes industrial relations negotiations with employees’ representatives or trades unions;</li> <li>• develops and administers salary, health and safety and promotion policies;</li> <li>• examines and reports on company and departmental structures, chains of command, information flows, etc. and evaluates efficiency of existing operations;</li> <li>• considers alternative work procedures to improve productivity;</li> <li>• stays abreast of relevant legislation, considers its impact on the organisation’s HR strategy and recommends appropriate action.</li> </ul>			
1139	Functional managers and directors not elsewhere classified	<ul style="list-style-type: none"> <li>• Manager (charitable organisation)</li> <li>• Research director</li> </ul>	<ul style="list-style-type: none"> <li>• helps to formulate and implement local government policy and ensures legal and statutory provisions are observed;</li> <li>• organises local authority office work and resources, negotiates contracted out services;</li> <li>• plans, organises, coordinates and directs the resources of a special interest organisation;</li> <li>• formulates and directs the implementation of an organisation’s policies;</li> <li>• represents union, association or charity in consultation and negotiation with government, employees and other bodies;</li> <li>• stimulates public interest by providing publicity, giving lectures and interviews and organising appeals;</li> </ul>	£24,100	£35,100	

			<ul style="list-style-type: none"> <li>directs or undertakes the preparation, publication and dissemination of reports and other information pertaining to the organisation.</li> </ul>			
1226	Travel agency managers and proprietors	<ul style="list-style-type: none"> <li>Tourist information manager</li> <li>Travel agency owner</li> <li>Travel manager</li> </ul>	<ul style="list-style-type: none"> <li>plans work schedules and assigns tasks and responsibilities;</li> <li>co-ordinates the activities of clerical, secretarial and other staff;</li> <li>discusses client's requirements and advises on road, rail, air and sea travel and accommodation;</li> <li>makes and confirms travel and accommodation bookings, arranges group holidays, tours and individual itineraries;</li> <li>advises on currency and passport/visa regulations and any necessary health precautions needed;</li> <li>determines financial, staffing, material and other short- and long-term needs.</li> </ul>	£20,800	£25,000	
1251	Property, housing, and estate managers	<ul style="list-style-type: none"> <li>Facilities manager</li> <li>Landlord (property management)</li> <li>Estate manager</li> <li>Head groundskeeper</li> </ul>	<ul style="list-style-type: none"> <li>determines staffing, financial, material and other short- and long-term requirements;</li> <li>manages general upkeep, maintenance and security of the estate's amenities;</li> <li>makes sure that the amenities meet health and safety standards and legal requirements;</li> <li>advises on energy efficiency;</li> <li>discusses client's requirements and may advise client on the purchase of property and land for investment and other purposes;</li> </ul>	£20,800	£25,400	



			<ul style="list-style-type: none"> <li>• conducts or arranges for structural surveys of properties and undertakes any necessary valuations of property or agricultural land, and deals with grant and subsidy applications;</li> <li>• negotiates land or property purchases and sales or leases and tenancy agreements and arranges legal formalities with solicitors, building societies and other parties;</li> <li>• maintains or arranges for the maintenance of estate accounts and records and produces financial forecasts;</li> <li>• acts as arbiter in disputes between landlord and tenant and ensures that both fulfil their legal obligations;</li> <li>• examines and assesses housing applications, advises on rent levels, investigates complaints and liaises with tenants' association and social workers to resolve any family problems.</li> </ul>			
2429	Business research and administrative professionals not elsewhere classified	<ul style="list-style-type: none"> <li>• Civil servant (grade 6, 7)</li> <li>• Company secretary (qualified)</li> <li>• Policy adviser (government)</li> <li>• Registrar (government)</li> </ul>	<ul style="list-style-type: none"> <li>• coordinates the organisation's services and resources, liaising with other senior staff;</li> <li>• analyses internal processes and systems, recommends and implements procedural and policy changes;</li> <li>• recruits and manages staff, assigns and delegates tasks and duties, makes changes in procedures to deal with variations in workload;</li> <li>• develops plans, sets objectives and monitors and evaluates performance;</li> <li>• prepares and reviews operational and financial</li> </ul>	£24,300	£29,400	

			<p>reports; · controls and administers budgets.</p> <ul style="list-style-type: none"> <li>• advises national and local government on the interpretation and implementation of policy decisions, acts and regulations, and provides technical assistance in the formulation of policy;</li> <li>• co-ordinates and directs the activities of Revenue and Customs offices, Job Centres, Benefits Agency offices and other local offices of national government;</li> <li>• registers and maintains records of all births, deaths and marriages in local authority area, issues appropriate certificates and reports any suspicious causes of death to the coroner.</li> <li>• negotiates and monitors contracted out services provided by the private sector to local government studies and acts upon any legislation that may affect the local authority.</li> </ul>			
2436	Project manager	<ul style="list-style-type: none"> <li>• Project manager</li> </ul>	<ul style="list-style-type: none"> <li>• draws up budgets and timescales for new construction projects based on clients' requirements;</li> <li>• briefs project team, contractors and suppliers;</li> <li>• assembles information for invoicing at the end of projects;</li> <li>• plans work schedules for construction projects based on prior discussion with architects, surveyors etc.;</li> <li>• hires and may supervise site staff, establishes temporary site offices, takes delivery of materials;</li> <li>• regularly inspects and monitors progress and quality of work, ensures legal requirements are met;</li> </ul>	£22,800	£25,500	

			<ul style="list-style-type: none"> <li>identifies defects in work and proposes corrections;</li> <li>records, monitors and reports progress;</li> <li>forecasts the impact on traffic and transport of new developments (e.g. shopping centre);</li> <li>assesses schemes to manage traffic such as congestion charging and parking controls;</li> <li>examines accident 'blackspots' to improve road safety;</li> <li>writes reports for funding bids and planning authorities and acts as expert witness.</li> </ul>			
2462	Quality assurance and regulatory professionals	<ul style="list-style-type: none"> <li>Compliance manager</li> <li>Financial regulator</li> <li>Patent attorney</li> <li>Quality assurance manager</li> <li>Quality manager</li> </ul>	<ul style="list-style-type: none"> <li>develops and implements visual, physical, functional or other appropriate measures and tests of quality;</li> <li>analyses and reports upon the results of quality control tests to ensure that production remains within specification;</li> <li>considers the impact of legislation upon specification requirements;</li> <li>examines current operating procedures to determine how quality may be improved;</li> <li>examines operating procedures to ensure the process and the product meet regulatory standards and implements changes necessary to ensure compliance.</li> </ul>	£24,300	£30,400	
2471	Journalists, newspaper and periodical editors	<ul style="list-style-type: none"> <li>Broadcast journalist</li> <li>Editor</li> <li>Journalist</li> </ul>	<ul style="list-style-type: none"> <li>determines subject matter and undertakes research by interviewing, attending public events, seeking out records, reviewing written work, attending film and stage performances etc.;</li> <li>writes articles and features and submits draft manuscripts to newspaper, magazine, periodical or</li> </ul>	£20,800	£25,100	

		<ul style="list-style-type: none"> <li>• Radio journalist</li> <li>• Reporter</li> </ul>	<p>programme editor;</p> <ul style="list-style-type: none"> <li>• selects material for broadcast or publication, checks style, grammar, accuracy and legality of content and arranges for any necessary revisions;</li> <li>• liaises with production staff in checking final proof copies immediately prior to printing.</li> </ul>			
2472	Public relations professionals	<ul style="list-style-type: none"> <li>• Account manager (public relations)</li> <li>• Information officer (public relations)</li> <li>• PR consultant</li> <li>• Press officer</li> <li>• Public relations officer</li> </ul>	<ul style="list-style-type: none"> <li>• discusses issues of business strategy, products, services and target client base with senior colleagues to identify public relations requirements;</li> <li>• writes, edits and arranges for the effective distribution of press releases, newsletters and other public relations material;</li> <li>• addresses individuals, clients and other target groups through meetings, presentations, the media and other events to enhance the public image of an organisation;</li> <li>• develops and implements tools to monitor and evaluate the effectiveness of public relations exercises.</li> </ul>	£20,800	£23,000	
2473	Advertising accounts managers and creative directors	<ul style="list-style-type: none"> <li>• Account manager (advertising)</li> <li>• Advertising Manager</li> <li>• Campaign Manager</li> <li>• Creative Director</li> <li>• Projects Manager (advertising)</li> </ul>	<ul style="list-style-type: none"> <li>• liaises with client to discuss product/service to be marketed, defines target group and assesses the suitability of various media;</li> <li>• conceives advertising campaign to impart the desired product image in an effective and economical way;</li> <li>• reviews and revises campaign in light of sales figures, surveys, etc.;</li> <li>• stays abreast of changes in media, readership or viewing figures and advertising rates;</li> <li>• arranges conferences, exhibitions, seminars, etc.</li> </ul>	£22,800	£28,300	

