



**STATEMENT OF
CHANGES IN
IMMIGRATION RULES**

Laid before Tynwald on 21 June 2022 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))

The Minister for the Cabinet Office has made the following changes to the Immigration Rules laid down as to the practice to be followed in the administration of the Immigration Act 1971¹ (of Parliament) as it has effect in the Isle of Man² for regulating entry into and the stay of persons in the Isle of Man and contained in the Statement laid before Tynwald on 17 May 2005³.

Commencement

The changes set out in this Statement of Changes in Immigration Rules come into effect on 03 May 2022.

Changes to Introduction

Int 1. In paragraph 6, after the definition of “Applicant”, insert—

“**Aunt**” in Appendix U: Ukraine Scheme means the sister, or step-sister, of either of the Isle of Man-based sponsor’s parents, or the female partner of the Isle of Man-based sponsor’s uncle or aunt.”.

Int 2. In paragraph 6, after the definition of “conviction”, insert—

“**Cousin**” in Appendix U: Ukraine Scheme means the biological, adopted or step-child of the Isle of Man-based sponsor’s uncle or aunt.”.

Int 3. In paragraph 6, after the definition of “Fee”, insert—

“**Grandchild**” in Appendix U: Ukraine Scheme means a biological grandchild, step-grandchild or grandchild by reason of an adoption recognised by the laws of the Isle of Man relating to adoption.

“**Grandparent**” in Appendix U: Ukraine Scheme means a biological grandparent or grandparent by reason of an adoption recognised by the laws of the Isle of Man relating to adoption.”.

Int 4. In paragraph 6, after the definition of “Must not be leading an independent life”,

¹ 1971 c. 77.

² See the Immigration (Isle of Man) Order (S.I. 2008 No 680).

³ S.D. 62/05 amended by S.D.692/05, S.D. 442/06, S.D. 547/06, S.D. 781/06, S.D. 871/06, S.D. 124/07, S.D. 303/07, S.D. 534/07, S.D. 02/08, S.D. 500/08, GC 32/09, GC 35/09, GC 14/10, GC 26/10, GC 02/11, SD 518/11, SD 40/12, SD 0288/12, SD 0625/12, SD 0657/12, SD250/13, SD 302/13, SD 345/13, SD 2014/0004, SD 2014/0082, SD 2014/241, SD2014/314, SD2014/324, SD2015/0265, SD2015/0386, SD2016/0092, SD2016/0175, SD5016/0211, SD2017/0066, SD2017/0183, SD2017/0314, SD2018/0084, SD2018/0134, SD2018/0328, SD2019/0119, SD2019/0143, SD2019/0330, SD2019/0380, SD2020/0011, SD2020/0070, SD2020/0088, SD2020/0140, SD2020/0316, SD2020/0344 SD2020/0467, SD2020/0497, SD2021/0002, SD2021/0155, SD2021/0216, SD2021/0304, SD2021/0358, SD2022/0052 and SD2022/0083.

insert—

“**Niece**” in Appendix U: Ukraine Scheme means the female biological, adopted or step-child of the Isle of Man-based sponsor’s brother or sister.

“**Nephew**” in Appendix U: Ukraine Scheme means the male biological, adopted or step-child of the Isle of Man-based sponsor’s brother or sister.”.

Int 5. In paragraph 6, in the definition of “a parent”, for “the child” at the end of sub-paragraph (e), substitute:

“the child; and

(f) in Appendix U: Ukraine Scheme a parent also includes a step-father or step-mother, whether or not the biological parent is dead.”.

Int 6. In paragraph 6, after the definition of “Rough sleeping”, insert—

“**Safe Host under the Isle of Man Homes for Ukraine Scheme**” means a person who has been approved by the Cabinet Office Ukraine Support Team as a Safe Host, to provide accommodation for applicants in accordance with that Scheme⁴.

Int 7. In paragraph 6, after the definition of “Sham marriage”, insert—

“**Sibling**” in Appendix U: Ukraine Scheme means the Isle of Man-based sponsor or their partner’s biological, adopted or step-brothers and step-sisters.”.

Int 8. In paragraph 6, after the definition of “UK”, insert—

“**Ukraine Scheme**” means the routes set out in Appendix U: Ukraine Scheme, namely:

- the Ukraine Family Scheme;
- Ukraine Sponsorship Scheme; and
- Ukraine Extension Scheme.

