

Statutory Document 2016/0092



**STATEMENT OF
CHANGES IN
IMMIGRATION RULES**

Laid before Tynwald on 19th April 2016 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 Council of Ministers has made the following changes to the Immigration Rules laid down by it 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 17th May 2005³.

The changes in this Statement shall take effect on 18th March 2016. However, if an applicant has made an application for entry clearance or leave before 18th March 2016 and the application has not been decided before that date, it will be decided in accordance with the rules in force on 17th March 2016.

Changes to the Introduction

I1. After the definition for “the same employer” or “the same sponsor” insert:

“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 provided by the UK Border Agency to an applicant prior to making his application as a Tier 1 (Exceptional Talent) Migrant.”

I2. In the definition for “Tier 1 Migrant” after “means a migrant who is granted leave as a” insert “Tier 1 (Exceptional Talent) Migrant,”

I3. After the definition for “Tier 1 Migrant” insert:

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

Changes to Part 1

1.1 In paragraph 28A(b) after “An application for entry clearance as a” insert “Tier 1 (Exceptional Talent) Migrant or as a”

¹ 1971 c. 77

² See the Immigration (Isle of Man) Order 2008 (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, SD 2014/314, SD 2014/324, SD 2014/0344, SD 2015/0265, SD 2015/0302 and SD 2015/0386.

Changes to Part 6A

6A.1. After paragraph 245A delete “245B to 245BF [Not Used]” and substitute:

“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 student or a Postgraduate Doctor or Dentist, a Student Nurse, a Student Writing-Up a Thesis, a Student Re-Sitting an Examination or 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, or
 - (iii) as a Tier 5 (Temporary Worker) Migrant, sponsored in the Government Authorised Exchange sub-category in an exchange scheme for sponsored researchers.

- (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); 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.”

Changes to Part 8

- 8.1. In paragraph 319C(g) after “Tier 1 (Investor) Migrant” insert “or a Tier 1 (Exceptional Talent) Migrant,”
- 8.2. In paragraph 319H(g) after “Tier 1 (Investor) Migrant” insert “or a Tier 1 (Exceptional Talent) Migrant,”

Changes to Part 9

- 9.1. After paragraph 323AA(IOM) delete “323B [Not Used]” and substitute:
“Curtailment of leave in relation to a Tier 1 (Exceptional Talent) Migrant

323B. In addition to the grounds specified in paragraph 323, 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.”

Changes to Part 10

- 10.1 Delete paragraph 326(2)(ii) and substitute:
“(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;”
- 10.2 Delete paragraph 326(2)(iii) and substitute:
“(iii) as a Tier 2 (Minister of Religion) Migrant;”

- 10.3 In paragraph 326(2)(iv) after “same sex partner of a person settled in the Isle of Man;” delete “or”
- 10.4 In paragraph 326(2)(v) after “resident in the Isle of Man;” delete “or”
- 10.5 Delete paragraph 326(2)(vi) and substitute:
“(vi) as the parent of a Tier 4 (child) student; or”
- 10.6 Delete paragraph 326(2)(vii) and substitute
“(vii) Not Used”

Changes to Appendix A

- A.1 In Appendix A delete “Paragraphs 1 to 6 [Not Used] and substitute:

“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

Paragraph 4 to 5 [Not Used]

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 UK Border Agency 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 UK Border Agency.

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), 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."

Changes to Appendix B

B1. Delete paragraph 1(i) and substitute:

"(i) as a Tier 1 (Exceptional Talent) Migrant,"

Changes to Appendix C

C1. In paragraph 1A(b) after "unless applying as" insert "a Tier 1 (Exceptional Talent) Migrant or as"

C2. Delete paragraph 1 and substitute:

"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."

Changes to Appendix E

E1. Delete paragraphs (a) and (b) and substitute:

"(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 in other cases.

(b) Where:

(i) paragraph (a) does not apply, and

(ii) the application is connected to 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 there must be £630 in funds.”

E2. Delete paragraph (g)(i) and substitute:

“(i) a consecutive 90-day period of time, if the applicant is applying as the Partner or Child of a Tier 1 Migrant (other than a Tier 1 (Investor) Migrant) or a Tier 1 (Exceptional Talent) Migrant), a Tier 2 Migrant or a Tier 5 (Temporary Worker) Migrant;”

Changes to Appendix L

L1. After Appendix KOLL delete “Appendix L – Not Used” and substitute:

“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

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.

Exceptional Talent (world leader)	Exceptional Promise (potential world leader)
Mandatory Qualifying Criteria	Mandatory Qualifying Criteria
The applicant must: <ul style="list-style-type: none"> • Be an active researcher in a relevant field, typically within a university, research institute or within industry; • Have a PhD or equivalent 	The applicant must: <ul style="list-style-type: none"> • Be an active researcher in a relevant field, typically within a university, research institute or within industry; • Have a PhD or equivalent

<p>research experience;</p> <ul style="list-style-type: none"> • 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; • Meet one or more of the following Qualifying Criteria. 	<p>research experience (including industrial research);</p> <ul style="list-style-type: none"> • 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; • Be at an early stage in his career; • 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.
<p>Qualifying Criteria</p>	
<ul style="list-style-type: none"> • Be a member of his national academy or a foreign member of academies of other countries (in particular any of the UK national academies); • Have been awarded a prestigious internationally recognised prize; • 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 	

<p>member of the organisation, such as a Chief Executive, Vice-Chancellor or similar, on official paper.</p>	
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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.