			to promote the image of a product, service or organisation.			
3413	Actors, entertainers and presenters	<ul style="list-style-type: none"> <li>• Actor</li> <li>• Disc jockey</li> <li>• Entertainer</li> <li>• Presenter (broadcasting)</li> <li>• Singer</li> </ul>	<ul style="list-style-type: none"> <li>• studies script, play or book and prepares and rehearses interpretation;</li> <li>• assumes character created by a playwright or author and communicates this to an audience;</li> <li>• performs singing, comedy, acrobatic, illusion and conjuring routines;</li> <li>• trains animals to perform entertaining routines and may perform with them;</li> <li>• introduces and presents radio and television programmes, reads news bulletins and makes announcements;</li> <li>• conducts interviews and prepares reports for news broadcasts, current affairs programmes and documentaries;</li> <li>• plays pre-recorded music at nightclubs, discotheques, and private functions.</li> </ul>	£20,800	£24,200	
3416	Arts officers, producers and directors	<ul style="list-style-type: none"> <li>• Broadcast editor</li> <li>• Film editor</li> <li>• Video production assistant</li> <li>• Studio manager</li> <li>• Television producer</li> <li>• Audio/visual manager</li> <li>• Stage manager</li> </ul>	<ul style="list-style-type: none"> <li>• chooses writers, scripts, technical staff and performers, and assumes overall responsibility for completion of project on time and within budget;</li> <li>• directs actors, designers, camera team, sound crew and other production and technical staff to achieve desired effects;</li> <li>• breaks script into scenes and formulates a shooting schedule that will be most economical in terms of time, location and sets;</li> <li>• prepares rehearsal and production schedule for main events, design of sets and costumes, technical rehearsals and dress rehearsals;</li> </ul>	£25,000	£28,000	

			<ul style="list-style-type: none"> <li>• Ensures necessary equipment, props, performers and technical staff are on set when required;</li> <li>• manages health and safety issues;</li> <li>• selects, contracts, markets and arranges for the presentation and/or distribution of performance, visual and heritage arts.</li> </ul>			
3531	Estimators, valuers and assessors	<ul style="list-style-type: none"> <li>• Claims investigator</li> <li>• Loss adjuster</li> <li>• Marine surveyor</li> <li>• Engineering surveyor</li> </ul>	<ul style="list-style-type: none"> <li>• Examines plans, drawings, specifications, parts lists, etc. and specifies the materials and components required;</li> <li>• assesses condition, location, desirability and amenities of property to be valued;</li> <li>• surveys vessels to ensure compliance with legal and regulatory requirements and international standards;</li> <li>• prepares comprehensive estimates of time and costs and presents these in report or tender form;</li> <li>• examines insurance documents to assess extent of liability and gathers information about incident from police, medical records, ship's logs etc. and investigates potential fraudulent claims.</li> </ul>	£23,100	£27,500	Yes
3536	Importers and exporters	<ul style="list-style-type: none"> <li>• Sales executive</li> <li>• Purchaser</li> </ul>	<ul style="list-style-type: none"> <li>• investigates and evaluates home and overseas demand for particular commodities;</li> <li>• obtains orders from buyers and arranges payment by bill of exchange, letter of credit or other means;</li> <li>• arranges for shipment of commodities overseas and ensures that insurance and export licences are in order;</li> <li>• carries out customs clearance procedures for imports, arranges their storage and delivery and sells them personally or through a commodity</li> </ul>	£25,300	£28,000	

			<p>broker;</p> <ul style="list-style-type: none"> <li>• advises home and overseas producers on the likely future demand for their goods.</li> </ul>			
3542	Business sales executives	<ul style="list-style-type: none"> <li>• Corporate account executive</li> </ul>	<ul style="list-style-type: none"> <li>• discusses customer requirements and advises them on the capabilities and limitations of the goods or services being sold;</li> <li>• quotes prices, credit details, delivery dates and payment arrangements and arranges for delivery and installation of goods if appropriate;</li> <li>• makes follow up visits to ensure customer satisfaction and to obtain further orders;</li> <li>• stays abreast of advances in product/field and suggests possible improvements to product or service;</li> <li>• maintains records and accounts of sales made and handles customer complaints.</li> </ul>	£23,800	£27,000	
3543	Marketing associate professionals	<ul style="list-style-type: none"> <li>• Business development executive</li> <li>• Fundraiser</li> <li>• Market research analyst</li> <li>• Marketing consultant</li> <li>• Marketing executive</li> </ul>	<ul style="list-style-type: none"> <li>• discusses business methods, products or services and targets customer group with employer or client in order to identify marketing requirements;</li> <li>• establishes an appropriate quantitative and qualitative market research methodology and prepares proposals outlining programmes of work and details of costs;</li> <li>• collates and interprets findings of market research and presents results to clients;</li> <li>• discusses possible changes that need to be made in terms of design, price, packaging, promotion etc. in light of market research with appropriate departments;</li> <li>• briefs advertising team on client requirements,</li> </ul>	£20,800	£21,900	

			monitors the progress of advertising campaigns and liaises with client on potential modifications.			
3544	Estate agents	<ul style="list-style-type: none"> <li>• Auctioneer and valuer</li> <li>• Letting agent</li> </ul>	<ul style="list-style-type: none"> <li>• discusses client's requirements and may advise client on the purchase of property and land for investment and other purposes;</li> <li>• conducts or arranges for structural surveys of properties and undertakes any necessary valuations of property or agricultural land;</li> <li>• advises vendors and purchasers on market prices of property, accompanies clients to view property;</li> <li>• markets the property on behalf of the vendor, prepares written information and press advertisements;</li> <li>• negotiates land or property purchases, sales, leases or tenancy agreements and arranges legal formalities with solicitors, building societies and other parties;</li> <li>• makes inventories of property for sale, advises vendor of suitable reserve price, issues catalogues, conducts auction, notes bids and records sale.</li> </ul>	£20,800	£24,000	
3546	Conference and exhibition managers and organisers	<ul style="list-style-type: none"> <li>• Events manager</li> </ul>	<ul style="list-style-type: none"> <li>• discusses conference and exhibition requirements with clients and advises on facilities;</li> <li>• develops proposal for the event, and presents proposal to client;</li> <li>• allocates exhibition space to exhibitors;</li> <li>• plans work schedules, assigns tasks, and co-ordinates the activities of designers, crafts persons, technical staff, caterers and other events staff;</li> <li>• liaises closely with venue staff to ensure smooth running of the event;</li> </ul>	£20,800	£22,700	



			<ul style="list-style-type: none"> <li>ensures that Health and Safety and other statutory regulations are met.</li> </ul>			
3562	Human resources and industrial relations officers	<ul style="list-style-type: none"> <li>Employment adviser</li> <li>Human resources officer</li> <li>Personnel officer</li> <li>Recruitment consultant</li> </ul>	<ul style="list-style-type: none"> <li>undertakes research into pay differentials, productivity and efficiency bonuses and other payments;</li> <li>develops and recommends personnel and industrial relations policies, assists with their implementation and drafts staff handbooks;</li> <li>acts as an intermediary between employers and candidates, undertaking recruitment processes on behalf of clients;</li> <li>interviews candidates for jobs;</li> <li>advises on training and recruitment, negotiating procedures, salary agreements and other personnel and industrial relations issues;</li> <li>deals with grievance and disciplinary procedures, and with staff welfare and counselling provision.</li> </ul>	£18,000	£22,000	<p>A salary for this SOC code falls below the absolute minimum wage, in accordance with 1.1(1)(a) workers must be paid a minimum salary of £20,800 in order to be eligible for a Confirmation of Employment.</p>
3565	Policy and regulation officers, inspectors and surveyors	<ul style="list-style-type: none"> <li>Building inspector</li> <li>Trading standards officer</li> </ul>	<ul style="list-style-type: none"> <li>examines building plans to ensure compliance with local, statutory and other requirements;</li> <li>Develops and maintains aviation and shipping policy and legislation;</li> <li>inspects building structures, facilities and sites to determine suitability for habitation, compliance with regulations and for insurance purposes;</li> <li>inspects ships, aircraft and associated equipment to ensure their ongoing seaworthiness and airworthiness;</li> <li>inspects ports, aerodromes and other sites to</li> </ul>	£22,200	£25,400	