“**Uncle**” in Appendix U: Ukraine Scheme, means the brother, or step-brother, of either the Isle of Man-based sponsor’s parents, or the male partner of the Isle of Man-based sponsor’s uncle or aunt.”.

⁴ The Isle of Man Homes For Ukraine Scheme can be found here: <https://www.gov.im/ukraine#accordion>

Changes to Part 1

- 1.1 In paragraph 28, after “visitor”, insert “or under Appendix U: Ukraine Scheme”.
- 1.2 In paragraph A34, after “Appendix Hong Kong British Nationals (Overseas);” insert as a new bullet point, “Appendix U: Ukraine Scheme”.
- 1.3 In paragraph A39, after “for more than six months”, insert “, except for applications made under Appendix U: Ukraine Scheme,”.

Changes to Part 6A

6A1. For subparagraphs 245ZX(b)(iii) and (iv), substitute—

- “(iii) as a Tier 2 Migrant,
- (iv) as a Worker Migrant,
- (v) as a Worker (Seasonal) Migrant, or
- (vi) as a person granted leave under Appendix U: Ukraine Scheme.”.

6A2. For subparagraph 245ZZC(b)(iii), substitute—

- “(iii) as a person granted leave under Appendix U: Ukraine Scheme.”.

Changes to Part 9

9.1 In paragraph 9.1.1, after sub paragraph (g), insert—

- “(h) Appendix U: Ukraine Scheme, except paragraphs 9.2.1 to 9.6.3, 9.9.1 to 9.9.2, 9.12.1 to 9.18.2, 9.21.1 and 9.22.1.”.

Changes to Part 10

10.1 In paragraph 326(2), after subparagraph (vii), insert—

- “(viii) under Appendix U: Ukraine Scheme.”.

Introduction of Appendix U: Ukraine Scheme

App UKR 1. After Appendix T: Tuberculosis Screening insert:

“

Appendix U: Ukraine Scheme

This Appendix sets out 3 routes for those affected by the conflict in Ukraine — the Ukraine Family Scheme, the Ukraine Sponsorship Scheme and the Ukraine Extension Scheme.

Where the applicant is outside the Isle of Man:

*A Ukrainian national can qualify under the **Ukraine Family Scheme** if they are a family member (as defined in paragraph UKR 6.2) of an Isle of Man-based sponsor who is a British citizen, person settled in the Isle of Man, or persons with permission to be in the Isle of Man, other than a person granted leave, as visitor, a Worker (Seasonal) Migrant, parent of a Tier 4 (Child) student, a domestic worker in a private household, outside of the immigration rules or under Appendix U: Ukraine Scheme.*

Family members for the purpose of this Scheme are immediate family members (meaning a partner, child under 18, parent of a child aged under 18, fiancé(e) or proposed civil partner), and extended family members of the Isle of Man-based sponsor or their partner (meaning parent, grandparent, grandchild, adult child, sibling, aunt, uncle, niece, nephew and cousin) and the immediate family members of extended family members of the Isle of Man-based sponsor or their partner.

*A Ukrainian national may also qualify under the **Ukraine Sponsorship Scheme** if they have a Safe Host who will provide accommodation for at least 6 months.*

*Family members of an Isle of Man-based sponsor who are not Ukrainian nationals may also qualify under the **Ukraine Family Scheme** so long as at least one member of the Isle of Man-based sponsor's immediate family is a Ukrainian national.*

*Immediate family members of a Ukrainian who are not themselves Ukrainian nationals may also qualify under the **Ukraine Sponsorship Scheme**.*

Where the applicant is in the Isle of Man:

The applicant must have immigration permission unless their last permission expired after 1 January 2022.

*A Ukrainian national can qualify under the **Ukraine Extension Scheme** if they are in the Isle of Man with immigration permission on 18 March 2022 or if their last permission ended after 1*

January 2022.

A Ukrainian national may also qualify under the **Ukraine Family Scheme** if they are a family member of an Isle of Man-based sponsor as described above.

Family members who are not Ukrainian nationals may also qualify under the **Ukraine Family Scheme** so long as at least one member of the Isle of Man-based sponsor's immediate family is a Ukrainian national.

