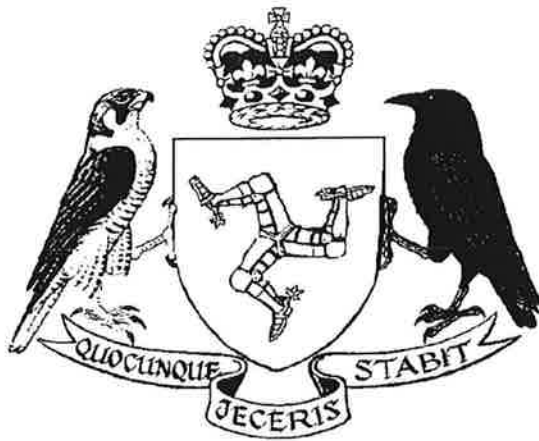


**STATEMENT OF
CHANGES
IN IMMIGRATION RULES**



Laid before Tynwald on 12th December 2006 under section 3(2) of the Immigration Act 1971 (an Act of Parliament as extended to the Isle of Man by the Immigration (Isle of Man) Order 1991 (SI 1991 no. 2630) and the Immigration (Isle of Man) Order 1997 (SI 1997 no. 275)

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STATEMENT OF CHANGES IN IMMIGRATION RULES

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

These changes take effect on 5th October 2006.

1. For paragraph 364 substitute:

“364. In considering deportation, whilst each case will be considered on its merits, where a person is liable to deportation the presumption shall be that the public interest requires deportation. The Lieutenant Governor will consider all relevant factors in considering whether the presumption is outweighed in any particular case, although it will only be in exceptional circumstances that the public interest in deportation will be outweighed in a case where it would not be contrary to the Human Rights Convention and the Convention and Protocol relating to the Status of Refugees to deport. The aim is an exercise of the power of deportation which is consistent and fair as between one person and another, although one case will rarely be identical with another in all material respects. Deportation will normally be the proper course where a person has failed to comply with or has contravened a condition or has remained without authority. Before a decision to deport is reached the Lieutenant Governor will take into account all relevant factors known to him including:

- (i) age;
- (ii) length of residence in the Isle of Man;
- (iii) strength of connections with the Isle of Man;
- (iv) personal history, including character, conduct and employment record;
- (v) domestic circumstances;
- (vi) previous criminal record and the nature of any offence of which the person has been convicted;
- (vii) compassionate circumstances;
- (viii) any representations received on the person’s behalf.”

(a) Extended to the Isle of Man by S.I. 1991 No 2630 and S.I. 1997 No 275

(b) S.D. 62/05 amended by 692/05 and 442/06

EXPLANATORY NOTE

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

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

A change to the manner in which the decision to make a deportation order will be considered, in the light of the presumption that, where a person is liable to deportation, the public interest requires deportation.