			<p>ensure their suitability for use by and in support of ships and aircraft;</p> <ul style="list-style-type: none"> <li>• inspects measuring and similar equipment in factories and visits street traders, shops, garages and other premises to check scales, weights and measuring equipment;</li> <li>• inspects factories and other work sites to ensure adequate cleanliness, temperature, lighting and ventilation, checks for fire hazards and inspects storage and handling arrangements of dangerous materials;</li> <li>• visits sites during construction and inspects completed installations of electricity, gas or water supply;</li> <li>• draws attention to any irregularities or infringements of regulations and advises on ways of rectifying them;</li> <li>• investigates occurrences, serious incidents and accidents or any complaints made by the public;</li> <li>• verifies the weight of commercial vehicles, checks driver's licence and hours worked;</li> <li>• samples and tests river water, checks and advises on premises discharging effluent to prevent pollution;</li> <li>• checks fishing licences and prevents illegal fishing;</li> <li>• visits premises where animals are kept, advises on animal care and investigates complaints;</li> <li>• undertakes other inspections including chemicals, drugs, flight operations, etc.;</li> <li>• Assesses applications for and issues licences, approvals, permissions, certificates etc.;</li> </ul>			
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			<ul style="list-style-type: none"> <li>prepares reports and recommendations on all inspections made and recommends corrective and legal action where necessary.</li> </ul>			
4161	Office Managers	<ul style="list-style-type: none"> <li>Business support manager</li> <li>Delivery office manager</li> <li>Office manager</li> <li>Practice manager</li> <li>Sales administration manager</li> <li>Sales office manager</li> </ul>	<ul style="list-style-type: none"> <li>plans work schedules, assigns tasks and delegates responsibilities;</li> <li>advises on the handling of all correspondence and enquiries relating to accounts, sales, statistical and vacancy records;</li> <li>ensures that procedures for considering, issuing, amending and endorsing insurance policies are adhered to;</li> <li>plans, organises and co-ordinates the activities and resources of other offices not elsewhere classified including box offices, other ticket offices and accommodation bureaux.</li> </ul>	£20,800	£23,300	
5449	Other skilled trades not elsewhere classified	<ul style="list-style-type: none"> <li>Diamond moulder</li> <li>Engraver</li> <li>Goldsmith</li> <li>Paint sprayer</li> <li>Piano tuner</li> <li>Sign maker</li> <li>Wig maker</li> </ul>	<ul style="list-style-type: none"> <li>uses hand or machine tools to engrave letters, patterns and other designs on jewellery and stoneware;</li> <li>makes children's toys, dolls, models, candles, artificial flowers and other fancy goods;</li> <li>makes, maintains and adapts surgical and orthopaedic appliances;</li> <li>makes patterns for moulds, fits metal castings, pours plaster, fills plaster mould with resin and smooths surface;</li> <li>makes musical instruments, makes and assembles parts for musical instruments, and tunes to improve pitch, tone and volume;</li> <li>makes and repairs jewellery and decorative precious metal ware, sets, cuts and polishes gemstones and makes master patterns for articles</li> </ul>	£20,800	£22,000	

			<ul style="list-style-type: none"> <li>of jewellery;</li> <li>constructs and covers wire frames for lampshades;</li> <li>makes wigs, beards and other artificial hairpieces from human hair or synthetic materials;</li> <li>interweaves canes of willow, withy, bamboo, rattan or similar material to make baskets and other pieces of wickerwork;</li> <li>charges fireworks, cartridges and other munitions with explosive material.</li> </ul>			
6148	Undertakers, mortuary and crematorium assistants	<ul style="list-style-type: none"> <li>Embalmer</li> <li>Funeral director</li> <li>Undertaker</li> <li>Pall bearer</li> <li>Crematorium technician</li> </ul>	<ul style="list-style-type: none"> <li>collects body of deceased and assists with the completion of necessary documents;</li> <li>interviews relative or representative of the deceased to discuss preparations for funeral;</li> <li>liaises with cemetery or crematorium authorities on behalf of clients;</li> <li>washes and injects body with sterilising fluid to prevent deterioration prior to funeral, and applies cosmetics, wax and other materials to restore normal appearance;</li> <li>provides hearse and funeral cars and leads funeral procession;</li> <li>controls the operations of crematoriums and cemeteries and processes legal documentation.</li> </ul>	£20,800	£24,000	
6231	Housekeepers and related occupations	<ul style="list-style-type: none"> <li>Housekeeper</li> </ul>	<ul style="list-style-type: none"> <li>controls the purchase and storing of food, cleaning materials, linen and other household supplies;</li> <li>maintains household records;</li> <li>performs a variety of domestic tasks including food preparation and service, cleaning and laundry;</li> <li>assists employer in washing, dressing, packing and</li> </ul>	£20,800	£22,000	

			other personal activities.			
6232	Caretakers	<ul style="list-style-type: none"> <li>• Concierge</li> <li>• Janitor</li> <li>• School premises manager</li> <li>• Site manager (educational establishments)</li> </ul>	<ul style="list-style-type: none"> <li>• locks and unlocks doors and entrances at appropriate times;</li> <li>• supervises and/or undertakes the cleaning and maintenance of premises;</li> <li>• controls heating, lighting and security systems;</li> <li>• undertakes minor repairs and notifies owner of need for major repairs;</li> <li>• checks fire and safety equipment for adequate functioning;</li> <li>• supervises and/or undertakes the cleaning and maintenance of premises.</li> </ul>	£20,800	£24,000	
6240	Cleaning and housekeeping managers and supervisors	<ul style="list-style-type: none"> <li>• Cleaning supervisor</li> <li>• Guest service manager</li> <li>• Hotel services supervisor</li> </ul>	<ul style="list-style-type: none"> <li>• oversees the provision of cleaning and housekeeping supplies;</li> <li>• arranges for replacement of broken, defective tools and handles arrangements for repairs to fixtures and fittings;</li> <li>• manages budget for cleaning and housekeeping supplies and keeps record of expenditure;</li> <li>• supervises the activities of cleaners and other housekeeping staff and inspects work undertaken;</li> <li>• recruits or participates in the selection process for cleaning and housekeeping staff and takes charge of staff training;</li> <li>• assigns duties and responsibilities to staff and oversees working rotas.</li> </ul>	£20,800	£24,000	
8129	Plant and machine operatives not	<ul style="list-style-type: none"> <li>• Water treatment engineer</li> </ul>	<ul style="list-style-type: none"> <li>• operates acetylene torches and other cutting equipment to dismantle boilers, cars, ships, railway</li> </ul>	£23,000	£27,000	

	elsewhere classified		<p>track, engines, machinery and other scrap metal;</p> <ul style="list-style-type: none"> <li>• bends, coils, crimps and spins metal wires in the manufacture of cables, springs, ropes and other wire goods;</li> <li>• operates machines in the manufacture of nuts, bolts, nails, screws, pins, rivets, etc.;</li> <li>• fills grease gun with grease of appropriate grade, and applies grease or oil to grease points or lubrication holes in machinery or equipment and over bearings, axles and other similar parts;</li> <li>• ensures that rollers in rope haulage system are well greased and running freely;</li> <li>• inspects machines and equipment, and reports any faults.</li> </ul>			
8222	Fork lift truck drivers	<ul style="list-style-type: none"> <li>• Fork lift operator</li> </ul>	<ul style="list-style-type: none"> <li>• operates controls to pick up load on forks;</li> <li>• drives truck to unloading point and lowers forks to correct position on stack or ground.</li> </ul>	£20,800	£22,500	

## **Appendix X: Business Migrant**

### **Part 1: Introduction**

A Business Migrant is a person who is coming to the Isle of Man for business related reasons. The Business Migrant rules in this Appendix contain the Start-up and Innovator sub-categories, which were introduced on 6 April 2020.

- (1) On the introduction of this Appendix on 6 April 2020 entry clearance under Part 6A of the Immigration Rules in the following categories are closed to new Migrants;
  - (a) Tier 1 (Entrepreneur) and
  - (b) Tier 1 (Graduate Entrepreneur).
- (2) To qualify for leave under this Appendix in the Start-up or Innovator sub-categories, a Migrant must meet either:
  - (a) the requirements in Part 4 of this Appendix where the application is for entry clearance or leave to remain, or
  - (b) the requirements in Part 5 of this Appendix where the application is for indefinite leave to remain.
- (3) If the Migrant meets the requirements, the application will be granted. If the Migrant does not meet the requirements, the application will be refused.
- (4) The application will be assessed by the Decision Maker based on the information provided by the Migrant, and any other relevant circumstances, at the date of decision.
- (5) The application will be assessed by the Decision Maker based against the Immigration Rules in operation at the **date of application**.
- (6) Unless stated otherwise, all Migrants arriving in the Isle of Man and wishing to enter under this Appendix must have a valid entry clearance for entry under the relevant category. If they do not have a valid entry clearance, entry will be refused.
- (7) Definitions of terms and phrases used in this Appendix are set out in Annex 1 of this Appendix.

#### Available Categories

This section provides an overview of the title, purpose and main features of each sub-category contained in this Appendix.

#### **Start Up**

This sub-category is for individuals seeking to establish a business in the Isle of Man for the first time. Migrants will have an innovative, viable and scalable business idea. This category offers leave for 2 years and 4 months only. This category does not lead to Indefinite Leave to Remain (ILR). Migrants may progress into the Innovator sub-category.

#### **Innovator**

This sub-category is for individuals with business experience seeking to establish, join or take over one or more businesses in the Isle of Man. Migrants will have an innovative, viable

and scalable business idea. With some exceptions, Migrants will have the required funding to invest in the business. This category may lead to indefinite leave to remain.

## **Part 2: Endorsement - General**

An application for entry clearance, leave to remain or indefinite leave to remain under this Appendix must be submitted with a valid **letter of endorsement** issued by the **Department**.

This section sets out the criteria for, and validity of, a **letter of endorsement**.

### **2.1 Department for Enterprise responsibilities**

The Department will carry out the following responsibilities.