Ukraine Family Scheme

Validity requirements for the Ukraine Family Scheme

- UKR 1.1. A person applying for entry clearance under the Ukraine Family Scheme must apply online on the gov.uk website on the specified form as follows: "Ukraine Scheme".
- UKR 1.2. An application for entry clearance under the Ukraine Family Scheme must meet all of the following requirements:
- (a) the applicant must have provided any required biometrics; and
 - (b) the applicant must have provided a passport or other document which satisfactorily established their identity and nationality.
- UKR 1.3. A person applying for permission to stay under the Ukraine Family Scheme must apply using the required paper application form: "UKR (FLR)" listed on the Isle of Man Immigration Service website: <https://www.gov.im/categories/travel-traffic-and-motoring/immigration/visa-application-forms-and-fees/>
- UKR 1.4. An application for permission to stay under the Ukraine Family Scheme must meet all of the following requirements:
- (a) the applicant must provide such additional information as may be required by an immigration officer; and
 - (b) the applicant must have provided a passport or other document which satisfactorily established their identity and nationality.
- UKR 1.5. An application which does not meet all the validity requirements for the Ukraine Family Scheme is invalid and may be rejected and not considered.

Suitability requirements for the Ukraine Family Scheme

UKR 2.1. The applicant must not fall for refusal under any of the following paragraphs of Part 9: grounds for refusal:

- (a) 9.2.1 to 9.2.2 (exclusion or deportation orders);
- (b) 9.3.1 to 9.3.2 (non-conducive grounds);
- (c) 9.4.1 to 9.4.5 (criminality grounds);
- (d) 9.5.1 to 9.5.2 (involvement in a sham marriage or civil partnership);
- (e) 9.6.1 to 9.6.3 (false representations, etc. grounds);
- (f) 9.9.1 to 9.9.2 (admissibility to the Common Travel Area or other countries); or
- (g) 9.12.1 to 9.18.2 and 9.21.1 to 9.22.1 (grounds for refusal and cancellation on arrival).

Eligibility requirements for the Ukraine Family Scheme

Entry requirements for the Ukraine Family Scheme

UKR 3.1. A person seeking to come to the Isle of Man under the Ukraine Family Scheme must apply for entry clearance and must have been:

- (a) granted entry clearance under the Ukraine Scheme; or
- (b) given a letter from the Home Office confirming the applicant can travel under the Ukraine Scheme,

before they arrive in the Isle of Man or UK.

Variation of entry clearance application after arrival for person given letter authorising travel to Isle of Man

UKR 4.1. A person who:

- (a) has made an application for entry clearance which has not been decided;

- (b) has been given a letter from the Home Office confirming the applicant can travel;
- (c) is granted permission to enter on arrival in the Isle of Man or UK; and
- (d) provides any further information to an immigration officer as they may require,

may have their application for entry clearance varied by the Minister to an application for permission to stay.

Residence requirement for the Ukraine Family Scheme

UKR 5.1. A person applying for entry clearance under the Ukraine Family Scheme must have been ordinarily resident in Ukraine immediately before 1 January 2022, unless they are a child born on or after that date.

UKR 5.2. An applicant applying for permission to stay under the Ukraine Family Scheme must be in the Isle of Man and either:

- (a) have permission; or
- (b) have had permission immediately before 1 January 2022 which has since expired,

but permission as a visitor granted after 18 March 2022 does not count as permission for the purpose of this requirement.

Relationship requirement for a family member under the Ukraine Family Scheme

UKR 6.1. The applicant must be the family member (as set out at UKR 6.2) of an Isle of Man-based sponsor who is one of the following:

- (a) a British citizen;
- (b) a person who is settled in the Isle of Man; or
- (c) a person who is in the Isle of Man with permission that has no less than 6 months remaining on its duration, other than the following routes which cannot serve as an Isle of Man-based sponsor:
 - (i) a person granted permission under Appendix U: Ukraine;
 - (ii) a person granted permission under Appendix V: Visitor;
 - (iii) a person granted permission under Part 2A of Appendix W;

- (iv) a person granted permission as the parent of a Tier 4 (Child) student;
- (v) a person granted leave as a domestic worker in a private household; or
- (iv) a person granted permission outside the rules.