- (1) The Minister for Enterprise will specify the required evidence to be supplied with an endorsement application to evidence the relevant **endorsement criteria**, as set out in this Appendix, is met. The required evidence will be specified in an **endorsement policy** issued by the Department.
- (2) The **Department** will publish an **endorsement policy** specifying the **letter of endorsement** application process that must be followed by a Migrant.
- (3) The **Department** will completely assess the Migrants' business venture(s) against the relevant endorsement criteria set out in this Appendix.
- (4) The **Department** will stay in contact with those they have endorsed at checkpoints of maximum intervals of 6 months from the date the letter of endorsement is issued.
- (5) The **Department** must inform the Immigration Service if, at those checkpoints in (4) above, both of the following apply:
  - (a) the Migrant has not made **reasonable progress** with their original business venture, and
  - (b) the individual is not pursuing a **new business** venture that also meets the endorsement criteria set out in this Appendix.
- (6) The **Department** must inform the Immigration Service if a Migrant misses any of these checkpoints without the **Departments'** authorisation.
- (7) The **Department** must withdraw its endorsement if either (4) or (5) apply, unless it is aware of exceptional and compelling reasons not to withdraw its endorsement, and must inform the Immigration Service of those reasons.
- (8) The **Department** must inform the Immigration Service if it has any reason to believe that an individual it has endorsed breaches any of their conditions.
- (9) The **Department** must inform the Immigration Service if it has any reason to believe that an individual it has endorsed in the Innovator sub-category is working outside of their own business venture(s), in breach of their visa conditions.
- (10) The **Department** must be satisfied that the source of funds and nature of the proposed business venture will not cause reputational harm or other detriment to the Isle of Man.
- (11) The **Department** must not deem funds acceptable for endorsement where those funds are held in a financial institution which is not permitted under Appendix Finance.



- (12) The **Department** must be satisfied the Migrant will meet the residency criteria at paragraphs 6.2(1)(b), 7.3(1)(b) or 7.5(1)(h) as applicable.

## 2.2 Application for a letter of endorsement

Before applying for entry clearance, leave to remain or indefinite leave to remain, a Migrant must first make an application to the **Department** for a **letter of endorsement**. The issuance of a **letter of endorsement** does not guarantee the success of a Migrant's visa application.

- (1) An application for a **letter of endorsement** must:
  - (a) be made to the **Department** using the specified application form;
  - (b) meet the requirements specified in this Appendix and in force at the **date of application**; and
  - (c) in order to assess (b) above is met, provide the documentation specified in the **endorsement policy** in force at the **date of application**.
- (2) The **Department** will only consider documents submitted before the date the application is considered.
- (3) If specified evidence is missing, a document is in the wrong format (for example, if a letter is not on letterhead paper as specified), or a document does not contain all of the specified information, the **Department** may contact the Migrant or his representative in writing to request the correct documents. The requested documents must be received at the specified address within 10 **working days** of the date of the request.
- (4) Documents will not be requested where the Department does not think that the submission of missing or correct documents will lead to issuing the **letter of endorsement** because the application will be refused for other reasons.
- (5) If missing information is verifiable from other documents provided with the application or elsewhere, the Department may issue the **letter of endorsement** despite the error or omission, if satisfied that the Migrant meets all the other requirements of this Appendix.

## 2.3 Letter of Endorsement

- (1) A **letter of endorsement** issued by the **Department** must include all of the following information:
  - (a) the **endorsement reference number**;
  - (b) the date of issue;
  - (c) the Migrant's name, date of birth, nationality and passport number;
  - (d) Where the **letter of endorsement** is for a Start-up application, confirmation that the Migrant has not previously established a business in the UK or Isle of Man (unless the Migrant's last grant of leave was under the Start-up or Tier 1 (Graduate Entrepreneur) category in the UK or Isle of Man);
  - (e) confirmation the **letter of endorsement** is provided for the purpose of an entry clearance, leave to remain or indefinite leave to remain visa application;

- (f) confirmation the **letter of endorsement** is issued for the purpose of a visa application in one of the following sub-categories:
  - (i) Start-up; or
  - (ii) Innovator.

#### **2.4 Letter of Endorsement validity**

- (1) A visa application under this appendix will only be valid where a **letter of endorsement** issued by the Department:
  - (a) contains all information specified in paragraph 2.3 above; and
  - (b) contains the information specified in Part 6 or Part 7 as applicable; and
  - (c) is dated no earlier than 3 calendar months before the **date of application**.
- (2) The Migrant must not have previously made a visa application under this Appendix using the same **letter of endorsement**, if that application was either approved or refused (not rejected as an invalid application, declared void or **withdrawn**).
- (3) The **Department** must not have **withdrawn** the **letter of endorsement** by the time the application is considered by the **decision maker**.
- (4) Following the grant of a visa, the relevant **letter of endorsement** remains valid from the **date of decision** until the expiry date of the visa for which the endorsement was issued unless (5) or (6) below apply.
- (5) At any time a **letter of endorsement** will no longer be valid where the **Department** notifies the Immigration Service that a **letter of endorsement** has been **withdrawn** in accordance with the **endorsement policy**.
- (6) At anytime a letter of endorsement will no longer be valid where the Migrant's leave is curtailed as set out in paragraph 3.3 below.

### Part 3: Lengths and conditions of leave and curtailment

This section sets out the lengths of leave that may be granted in each sub-category of this Appendix, including any time limits and timescales for applying for indefinite leave to remain. It also sets out the conditions of that leave and circumstances in which that leave may be curtailed.

#### 3.1 Lengths of Leave

(1) If an application is successful, leave will be granted for the time stated in the table below:

Sub-Category	Length of Leave, initial application	Length of Leave, extension application	Maximum time permissible in this category
Business Migrant (Start-up)	2 years and 4 months, minus any time already granted in the Start-up sub-category under Appendix W of the United Kingdom Immigration Rules	2 years minus the time already granted in the: <ul style="list-style-type: none"> <li>• Tier 1 (Graduate Entrepreneur),</li> <li>• Start-Up sub-category under Appendix W of the United Kingdom Immigration Rules, or</li> <li>• Business Migrant (Start-Up) sub-category under the Isle of Man Immigration Rules.</li> </ul>	2 years
Business Migrant (Innovator)	3 Years	3 Years	No time limit

(2) If a Migrant has already been granted the maximum time permissible in the sub-category applied for, the application will be refused.

#### 3.2 Conditions of leave

(1) If an application for entry clearance or leave to remain is successful, leave will be granted subject to all of the following conditions:

- (a) No recourse to public funds.
- (b) Registration with the police, if this is required by Part 10 of the Immigration Rules.
- (c) No employment as a professional sportsperson (including as a sports coach).
- (d) No Employment as a Doctor or Dentist in Training, unless the Migrant:
  - (i) has obtained a primary degree in medicine or dentistry at bachelor's level or above from a UK institution that is a UK recognised or listed body, or which holds a sponsor licence under Tier 4 of the Points Based System, and provides evidence of this degree; or
  - (ii) has, or has last been granted, entry clearance, leave to enter or leave to remain that was not subject to any condition restricting him from taking employment as a Doctor in Training, has been employed during that leave as a Doctor in Training, and provides a letter from the Postgraduate Deanery or NHS Trust employing them which confirms that they have been

working in a post or programme that has been approved by the General Medical Council as a training programme or post; or

- (iii) has, or has last been granted, entry clearance, leave to enter or leave to remain that was not subject to any condition restricting him from taking employment as a Dentist in Training, has been employed during that leave as a Dentist in Training, and provides a letter from the Postgraduate Deanery or NHS Trust employing them which confirms that they have been working in a post or programme that has been approved by the Joint Committee for Postgraduate Training in Dentistry as a training programme or post.
- (e) If the Migrant is in the Innovator sub-category, no employment other than working for the business(es) the Migrant has established. Working for such business(es) does not include any work pursuant to a contract of service or apprenticeship, whether express or implied and whether oral or written, with another business. This means successful Migrants cannot effectively fill a position or hire their labour to another business, even if the work is undertaken through contracting with the Migrant's own business or through a recruitment or employment agency.
- (f) Study is permitted, subject to the conditions set out in Part 15 of the Immigration Rules.

### 3.3 Curtailment

- (1) A Migrant's leave to enter or leave to remain may be curtailed as set out in Part 9: Grounds for refusal of the Immigration Rules.
- (2) A Migrant's leave to enter or leave to remain in any sub-category of this Appendix may be curtailed where the **Department** withdraws its endorsement of a Migrant.
- (3) A Migrant's leave to enter or leave to remain in any sub-category of this Appendix **may** be curtailed if -
  - (a) the Migrant breaches a condition of his or her visa;
  - (b) to support any assessment of sub-paragraph (a) above, the Minister may require the Migrant to submit additional evidence or attend an interview in order to demonstrate the Migrant has, and is continuing to, meet their visa conditions;
  - (c) in accordance with sub-paragraph (b) above, the visa may be curtailed where the Migrant fails to provide the requested evidence within 28 **working days**, or fails to attend the interview.

## Part 4: General requirements – Entry Clearance and Leave to Remain

This section sets out the general requirements that all Migrants in any sub-category of this Appendix must satisfy.