UKR 6.2. Where applying as a family member under UKR 6.1., the applicant must be a family member in one of the following relationships (and, if the applicant is not Ukrainian, at least one of the immediate family members under (a) must be a Ukrainian national as in UKR 7.1.):

- (a) an immediate family member meaning the:
 - (i) partner of the Isle of Man-based sponsor;
 - (ii) child aged under 18 on the date of application of the Isle of Man-based sponsor or of the Isle of Man-based sponsor's partner;
 - (iii) parent of a child (who is under 18 on the date of application), where the child is the Isle of Man-based sponsor; or
 - (iv) fiancé(e) or proposed civil partner of the Isle of Man-based sponsor; or
- (b) extended family member, meaning a:
 - (i) parent of an Isle of Man-based sponsor, or of the Isle of Man-based sponsor's partner (where the sponsor or partner is aged 18 or over on the date of application);
 - (ii) parent of the Isle of Man-based sponsor or of the Isle of Man-based sponsor's partner's child (where the child is under 18 on the date of application);
 - (iii) grandparent of the Isle of Man-based sponsor or of the Isle of Man-based sponsor's partner;
 - (iv) grandchild of the Isle of Man-based sponsor or of the Isle of Man-based sponsor's partner;
 - (v) sibling of the Isle of Man-based sponsor or of the Isle of Man-based sponsor's partner;

- (vi) adult child (aged 18 or over on the date of application) of the Isle of Man-based sponsor or of the Isle of Man-based sponsor's partner;
 - (vii) aunt or uncle of the Isle of Man-based sponsor;
 - (viii) cousin of the Isle of Man-based sponsor; or
 - (ix) niece or nephew of the Isle of Man-based sponsor; or
- (c) an immediate family member of an extended family member, meaning a:
- (i) partner of an extended family member;
 - (ii) child aged under 18 on the date of application of an extended family member;
 - (iii) parent of a child aged under 18 on the date of application, where the child is the extended family member; or
 - (iv) fiancé(e) or proposed civil partner of an extended family member.

UKR 6.3. An applicant applying as a partner, fiancé(e) or proposed civil partner must be in a genuine and subsisting relationship with the Isle of Man-based sponsor or extended family member which commenced before 1 January 2022.

UKR 6.4. An applicant who is applying as a partner must meet the requirements in Appendix Relationship with Partner.

Nationality requirement for the Ukraine Family Scheme

UKR 7.1. The applicant must be either:

- (a) a Ukrainian national; or
- (b) part of a family group (meaning a group of people as set in UKR 6.2.) which includes an immediate family member of the Isle of Man-based sponsor who is a Ukrainian national who would qualify under the scheme (whether or not applying at the same time as the applicant).

Parental consent requirement for a child applying under the Ukraine Family Scheme

UKR 8.1. If the applicant is aged under 18 on the date of application and they are not accompanying a parent to, or joining a parent in, the Isle of Man, they must have written consent from:

- (a) both parents;
- (b) one parent, if that parent has sole legal responsibility for the applicant; or
- (c) the applicant's legal guardian,

unless the decision-maker is satisfied it is reasonable in the circumstances to grant the child entry clearance or permission without such consent.

UKR 8.2. The written consent must confirm support for all the following:

- (a) the application;
- (b) the applicant's living and care arrangements in the Isle of Man; and
- (c) if the application is for entry clearance, the applicant's travel to, and reception arrangements in, the Isle of Man.

Decision under the Ukraine Family Scheme

UKR 9.1. If the decision-maker is satisfied that all the suitability and eligibility requirements under the Ukraine Family Scheme are met, the application will be granted otherwise the application will be refused.

Period and conditions of grant under the Ukraine Family Scheme

UKR 10.1. The applicant will be granted permission for whatever is the shorter of either:

- (a) 36 months; or
- (b) a period which would mean the applicant has been granted a maximum of 36 months under the Ukraine Scheme.

UKR 10.2. The permission will be granted subject to the following conditions:

- (a) access to public funds permitted;

- (b) work (including self-employment and voluntary work) permitted; and
- (c) study permitted, subject to the ATAS condition in Part 15 of the Rules.

Ukraine Sponsorship Scheme

Validity requirements for the Ukraine Sponsorship Scheme

UKR 11.1. A person applying for entry clearance under the Ukraine Sponsorship Scheme must apply for entry clearance and must have been:

- (a) granted entry clearance; or
- (b) given a letter from the Home Office confirming the applicant can travel.

under the Ukraine Scheme before they arrive in the Isle of Man or UK.

UKR 11.2. An application for entry clearance under the Ukraine Sponsorship Scheme 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 document which satisfactorily established their identity and nationality;
- (c) the applicant must be outside the UK and Islands on the date of application; and
- (d) the applicant must have provided the name of a Safe Host under the Isle of Man Homes for Ukraine Scheme who has offered them accommodation in the Isle of Man.

UKR 11.3. Unless the applicant is applying with, or to join in the Isle of Man, a parent or legal guardian, the applicant must be aged 18 or over on the date of application.

UKR 11.4. An application which does not meet all the validity requirements for the Ukraine Sponsorship Scheme is invalid and may be rejected and not considered.

Suitability requirements for the Ukraine Sponsorship Scheme

UKR 12.1. The applicant must not fall for refusal under any of the following paragraphs of Part 9: grounds for refusal:

- (a) 9.2.1 to 9.2.2 (exclusion or deportation orders);
- (b) 9.3.1 to 9.3.2 (non-conducive grounds);
- (c) 9.4.1 to 9.4.5 (criminality grounds);
- (d) 9.5.1 to 9.5.2 (involvement in a sham marriage or civil partnership);
- (e) 9.6.1 to 9.6.3 (false representations, etc. grounds);
- (f) 9.9.1 to 9.9.2 (admissibility to the Common Travel Area and other countries); or
- (g) 9.12.1 to 9.18.2 and 9.21.1 to 9.22.1 (grounds for refusal and cancellation on arrival).

Eligibility requirements for the Ukraine Sponsorship Scheme

Entry requirements for the Ukraine Sponsorship Scheme

UKR 13.1. A person seeking to come to the Isle of Man under the Ukraine Sponsorship Scheme must apply for entry clearance and must have been:

- (a) granted entry clearance; or
- (b) given a letter from the Home Office confirming the applicant can travel under the Ukraine Scheme

before they arrive in the Isle of Man or UK.

Variation of entry clearance application after arrival for person holding permission to travel on arrival

UKR 14.1. A person who:

- (a) has made an application for entry clearance which has not been decided;
- (b) has been given a letter from the Home Office confirming the applicant

can travel to the Isle of Man under a Ukraine Scheme;

- (c) is granted permission to enter on arrival in the Isle of Man or UK; and
- (d) provides any further information to an immigration officer as they may require,

may have their application for entry clearance varied by the Minister to an application for permission to stay.

Safe host requirement for the Ukraine Sponsorship Scheme

UKR 15.1. An applicant under the Ukraine Sponsorship Scheme must have a Safe Host under the Isle of Man Homes for Ukraine Scheme.

UKR 15.2. Where a family group is applying under the Ukraine Sponsorship Scheme the Ukrainian national and their immediate family members (as described in UKR 18.1) must have the same Safe Host under the Isle of Man Homes for Ukraine Scheme.

Residence requirement for the Ukraine Sponsorship Scheme

UKR 16.1. An applicant applying for entry clearance under the Ukraine Sponsorship Scheme must have been ordinarily resident in Ukraine immediately before 1 January 2022, unless they are a child born on or after that date.

Nationality requirement for the Ukraine Sponsorship Scheme

UKR 17.1. The applicant must be either:

- (a) a Ukrainian national; or
- (b) part of an immediate family group (meaning the group set out in UKR 18.1) which includes an immediate family member who is a Ukrainian national who qualifies under the Ukraine Sponsorship Scheme.

Relationship requirement for a family member under the Ukraine Sponsorship Scheme

UKR 18.1. If the applicant is not a Ukrainian national, they must be the immediate family member of a Ukrainian national who qualifies under the Ukraine Sponsorship Scheme, meaning a:

- (a) partner of the Ukrainian national;

- (b) child aged under 18 on the date of application of the Ukrainian national or of their partner;
- (c) parent of a Ukrainian national child aged under 18 (where the child is applying under the Homes for Ukraine Sponsorship Scheme); or
- (d) fiancé(e) or proposed civil partner of the Ukrainian national.

UKR 18.2. An applicant applying as a partner, fiancé(e) or proposed civil partner must be in a genuine and subsisting relationship with the Ukrainian national which commenced before 1 January 2022.

UKR 18.3. An applicant who is applying as a partner must meet the requirements in Appendix Relationship with Partner.

Decision under the Ukraine Sponsorship Scheme

UKR 19.1. If the decision-maker is satisfied that all the suitability and eligibility requirements under the Ukraine Sponsorship Scheme are met, the application will be granted; otherwise, the application will be refused.

Period and conditions of grant under the Ukraine Sponsorship Scheme

UKR 20.1. The applicant will be granted permission for a period of up to 36 months.