### 4.1 Endorsement

- (1) All Migrants applying for entry clearance or leave to remain under this Appendix must provide a **letter of endorsement** issued by the **Department** in accordance with Part 2 of this Appendix.
- (2) The **letter of endorsement** must be valid at the time the application is considered by the decision maker.

### 4.2 Evidence provided with applications

- (1) The **decision maker** will only consider documents submitted before the date the application is considered.

- (2) However if specified evidence is missing, a document is in the wrong format (for example, if a letter is not on letterhead paper as specified), or a document does not contain all of the specified information, the decision maker may contact the Migrant or his representative in writing to request the correct documents. The requested documents must be received at the specified address within **10 working days** of the date of the request.
- (3) Documents will not be requested where the decision maker does not think that the submission of missing or correct documents will lead to a grant because the application will be refused for other reasons.
- (4) If missing information is verifiable from other documents provided with the application or elsewhere, the Decision Maker may grant the leave applied for despite the error or omission, if satisfied that the Migrant meets all the other requirements of this Appendix.

### 4.3 Age

All Migrants in any sub-category of this Appendix must be at least 18 years old.

### 4.4 Immigration Status in the Isle of Man

If the Migrant is applying for leave to remain, one of the following must apply:

- (1) The Migrant's last grant of leave was in the same category as they are applying in.
- (2) The Migrant's last grant of leave was in an eligible switching category as shown in the table below:

<b>Category the Migrant is applying in</b>	<b>Eligible Switching categories<sup>40</sup></b>
Business Migrant <b>(Start-up)</b>	<ul style="list-style-type: none"> <li>• <b>Tier 1 (Graduate Entrepreneur)</b></li> <li>• <b>UK Tier 2 Migrant</b></li> <li>• <b>Tier 4 (General)</b> – the restrictions in paragraph 4.5 apply</li> <li>• Worker Migrant<sup>41</sup></li> <li>• A visitor who has been undertaking permitted activities as a prospective entrepreneur, as set out in Appendix V</li> </ul>
Business Migrant <b>(Innovator)</b>	<ul style="list-style-type: none"> <li>• Business Migrant (Start-up)</li> <li>• <b>UK Start-up Migrant</b></li> <li>• <b>Tier 1 (Graduate Entrepreneur)</b></li> </ul>

<sup>40</sup> All categories within this table must be current and valid UK or Isle of Man issued visas (as the case may be).

<sup>41</sup> With effect from 6 April 2018, the Tier 2 route under the Isle of Man Immigration Rules was closed to new migrants. Those who immediately prior to that date held leave to enter or remain as Tier 2 (General) Migrants, Tier 2 (Minister of Religion) Migrants and Tier 2 (Sportsperson) Migrants were deemed to Worker Migrants and may apply for leave to remain under Appendix W of the Isle of Man Immigration Rules upon the expiry of that leave. This variation of leave was made effective by the Immigration (Variation of Leave) Order 2018 (SD 2018/0097)

	<ul style="list-style-type: none"> <li>• <b>Tier 1 (Entrepreneur)</b></li> <li>• <b>UK Tier 2 Migrant</b></li> <li>• Worker Migrant<sup>42</sup></li> <li>• A visitor who has been undertaking permitted activities as a prospective entrepreneur, as set out in Appendix V</li> </ul>
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#### 4.6 Restrictions for Tier 4 (General) students applying under this Appendix

If the Migrant's last grant of leave was as a Tier 4 (General) Student, the following restrictions apply:

- (1) If the Migrant's last grant of leave was as a Tier 4 (General) Migrant in the UK under the UK Immigration Rules, the Migrant must have been sponsored as a Tier 4 (General) Student by one of the following:
  - (a) a UK **higher education provider** with a **track record of compliance**,
  - (b) an overseas higher education institution to undertake a short-term study abroad programme in the United Kingdom,
  - (c) an Embedded College offering Pathway Courses, or
  - (d) an independent school

within the meaning of the **UK Immigration Rules**.

- (2) If the Migrant's last grant of leave was as a Tier 4 (General) Migrant in the UK under the **UK Immigration Rules** and the Migrant was sponsored for their studies in the UK by a government or international scholarship agency, and the sponsorship is ongoing or ended less than 12 months before the date of application, the Migrant must:
  - (a) have been granted unconditional written consent to make the application by their sponsoring government or agency, and
  - (b) provide a letter from each sponsoring organization confirming this.

The letter must be issued by an authorised official of that organisation and contain contact details which allow it to be verified.

- (3) If the Migrant's last grant of leave was as a Tier 4 (General) Migrant in the Isle of Man under the Isle of Man Immigration Rules, the Migrant must have been sponsored by a Tier 4 (General) Sponsor Licence holder.

#### 4.6 Breach of Immigration Laws

The Migrant must not be in the UK or Islands in breach of immigration laws, except that any current period of overstaying will be disregarded where any of the exceptions set out in paragraph 39E in Part 1 of the Immigration Rules apply.

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<sup>42</sup> As per footnote 2

## 4.7 General grounds for refusal

The Migrant must not fall for refusal under the general grounds for refusal set out in Part 9 of the Immigration Rules.

## 4.8 Credibility Assessment

- (1) The **decision maker** will carry out a credibility assessment as set out in this paragraph.
- (2) The **decision maker** will take into account any **letter of endorsement** held by the Migrant and required under this Appendix, and may also take into account the following factors:
  - (a) the evidence the Migrant has submitted and its credibility;
  - (b) the Migrant's previous educational, work and immigration history;
  - (c) any information received from other government Departments regarding the Migrant's previous employment and other activity in the Isle of Man; and
  - (d) any other relevant information.
- (3) The **decision maker** may request additional information and evidence from the Migrant or (where relevant) the **Department**. The requested documents must be received at the specified address within 10 **working days** of the date of the request.
- (4) The **decision maker** may ask the Migrant to attend an interview. If the Migrant fails to attend the interview without providing a reasonable explanation, the **decision maker** may assess the application based on the information and evidence the Migrant has already provided.
- (5) The **decision maker** may decide not to carry out the credibility assessment if the application already falls for refusal on other grounds.

## 4.9 English Language

- (1) The Migrant must have a B2 level of English language ability, as defined in the Council of Europe's common European Framework for language learning.
- (2) The Migrant must show they meet the English language requirement in one of the ways shown in the table below:

Row	Requirement	Evidence Required
1.	<b>The Migrant is a national of a majority English speaking country</b>	(1) The Migrant must provide their current valid passport or travel document for <b>one</b> of the following countries: <ul style="list-style-type: none"> <li>•Antigua and Barbuda</li> <li>•Australia</li> <li>•The Bahamas</li> <li>•Barbados</li> <li>•Belize</li> <li>•Canada</li> <li>•Dominica</li> <li>•Grenada</li> <li>•Guyana</li> <li>•Jamaica</li> <li>•New Zealand</li> <li>•St Kitts and Nevis</li> <li>•St Lucia</li> <li>•St Vincent and the Grenadines</li> <li>•Trinidad and Tobago</li> <li>•United States of America (USA)</li> </ul>

		<p>(2) If the Migrant cannot provide either their current valid original passport or travel document, they must provide all of the following:</p> <p>(a) full reasons why they cannot provide the documents (acceptable reasons are because the documents are lost, stolen, or have expired and have been returned to the relevant authorities)</p> <p>(b) a current national identity document</p> <p>(c) an original letter from their home government or embassy, which confirms their full name, date of birth and nationality.</p>
2.	<b>The Migrant has a degree taught in English</b>	<p>(1) The Migrant must have one of the following qualifications:</p> <p>(a) a UK Bachelor's degree, Master's degree or PhD.</p> <p>(b) a qualification which meets or exceeds the recognised standard of a Bachelor's degree in the UK, and was taught or researched in English to the relevant level.</p> <p>(2) The following requirements apply in the case of (1)(b):</p> <p>(a) The qualification must be an academic qualification, not a professional or vocational qualification.</p> <p>(b) The Migrant must provide evidence from Ecctis, confirming the qualification meets or exceeds the recognised standard of a Bachelor's degree in the UK.</p> <p>(c) The evidence from Ecctis must also confirm the qualification was taught or researched in English to the required level, unless the qualification was awarded in one of the following countries:</p> <ul style="list-style-type: none"> <li>•Antigua and Barbuda</li> <li>•Australia</li> <li>•The Bahamas</li> <li>•Barbados</li> <li>•Belize</li> <li>•Dominica</li> <li>•Grenada</li> <li>•Guyana</li> <li>•Ireland</li> <li>•Jamaica</li> <li>•New Zealand</li> <li>•St Kitts and Nevis</li> <li>•St Lucia</li> <li>•St Vincent and The Grenadines</li> <li>•Trinidad and Tobago</li> <li>•United States of America (USA)</li> </ul> <p>(3) The Migrant must provide the certificate of the award, unless either of the following applies:</p> <p>(a) The Migrant is awaiting graduation, having successfully completed the qualification.</p> <p>(b) The Migrant no longer has the certificate and the awarding institution is unable to provide a</p>



		<p>replacement.</p> <p>(3) If the Migrant cannot provide the certificate of the award, they must provide an academic transcript (or letter in the case of a PhD qualification) from the awarding institution.</p>
3.	<b>The Migrant has passed a Secure English Language Test</b>	<p>(1) The Migrant must have passed a Secure English Language Test taken at a Secure English Language Test centre approved by the Secretary of State. Details of the approved tests and Secure English Language Test centres are published on the UK Visas and Immigration pages of Gov.uk. The provider's online booking system will allow the Migrant to choose the location of the test.</p> <p>(2) The Migrant must have met or exceeded the required level in all four components (reading, writing, speaking and listening), unless they were exempted from sitting a component on the basis of a disability.</p> <p>(3) Where two or more of the components were examined and awarded together, the Migrant must have achieved the required scores in all the relevant components during a single sitting.</p> <p>(4) The Migrant must provide their unique reference number for the test, which allows their score to be verified using the provider's online verification system.</p>
4.	<b>The Migrant met the requirement in a previous successful application</b>	<p>(1) The Migrant must have had a previous grant of entry clearance or leave to remain in any of the following categories under the Isle of Man Immigration Rules:</p> <ul style="list-style-type: none"> <li>•Business Migrant (Start-up)</li> <li>•Business Migrant (Innovator)</li> <li>•Tier 1 (General)</li> <li>•Tier 1 (Post-Study Work)</li> <li>•Tier 1 (Entrepreneur) under the rules in place before 13 December 2012</li> <li>•Tier 4 (General)</li> </ul> <p>(2) The Migrant must have had a previous grant of entry clearance or leave to remain in any of the following categories under the United Kingdom Immigration Rules:</p> <ul style="list-style-type: none"> <li>•Start-up</li> <li>•Innovator</li> <li>•Tier 1 (General)</li> <li>•Tier 1 (Post Study Work)</li> <li>•Tier 1 (Entrepreneur) under the Immigration Rules in place before 13 December 2012</li> <li>•Tier 2 (Minister of Religion)</li> <li>•Tier 4 (General), supported by a Confirmation of Acceptance for Studies (CAS) assigned on or after 21 April 2011</li> </ul> <p>(3) The Migrant will not meet the requirement if false information or documents were included in relation to the English language requirement, in the application which led to the above grant in (1) or (2) above, whether it was to their knowledge or not.</p>

#### 4.10 Maintenance

- (1) The applicant must have at least £945.
- (2) If a **Business Migrant** and their partner or children are applying at the same time, there must be enough maintenance funds in total, as required for all the applications (as specified for the partner and children in Part 8 and Appendix E of these Rules), otherwise all the applications will be refused.
- (3) The funds in (1) above must be held in a personal bank or building society account, where the applicant is the account holder (or one of the account holders in the case of a joint account).
- (4) Where the funds are in one or more foreign currencies, the funds will be converted to pound sterling (£) using the spot exchange rate which appears on [oanda.com](https://www.oanda.com) for the date of application.
- (5) The funds will not meet the maintenance requirement if **any** of the following apply:
  - (i) The funds are held in a financial institution which is not permitted under Appendix Finance.
  - (ii) The funds are not in cash. The [decision maker](#) will not accept evidence of shares, bonds, credit cards, overdraft facilities or pension funds.
  - (iii) The applicant was in the UK illegally, or in breach of their leave conditions, when they obtained any of the funds.
- (6) The funds must have been held in the account for a consecutive 90 days, ending no earlier than 31 days before the date of application.
- (7) The applicant must provide evidence of the above, which may be in **any** of the following forms:
  - (i) personal bank or building society statements;
  - (ii) a building society pass book;
  - (iii) a letter from their bank or building society;
  - (iv) a letter from another financial institution regulated by the Isle of Man Financial Services Authority for the purpose of personal savings accounts; or
  - (v) a letter from an overseas financial institution regulated by the official regulatory body for the country in which the institution operates and the funds are located.
- (8) The evidence in (7) must show **all** of the following:
  - (i) the name of the account holder;
  - (ii) the account number;
  - (iii) the financial institution's name and logo;
  - (iv) that the funds in the account have been at the required level throughout the 90-day period;
  - (v) the date of each document; and
  - (vi) in the case of personal bank or building society statements, any transactions during the 90-day period.

- (9) Bank or building society statements must not be mini-statements from automatic teller machines (ATMs) and must be **one** of the following:
- (i) statements printed on the bank's or building society's letterhead;
  - (ii) electronic statements, accompanied by a supporting letter from the bank or building society, on company headed paper, confirming the statements are authentic; or
  - (iii) electronic statements, bearing the official stamp of the bank or building society on every page.
- (10) The end date of the 90-day period will be taken as the date of the closing balance on the most recent document provided. Where documents from two or more accounts are submitted, this will be the end date for the account that most favours the applicant.
- (11) If the applicant is applying in the Start-up or Innovator categories, they do not need to provide evidence of maintenance funds if the Letter of Endorsement from their [endorsing body](#) confirms they have been awarded funding of at least £945. In the case of Innovator applicants, this must be in addition to the £50,000 investment funds required in that category.

## Part 5: General Requirements – Indefinite Leave to Remain

This section sets out the general requirements that all Migrants for indefinite leave to remain in this Appendix must satisfy.

### 5.1 Evidence provided with applications

The requirements set out in paragraph 4.2 (Evidence provided with applications) of this Appendix also apply to applications for indefinite leave to remain.

### 5.2 Knowledge of Language and Life in the Isle of Man

The Migrant must have sufficient knowledge of English Language and sufficient knowledge about life in the United Kingdom and Islands, as set out in Appendix KoLL of the Immigration Rules.

### 5.3 Breach of Immigration Laws

The Migrant must not be in the **UK and Islands** in breach of immigration laws, except that any current period of overstaying will be disregarded where any of the exceptions set out in paragraph 39E in Part 1 of the Immigration Rules apply.

### 5.4 General Grounds for refusal

The Migrant must not fall for refusal under the general grounds for refusal set out in Part 9 of the Immigration Rules.

### 5.5 Continuous Residence

- (1) The Migrant must have spent a continuous period lawfully in the Isle of Man (or **UK and Islands** as the case may be) counted backwards from whichever of the following dates is most beneficial to the Migrant:
- (a) the date for indefinite leave to remain;
  - (b) the date of decision;
  - (c) any date up to 28 days after the date of application.
- (2) The length of continuous period for each category is set out in the table below:

Category	Continuous period needed for Indefinite Leave to Remain	Continuous period can include time in the following categories
Business Migrant ( <b>Innovator</b> )	3 years	Innovator (under Appendix W of the United Kingdom Immigration Rules).  Business Migrant (Innovator)
Business Migrant ( <b>Start Up</b> )	Indefinite Leave to Remain applications cannot be made in this sub-category	Not applicable

- (3) The Migrant's most recent grant of leave must have been in the category they are applying for indefinite leave to remain in.
- (4) Time spent in the **UK and Islands** with leave in an equivalent category may also be included in the continuous period.

## 5.6 Absences from the Isle of Man

- (1) Absences from the **UK and Islands** will not break the continuous period if they occur while the Migrant had valid leave and they total 180 days or less during any consecutive 12 months.
- (2) Absences which count towards the 180-day limit at paragraph (1) include any of the following:
- (a) the time between a Migrant's grant of entry clearance and entering the **UK and Islands**;
  - (b) trips taken for personal, family or social reasons;
  - (c) business trips, including secondments, training and conferences;
  - (d) absences during annual leave from employment in the Isle of Man; or
  - (e) absences where the Migrant had valid leave when they left the Isle of Man and they submitted a successful application for entry clearance before that leave expired.
- (2) The **decision maker** may exceptionally allow absences which exceed the 180-day limit if the Migrant provides evidence that the reason was due to compelling, compassionate circumstances, such as:
- life-threatening illness of the Migrant or a close family member; or
  - natural disaster.
- (3) Where the purpose of the absence was for the Migrant to assist with a national or international humanitarian or environmental crisis overseas, this will not break the continuous period, regardless of the length of absence.

## 5.7 Periods without valid leave

Subject to sub-paragraph (1) below, any period without valid leave will break the continuous period:

- (1) If the Migrant had no valid entry clearance or leave to remain at any time during the continuous period, the continuous period will be paused, but not broken, if **any** of the following scenarios apply:

- (a) The Migrant had no valid leave in the **UK or Islands**, but they made a successful leave to remain application and paragraph 39E in Part 1 of the Immigration Rules applied to them.
  - (b) The Migrant left the **UK or Islands** when they had valid leave. They made an application for entry clearance before their previous leave expired. That application was subsequently granted.
  - (c) The Migrant left the **UK or Islands** when they had valid leave. They made an application for entry clearance within 14 days of their previous leave expiring and the **decision maker** considers that there was a good reason why the application could not be made before the previous leave expired. The reason must have been beyond the control of the Migrant or their representative, and an explanation must be provided in or with the application for indefinite leave to remain.
  - (d) The Migrant left the **UK or Islands** when they had valid leave. They made an application which would fall into (a) or (b) above, except that it was refused. They then made a further successful application within 14 days of that refusal (or within 14 days of any appeal being concluded, **withdrawn**, abandoned or lapses).
- (2) Time before and after the gap in leave can be combined when counting the continuous period. Time during the gap itself will not, however, count towards the continuous period.