UKR 20.2. The permission will be granted subject to the following conditions:

- (a) access to public funds permitted;
- (b) work (including self-employment and voluntary work) permitted; and
- (c) study permitted, subject to the ATAS condition in Part 15 of the Rules.

Ukraine Extension Scheme

Validity requirements for the Ukraine Extension Scheme

UKR 21.1. A person applying for permission to stay under the Ukraine Extension Scheme must apply using the required paper application form: “UKR(FLR)” listed on the Isle of Man Immigration Service website:

<https://www.gov.im/categories/travel-traffic-and-motoring/immigration/visa-application-forms-and-fees/>

- UKR 21.2. An application for permission to stay under the Ukraine Extension Scheme must meet all the following requirements:
- (a) the applicant must have provided a passport or other document which satisfactorily established their identity and nationality;
 - (b) the applicant must be in the Isle of Man; and
 - (c) the applicant must provide such additional information as may be required by an immigration officer.
- UKR 21.3. The applicant must have had permission to enter or stay in the Isle of Man on 18 March 2022, unless:
- (a) they were in the Isle of Man with permission to enter or stay immediately before 1 January 2022 but that permission has since expired; or
 - (b) they are a child born in the Isle of Man after 18 March 2022.
- UKR 21.4. An application which does not meet all the validity requirements for the Ukraine Extension Scheme is invalid and may be rejected and not considered.

Suitability requirements for the Ukraine Extension Scheme

- UKR 22.1. The applicant must not fall for refusal under any of the following paragraphs of Part 9: grounds for refusal:
- (a) 9.2.1 to 9.2.2 (exclusion or deportation orders);
 - (b) 9.3.1 to 9.3.2 (non-conducive grounds);
 - (c) 9.4.1 to 9.4.5 (criminality grounds);
 - (d) 9.5.1 to 9.5.2 (involvement in a sham marriage or civil partnership);
 - (e) 9.6.1 to 9.6.3 (false representations, etc. grounds);
 - (f) 9.9.1 to 9.9.2 (admissibility to the Common Travel Area or other countries); or

- (g) 9.12.1 to 9.18.2 and 9.21.1 to 9.22.1 (grounds for refusal and cancellation on arrival).

Eligibility requirements for the Ukraine Extension Scheme

Nationality requirement for the Ukraine Extension Scheme

UKR 23.1. The applicant must be either:

- (a) a Ukrainian national;
- (b) a person who has or last had permission as:
 - (i) a partner of a Ukrainian national; or
 - (ii) a child of a Ukrainian national; or
- (c) a child of a Ukrainian national born in the UK and Islands after 18 March 2022.

Relationship requirement for a partner or child under the Ukraine Extension Scheme

UKR 24.1. An applicant who is a partner must meet the requirements in Appendix Relationship with Partner.

UKR 24.2. A child born in the UK and Islands must provide a full birth certificate issued by any of those jurisdictions.

Parental consent requirement for a child applying under the Ukraine Extension Scheme

UKR 25.1. If the applicant is aged under 18 on the date of application and they are not applying with their parent or parents, they must have written consent from:

- (a) both parents;
- (b) one parent, if that parent has sole legal responsibility for the applicant; or
- (c) the applicant's legal guardian.

unless the decision-maker is satisfied it is reasonable in the circumstances to grant the child permission without such consent.

UKR 25.2. The written consent must confirm support for:

- (a) the application; and
- (b) the applicant's living and care arrangements in the Isle of Man.

Care requirement for a child under the Ukraine Extension Scheme

UKR 26.1. If the applicant is aged under 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.

Decision under the Ukraine Extension Scheme

UKR 27.1. If the decision-maker is satisfied that all the suitability and eligibility requirements under the Ukraine Extension Scheme are met, the application will be granted; otherwise, the application will be refused.

Period and conditions of grant under the Ukraine Extension Scheme

UKR 28.1. The applicant will be granted permission to stay for whatever is the shorter of either:

- (a) 36 months; or
- (b) a period which would mean the applicant has been granted a maximum of 36 months under the Ukraine Scheme.

UKR 28.2. The permission will be granted subject to the following conditions:

- (a) access to public funds permitted;
- (b) work (including self-employment and voluntary work) permitted; and
- (c) study permitted, subject to the ATAS condition in Part 15 of the Rules.”.

Introduction of Appendix Relationship with Partner

App RWP 1. After Appendix KOLL: Knowledge of Language and Life, insert—

“

Appendix Relationship with Partner

This Appendix sets out the requirements for an application based on a relationship with a partner: spouse, civil partner, or unmarried partner in a durable relationship of at least 2 years.

It applies to applications under Appendix U: Ukraine Scheme.

Age requirement for a person applying as a partner

RWP 1.1. The applicant and their partner must be aged 18 or over on the date of application.

Requirement that the partners must not be closely related

RWP 2.1. The applicant and their partner must not be so closely related that they would be prohibited from marrying, or entering into a civil partnership with, each other as defined in the Marriage Act 1984⁵.

Requirement for previous relationships to have broken down permanently

RWP 3.1. Any previous marriage or civil partnership or durable relationship of the applicant or their partner with another person must have permanently broken down unless RWP 7.1. applies.

Requirement that any marriage or civil partnership is valid

RWP 4.1. Where the applicant and their partner are married or in a civil partnership, that marriage or civil partnership must be recognised by law in the country in which it took place.

Requirement for a durable relationship where a person is not married or in a civil partnership

RWP 5.1. Where the applicant and their partner are not married or in a civil partnership, they must have been in a relationship similar to a marriage or civil partnership for at least 2 years before the date of application.

⁵ AT 13 of 1984.

Genuine and subsisting relationship requirement

RWP 6.1. The applicant and their partner must have met in person.

RWP 6.2. The relationship between the applicant and their partner must be genuine and subsisting.

Polygamous or polyandrous marriages and civil partnerships

RWP 7.1. If the applicant or their partner is currently in a polygamous or polyandrous marriage or civil partnership, they may only rely on that marriage or civil partnership for the purposes of an application for entry clearance, permission to enter or stay or settlement as a partner where no other partner to the marriage or civil partnership is seeking, or has been granted:

- (a) permission to enter or stay (except as a visitor or person in transit);
- (b) settlement; or
- (c) a certificate of entitlement to Right of Abode in the Isle of Man, United Kingdom or Channel Islands.”.

Changes to Appendix W

W1. In paragraph 2.3(6), for sub-paragraphs (j) and (k), substitute—

- “(j) UK Intra Company Transfer Migrant;
- (k) UK Intra Company Graduate Trainee; or
- (l) person granted leave under Appendix U: Ukraine Scheme,”.

Changes to Appendix X

X1. For the table underneath paragraph 4.4(2), substitute—

“

Category the Migrant is applying in	Eligible switching categories
Business Migrant	<ul style="list-style-type: none">• Tier 1 (Graduate Entrepreneur)

(Start-up)	<ul style="list-style-type: none"> • UK Skilled Worker • Tier 4 (General) – the restrictions in paragraph 4.5 apply • Worker Migrant • Worker (Seasonal) Migrant • Person granted leave under Appendix U: Ukraine Scheme
Business Migrant (Innovator)	<ul style="list-style-type: none"> • Business Migrant (Start-up) • UK Start-up • Tier 1 (Graduate Entrepreneur) • Tier 1 (Entrepreneur) • UK Skilled Worker • Worker Migrant • Worker (Seasonal) Migrant • Person granted leave under Appendix U: Ukraine Scheme

”.

MADE 29 APRIL 2022

KATE LORD-BRENNAN

Minister for the Cabinet Office

Explanatory Note

to the Statement of Changes In Immigration Rules SD 2022/0155

(This note is not part of the Statement of Changes in Immigration Rules)

1.1. This Statement of Changes in Immigration Rules makes the following changes:

Introduction of the Ukraine Scheme immigration route

1.2. Appendix U: Ukraine Scheme includes three routes in response to the crisis in Ukraine: the Ukraine Family Scheme, the Ukraine Sponsorship Scheme, and the Ukraine Extension Scheme. These routes closely mirror the requirements of the equivalent routes in the UK, which were included in their Statement of Changes in Immigration Rules (HC 1220), laid on 29 March 2022.

1.3. The Ukraine Family Scheme opened on 4 March 2022 outside the Rules, and the Ukraine Sponsorship Scheme opened on 18 March 2022 outside the Rules. It is appropriate to bring the whole Ukraine Scheme (including the Ukraine Extension Scheme) into the Rules promptly to provide certainty for applicants and clarity for decision-makers on how to manage applications.