### **Part 6: Specific Requirements – Business Migrant (Start-up)**

This section sets out the specific requirements that Migrants for entry clearance or leave to remain in the Business Migrant Start-up sub-category must satisfy.

Migrants must also satisfy the general requirements in Part 3 of this appendix.

#### **6.1 Endorsement**

- (1) All Migrants for entry clearance or leave to remain must have been endorsed in this category by the Department.
- (2) The Migrant must provide a **letter of endorsement** issued by the **Department** which includes all of the following information:
  - (a) The endorsement reference number;
  - (b) The date the **letter of endorsement** was issued, which must be no earlier than 3 months before the **date of application**;
  - (c) the Migrant's name, date of birth, nationality and passport number;
  - (d) confirmation that the Migrant has not previously established any business in the **UK or Isle of Man** which has commenced trading, unless the Migrant's last grant of leave was as any of the following:
    - (i) a Start-up Migrant;
    - (ii) a Tier 1 (graduate Entrepreneur) Migrant; or
    - (iii) a Tier 4 (General) Student on the doctorate extension scheme.
  - (e) A short description of the Migrant's business venture and the main products and services it will provide its customers.
  - (f) Confirmation that the Migrant's business venture meets the endorsement criteria in paragraph 6.2 below.
- (3) The Migrant does not need to be the sole founder of the business and may be a member of an entrepreneurial team.
- (4) The Department must not have **withdrawn** the **letter of endorsement** by the date the application is considered by the **decision maker**.

#### **6.2 Endorsement Criteria**

(1) The **letter of endorsement** must confirm both of the following:

(a) The Migrant's business venture meets all of the requirements in the table below:

Innovation	Viability	Scalability
The Migrant has an original business plan that meets new or existing market needs and/or creates a competitive advantage.	The Migrant has, or is actively developing, the necessary skills, knowledge, experience and market awareness to successfully run the business.	There is evidence of structured planning and potential for job creation and growth into national markets.

(b) The **Department** must be satisfied that the Migrant will spend the majority of their working time managing their business day to day in the Isle of Man on developing business ventures.

The requirement in (a) does not apply if the Migrant's last grant of leave was in the Tier 1 (Graduate Entrepreneur) category. Instead the **letter of endorsement** must confirm that the Migrant's business venture is genuine and credible.

## Part 7: Specific Requirements – Business Migrant (Innovator)

This section sets out the specific requirements that Migrants for entry clearance or leave to remain in the Business Migrant Innovator sub-category must satisfy.

Migrants for entry clearance or leave to remain must also satisfy the general requirements in Part 4 of this Appendix.

Migrants for indefinite leave to remain must also satisfy the general requirements in Part 5 of this Appendix

### 7.1 Endorsement

- (1) All Migrants for entry clearance, leave to remain or indefinite leave to remain must have been endorsed by the **Department**.
- (2) The Migrant must provide a letter of endorsement, issued by the **Department**, which includes all of the following information;
  - (a) The endorsement reference number;
  - (b) The date the **letter of endorsement** was issued, which must be no earlier than 3 months before the **date of application**;
  - (c) the Migrant's name, date of birth, nationality and passport number;
  - (d) a short description of the Migrant's business venture and the main products or services it provides (or will provide) to its customers;
  - (e) Confirmation that the Migrant's business venture meets the endorsement criteria in paragraph 7.2 or 7.3 below (as appropriate);
- (3) If the **letter of endorsement** is under the new business criteria, the **letter of endorsement** must confirm:
  - (a) The **Department** is providing the funds;
  - (b) The **Department** has verified the funds are available from other sources (including the Migrant themselves); or
  - (c) The **Department** has verified that the funds have already been invested in the Migrant's business.

- (4) The Migrant does not need to be the sole founder of the business and may be a member of an entrepreneurial team.
- (5) The **Department** must not have **withdrawn** the **letter of endorsement** by the date the application is considered by the **decision maker**.

## 7.2 New Business or same business - definitions

- (1) A Migrant may be endorsed under the **"new business"** endorsement criteria if either of the following apply:
  - (a) The application is an **initial application**; or
  - (b) The application is an **extension application**, and the Migrant is pursuing a different business venture from the one that was assessed in the endorsement which led to their previous grant of leave.
- (2) A Migrant may be endorsed under the **"same business"** endorsement criteria if both of the following apply:
  - (a) The Migrant's last grant of leave was in the Tier 1 (graduate Entrepreneur), Start-up or Innovator category; and
  - (b) the Migrant is pursuing the same business venture that was assessed in the endorsement which led to that grant of leave.
- (3) A Migrant may be endorsed under the **"new business" or "same business"** criteria if both of the following apply:
  - (a) The Migrant's last grant of leave was in the Tier 1 (Graduate Entrepreneur) or Start-up category; and
  - (b) The Migrant is pursuing the same business venture that was assessed in the endorsement which led to that grant of leave.

## 7.3 Endorsement Criteria – new business

- (1) If the Migrant is relying on endorsement under the new business criteria, the **letter of endorsement** must confirm both of the following;
  - (a) The Migrant's business venture meets all of the requirements below:
    - (i) has an original business plan that meets new or existing market needs and/or creates a competitive advantage;
    - (ii) has, or is actively developing, the necessary skills, knowledge, experience and market awareness to successfully run the business; and
    - (iii) there is evidence of structured planning and potential for job creation and growth into national markets.
  - (b) The **Department** is satisfied that the Migrant will spend the majority of their working time managing their business day to day in the Isle of Man on developing business ventures.
- (2) In addition to (1) above the **letter of endorsement** must also confirm:
  - (a) The Migrant's business plan demonstrates that the proposed business expects to employ:
    - (i) a minimum of 1 full-time, permanent employee in the Island, in addition to the employment of the Migrant, within the first 12 months of the period for which the **letter of endorsement** is issued; and
    - (ii) a minimum of 3 full-time, including (i) above, permanent employees, in addition to the employment of the Migrant, within the first 36 months of the period for which the **letter of endorsement** is issued.
  - (b) The job(s) created in (a) above must:

- (i) comply with all relevant Isle of Man legislation in effect at the time; and
- (ii) each job must involve at least 30 hours paid work per week. Two or more part time jobs that add up to 30 hours per week may be combined to represent the equivalent of a single full time job.

#### 7.4 Investment funds – new business

- (1) If the Migrant's **letter of endorsement** was issued under the new business endorsement criteria in paragraph 7.3 above, the **letter of endorsement** must confirm that at least £50,000 funds are available to the Migrant to invest in the business. This may include funds which have already been invested in the business.
- (2) If the business venture has one or more other team members who are applying form, or have been granted, leave in the Business Migrant (Innovator) sub-category they cannot share the same investment funds. There must be at least £50,000 investment funds available for each Innovator team member. These additional funds are not needed for team members who are **settled workers** or who have leave under another category of the Immigration Rules, which allows them to engage in business.

#### 7.5 Endorsement Criteria – same business

- (1) If the Migrant is relying on endorsement under the same business criteria, the **letter of endorsement** must confirm all of the following:
  - (a) The Migrant has shown **reasonable progress**, judged against the business plan assessed in their previous endorsement.
  - (b) The Migrant has fully established their business or businesses as outlined in the initial application for a **letter of endorsement**.
  - (c) The Migrant's business or businesses are actively trading hold all necessary registrations, approvals and permissions as required.
  - (d) The Migrant's business or businesses are compliant with all obligations to the Isle of Man Government in respect of Income Tax, National Insurance and Value Added Tax, if applicable.
  - (e) The Migrant's business or businesses have a realistic prospect of continuing success against the business plan(s) submitted for the **letter of endorsement**.
  - (f) The Migrant's business or businesses employ a minimum of those prescribed at paragraph 7.3(2).
  - (g) The Migrant has demonstrated an active key role in the day to day management and development of the business in the Isle of Man.
  - (h) The Department must be satisfied that the Migrant will spend the majority of their working time managing their business day to day in the Isle of Man on developing business ventures.

#### 7.6 Endorsement Criteria – Indefinite Leave to Remain

- (1) If the Migrant is making a Indefinite Leave to Remain application, the **letter of endorsement** must confirm all the following requirements are met:
  - (a) The Migrant meets all of the criteria set out in paragraphs 7.5(a)-(h).
  - (b) The Migrants business venture meets all of the following requirements:
    - (i) At least £50,000 has been invested into the business and actively spent furthering the business plan assessed in the Migrant's previous endorsement; and
    - (ii) The business or businesses are actively trading, hold all necessary registrations, approvals and permissions as required; and



- (iii) The business or businesses are compliant with all obligations to the Isle of Man Government in respect of Income Tax, National Insurance and Value Added Tax, if applicable; and
  - (iv) The business or businesses employ a minimum of 3 full-time, permanent employees in the Island, in addition to the Migrant. Those jobs created must:
    - (aa) have existed for at least 12 months and comply with all relevant Isle of Man legislation in effect at the time; and
    - (bb) involve an average of at least 30 hours paid work per week. Two or more part time jobs that add up to 30 hours per week may be combined to represent the equivalent of a single full time job; and
  - (v) The Migrant intends to continue to operate the business or businesses in the Isle of Man.
- (c) If the business venture has one or more other team members who are applying for, or have been granted, Indefinite Leave to Remain in the Business Migrant (Innovator) sub-category, they cannot share the same means of meeting these criteria. For example, if two Migrants are both relying on the requirement to have created 3 jobs, 6 jobs must have been created in total.