The Ukraine Family Scheme

1.4 The Ukraine Family Scheme is a new free route which allows British citizens, settled persons or those with immigration permission (with a few exceptions, such as visitors) to sponsor family members to come from Ukraine in order to stay with them in their home on the Island.

1.5. The Ukraine Family Scheme introduces the following requirements:

- The applicant must be a Ukrainian national or a relevant family member of a Ukrainian national. Family members who are eligible to apply for this scheme include:
 - **Immediate family** – married, civil or durable partner of the Isle of Man-based sponsor; child aged under 18 of the Isle of Man-based sponsor or of their partner; parent of a child aged under 18 who is the Isle of Man-based sponsor; or fiancé(e) or proposed civil partner of the Isle of Man-based sponsor.
 - **Extended family** - parent of an Isle of Man-based sponsor aged 18 or over or of their partner; grandparent of the Isle of Man-based sponsor or of their partner; grandchild of the Isle of Man-based sponsor or of their partner; sibling of the Isle of Man-based sponsor or of their partner; adult child (aged

18 or over) of the Isle of Man-based sponsor or of their partner; or aunt, uncle, cousin, niece or nephew of the Isle of Man-based sponsor.

- **Immediate family of extended family** – married, civil or durable partner, child aged under 18, parent of a child aged under 18 or fiancé(e) or proposed civil partner of an extended family member.
 - An applicant for entry clearance must have been resident in Ukraine immediately before 1 January 2022, which recognises that some people may have left Ukraine immediately before the invasion.
- 1.6. People applying for entry clearance who have a valid Ukrainian passport will be able to start their application overseas, be permitted to travel to the Isle of Man and granted 6 months' leave to enter at the border, and then complete their application in the Isle of Man to be granted permission to stay up to 36 months.

The Ukraine Sponsorship Scheme

- 1.7. The Ukraine Sponsorship Scheme is a new free route which allows a Ukrainian national and their immediate family to come to the Isle of Man where they have Safe Host that has been approved as such by the Cabinet Office Ukraine Support Team under the Isle of Man Homes for Ukraine Scheme⁶.
- 1.8. The sponsor must be a person based in the Isle of Man and must provide accommodation for the Ukrainian national and (where relevant) their immediate family. They must also meet the requirements to be approved as a Safe Host as set out in the Isle of Man Homes for Ukraine Scheme.
- 1.9. A Ukrainian national can bring their immediate family: their married, civil or durable partner, child aged under 18, parent (if the Ukrainian national is a child aged under 18), or fiancé(e) or proposed civil partner.
- 1.10. An applicant must have been resident in Ukraine immediately before 1 January 2022, which recognises that some people may have left Ukraine immediately before the invasion.
- 1.11. People applying for entry clearance who have a valid Ukrainian passport will be able to start their application overseas, be permitted to travel to the Isle of Man and granted 6 months' leave to enter at the border, and then complete their application in the Isle of Man to be granted permission to stay up to 36 months.

⁶The Isle of Man Homes For Ukraine Scheme can be found here: <https://www.gov.im/ukraine#accordion>

The Ukraine Extension Scheme

- 1.12. The Ukraine Extension Scheme is a new free route which allows a Ukrainian national who is in the Isle of Man and had permission on 18 March 2022 (including those who have overstayed by a short period) to stay in the Isle of Man.
- 1.13. A person who had such permission as a Ukrainian national's married, civil or durable partner or child can also stay in the Isle of Man under this route.

Common features of all Appendix U: Ukraine Schemes

- 1.14. Relevant refusal and cancellation grounds in Part 9: Grounds for Refusal will apply, including criminality provisions.
- 1.15. A person granted under these schemes will be granted permission for up to 36 months with the right to work, study and access to public funds.
- 1.16. A person will be able to re-apply if their application is refused and will not be required to pay a fee.

New Appendix Relationship with Partner

- 1.17. A new cross-cutting Appendix has been introduced that will include the requirements on how to show a relationship with a partner. Initially, this Appendix will apply only to proof of relationship with a partner under the Ukraine Schemes. In future it will be extended to other routes to apply consistent requirements.
- 1.18. A partner can be the applicant's spouse or civil partner or a person in a durable relationship similar to a marriage or civil partnership of at least 2 years. The requirements are that the partners have met; are both aged 18 or over; are not related within the prohibited degrees that prevent marriage or civil partnership; any previous relationships must have broken down permanently (with a limited exception for polygamous and polyandrous marriages); and the relationship must be genuine and subsisting.