### Annex 1 – Definitions

For the purpose of this Appendix the definitions in the Table below apply.

<b>Term</b>	<b>Definition</b>
<b>Business Migrant</b>	means a Migrant in possession of valid leave granted under any sub-category of this Appendix
<b>date of application</b>	<p>means the date on which the application is submitted under the required application process, which means:</p> <p>(a) in the case of an application made outside of the UK and Islands, the date on which the relevant on-line application form is submitted on line; or</p> <p>(b) in the case of an application made within the Isle of Man:</p> <p>(i) where it is submitted in person to the Immigration Service address specified on the application form, the date on which it is delivered;</p> <p>(ii) where it is sent by pre-paid post, the date as shown on the tracking information provided by the carrier or, if not tracked, by the postmark date on the envelope; or</p> <p>(iii) where it is sent by courier, or other postal services provider, the date on which it is delivered to the Immigration Service address specified on the application form</p>
<b>decision maker</b>	means an entry clearance officer, immigration officer or the Cabinet Office Minister as the case may be

<b>Department</b>	means the Department for Enterprise as established under the Government Departments Act 1987 [AT 13 of 1987]
<b>endorsement</b>	means the endorsement by the Department demonstrated by issuing the <b>letter of endorsement</b>
<b>endorsement policy</b>	means the policy, at <b>the date of application</b> , issued and published by the Department for Enterprise for the purpose of making an application for a <b>letter of endorsement</b> .  The requirements stated in that policy must be met by a Migrant in order to obtain a <b>letter of endorsement</b>
<b>endorsement reference number</b>	means the reference number sighted on the <b>letter of endorsement</b>
<b>extension application</b>	means an application for entry clearance or leave to remain in the same category as the Migrant's most recent grant of leave (other than as a visitor). An entry clearance application will only be considered to be an extension application if it is made within 12 months of the previous leave expiring
<b>higher education provider and track record of compliance</b>	have the same meanings as set out in paragraph 6 of the United Kingdom Immigration Rules
<b>initial application</b>	means any application which is not an extension or Indefinite Leave to Remain application. This will normally mean that the Migrant is applying to enter a category for the first time
<b>letter of endorsement</b>	means a document issued by the Department as evidence of having met the requirements of the <b>endorsement policy</b> .  That document is then submitted in support of a visa application made under this Appendix
<b>reasonable progress</b>	means the progress a Migrant must have achieved and is considered acceptable by the Department under section 12 of the <b>endorsement policy</b> .  The Department will consider <b>reasonable progress</b> to not have been made where at least one of the following apply:  -the Migrant fails to invest funds in accordance with the proposals for which the <b>letter of endorsement</b> was issued;  -the Migrant fails to establish the business, or businesses, as outlined in their application for a letter of endorsement;

	<p>-the Migrant fails to respond within the timeframe specified in the request, to requests for information, invitations to meetings, or clarification on the progress of the planned investment and / or establishment of business, or businesses;</p> <p>-the Migrant fails to adequately demonstrate that they are playing an active role in the day to day management of any businesses established in the Isle of Man, where the <b>letter of endorsement</b> has been issued under the Business Migrant Start Up or Innovator routes</p>
<b>settled worker</b>	<p>a "<b>settled worker</b>" means a person who:</p> <p>(i) is a British Citizen,</p> <p>(ii) is a national of the European Economic Area or Switzerland who is exercising a Treaty Right in the Isle of Man,</p> <p>(iii) is a British overseas territories citizen, except those from Sovereign Base Areas in Cyprus,</p> <p>(iv) is a Commonwealth citizen with leave to enter or remain granted on the basis of Isle of Man, UK or Channel Islands Ancestry (paragraphs 186 to 193 of these Rules), or</p> <p>(v) has settled status in the Isle of Man within the meaning of the Immigration Act 1971, as amended by the Immigration and Asylum Act 1999, and the Nationality, Immigration and Asylum Act 2002, and</p> <p>(vi) is an Isle of Man worker within the meaning of the Control of Employment Act 2014 (of Tynwald)<sup>43</sup></p>
<b>Tier 1 (Graduate Entrepreneur)</b> and <b>Tier 1 (Entrepreneur)</b>	<p>means leave granted in either the Graduate Entrepreneur or Entrepreneur sub-category of the Tier 1 Migrant Points Based System of either the UK, or Isle of Man, Immigration Rules as applicable</p>
<b>Tier 4 (General)</b>	<p>means leave granted under the Tier 4 (General) rules of the Points Based System of either the UK, or Isle of Man, Immigration Rules as applicable</p>
<b>UK and Islands or UK or Islands</b>	<p>means the Isle of Man, United Kingdom and Channel Islands taken together</p>
<b>UK Immigration Rules</b>	<p>means the Immigration Rules of United Kingdom, made by the Home Secretary</p>

<sup>43</sup> 2014 AT 11.

<b>UK Start-up Migrant</b>	means a Migrant who is granted leave in the Start-up category under Appendix W of the United Kingdom Immigration Rules
<b>UK Tier 2 Migrant</b>	means a Migrant who is granted leave in the Tier 2 category of the Points Based System under the United Kingdom Immigration Rules
<b>withdrawn</b>	means that a <b>letter of endorsement</b> has been withdrawn by the Department in accordance with the <b>endorsement policy</b>
<b>Working day</b>	has the same meaning given in the Interpretation Act 2015 (as amended)

## Appendix IOM 1

<b>Schedule of Amendments to SD 62/05</b>	
<b>SD number</b>	<b>Laid before Tynwald</b>
SD 2022/0052	14 February 2022
SD 2021/0358	14 December 2021
SD 2021/0304	16 November 2021
SD 2021/0216	20 July 2021
SD 2021/0155	15 June 2021
SD 2021/0002	16 February 2021
SD 2020/0497	15 December 2020
SD 2020/0467	17 November 2020
SD 2020/0344	21 July 2020
SD 2020/0316	16 June 2020
SD 2020/0140	21 April 2020
SD 2020/0088	17 March 2020
SD 2020/0070	17 March 2020
SD 2020/0011	21 January 2020
SD 2019/0380	15 <sup>th</sup> October 2019
SD 2019/0330	15 <sup>th</sup> October 2019
SD 2019/0143	9 April 2019
SD 2019/0119	19 <sup>th</sup> March 2019
SD 2018/0328	19 <sup>th</sup> February 2019
SD 2018/0084	17 <sup>th</sup> April 2018
SD 2017/0314	21 <sup>st</sup> November 2017
SD 2017/0183	20 <sup>th</sup> June 2017
SD 2017/0066	21 <sup>st</sup> March 2017
SD 2016/0211	19 <sup>th</sup> July 2016
SD 2016/0175	19 <sup>th</sup> July 2016
SD 2016/0092	19 <sup>th</sup> April 2016
SD 2015/0386	16 <sup>th</sup> February 2016
SD 2015/0302	20 <sup>th</sup> October 2015
SD 2015/0265	20 <sup>th</sup> October 2015
SD 2014/0344	9 <sup>th</sup> December 2014
SD 2014/0324	18 <sup>th</sup> November 2014
SD 2014/0314	18 <sup>th</sup> November 2014
SD 2014/0241	21 <sup>st</sup> October 2014
SD 2014/0082	8 <sup>th</sup> April 2014
SD 2014/0004	18 <sup>th</sup> February 2014
SD 345/13	19 <sup>th</sup> November 2013
SD 302/13	19 <sup>th</sup> November 2013
SD 250/13	19 <sup>th</sup> November 2013
SD 0657/12	20 <sup>th</sup> November 2012
SD 0625/15	16 <sup>th</sup> October 2012
SD 0288/12	19 <sup>th</sup> June 2012
SD 0040/12	20 <sup>th</sup> March 2012
SD 518/11	12 <sup>th</sup> July 2011
GC 02/11	15 <sup>th</sup> March 2011

GC 26/10	13 <sup>th</sup> July 2010
GC 14/10	18 <sup>th</sup> May 2010
GC 35/09	20 <sup>th</sup> October 2009
GC 32/09	15 <sup>th</sup> December 2009
SD 500/08	15 <sup>th</sup> July 2008
SD 02/08	20 <sup>th</sup> February 2008
SD 303/07	15 <sup>th</sup> May 2007
SD 124/07	20 <sup>th</sup> March 2007
SD 871/06	20 <sup>th</sup> March 2007
SD 781/06	12 <sup>th</sup> December 2006
SD 547/06	12 <sup>th</sup> December 2006
SD 442/06	20 <sup>th</sup> June 2006
SD 692/05	18 <sup>th</sup> October 2005