Exceptional Talent (world leader)	Exceptional Promise (potential world leader)
<ul style="list-style-type: none"> • Whether the applicant is the winner of a prestigious prize or award; • Whether the applicant has secured significant funding for his work in the past ten years; • Whether the applicant is regarded as a world leader in your field. 	<ul style="list-style-type: none"> • Whether the applicant has provided evidence sufficient to demonstrate that he has the potential to be a future world leader in the field; • The level of additional funding secured during or following tenure of a relevant fellowship; • Whether he can provide evidence of a relevant prize or award for early career researchers; • The significance of his contribution to his field relative to his career stage.

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 The Arts Council

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 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 one country other than his 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.

Exceptional talent within the fields of the arts, museums or galleries	Exceptional Promise (potential world leader)
The applicant must provide	The applicant must provide evidence

<p>evidence to support two 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 one country other than the applicant's country of residence. Event listings or advertisements are not acceptable.</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. The UK Arts Council 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. The UK Arts Council will judge whether such appearances, performances, exhibitions or distribution provide appropriate evidence of international significance in the applicant's field.</p>	<p>to support two 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 one country other than the applicant's country of residence. Event listings or advertisements are not acceptable.</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. The UK Arts Council 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>The UK Arts Council will judge whether such appearances, performances, exhibitions or distribution provide appropriate evidence of international recognition in the applicant's field.</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,
- (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,
- (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)
- BAFTA Cymru
- BAFTA Games Awards
- BAFTA Interactive Awards
- BAFTA Scotland
- BAFTA Television Craft Awards
- 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
- 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
- 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
- IGF Awards

- Independent Music Awards
- Independent Spirit Awards
- International Film Music Critics Association Awards
- Ivor Novello Awards
- 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)
- Otaka Prize – An annual composition prize for Japanese composers
- Polar Music Prize
- Praemium Imperiale
- Preis der deutschen Schallplattenkritik – For achievement in recorded music
- Prix de Rome
- Pulitzer Prize for Music
- Raindance Film Festival
- Rolf Schock Prize in Musical Arts
- Rotterdam International Film Festival
- Sanremo Music Festival (Italy)
- Sao Paulo International Film Festival
- Satellite Awards
- Saturn Awards
- Sibelius Prize
- South by Southwest Film Festival
- Stockholm International Film Festival
- Sundance Film Festival
- Suntory Music Award (Japan)
- Sydney Film Festival
- 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:

- (a) be written on headed paper, dated, and signed by the author who must be an authorised member of the organisation such as the Chief Executive, Artistic Director, Principal or Chair;
- (b) 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);
- (c) 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;
- (d) 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;
- (e) include full contact details of the author including personal email address and direct telephone number so that personal contact can be made; and
- (f) 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
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<p>The applicant must provide 3 letters of endorsement (as described in paragraph 9 above).</p>

<p>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.</p>

<p>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.</p>

<p>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.</p>
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Criteria for endorsement by Tech City UK

10. To be considered for endorsement, the applicant must:

- (a) satisfy one of the mandatory criteria in the table below; and
- (b) satisfy at least two of the qualifying criteria in the table below.

Mandatory Criteria
<p>The applicant must:</p> <p>Have a proven track record of innovation in the digital technology sector as a director, founder or employee of a digital technology sector company; Demonstrate recognition for work outside their immediate occupation that has contributed to the advancement of the sector.</p>
Qualifying Criteria
<p>The applicant must:</p> <p>Have made significant technical, commercial or entrepreneurial contributions in the digital technology sector as either a director, founder, or employee of a digital technology sector company;</p> <p>Have been recognised as a world leading talent in the digital technology sector;</p> <p>Have undergone continuous learning / mastery of new digital skills (commercial or technical) throughout their career;</p> <p>Demonstrate exceptional ability in the field by making academic contributions through research.</p>

11. The applicant must provide the following documents:

- (a) A completed Designated Competent Bodies' Tier 1 (Exceptional Talent) application form;
- (b) A curriculum vitae outlining his career and publication history (of no more than 3 A4 sides in length).
- (c) A personal cover letter written by the applicant (of no more than 2 A4 sides in length. This letter must:
 - (i) include why the applicant wants to come to the Isle of Man;

- (ii) include details of their intended occupation in the Isle of Man;
- (iii) include details of which region/city they intend to base themselves in;
- (iv) explain how the Isle of Man digital sector would benefit from their work; and
- (v) include details of the applicant's long term plans in the Isle of Man.

(d) Two dated letters of recommendation on headed paper written in support of the application signed by a recognised expert 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 potential world leader in his 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;
- (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; and
- (vii) include the recognised expert's personal email address and direct telephone number.

(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.

12. The documents in paragraph 11 above must be written in English or accompanied by authorised English translations.

13. When assessing applicants Tech City UK will take into consideration the following:

- (a) 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);
- (b) The strength of the supporting statements in the letter of personal recommendation, and evidence in relation to qualifying criteria; and
- (c) The expected benefits of the applicant's presence in the Isle of Man in terms of the contribution to the Isle of Man digital technology sector."

Explanatory Note to the Statement of Changes in Immigration Rules

1. Purpose of the Statement of Changes

The purpose of this Statement of Changes in Immigration Rules is to introduce the Tier 1 (Exceptional Talent) Migrant route to the Isle of Man.

2. Policy Background

2.1 This immigration category is aimed at exceptionally talented people who wish to work in the Isle of Man in specific recognised fields of the arts, humanities, science, engineering and digital technology.

2.2 Individuals eligible for this route will be internationally recognised as world leaders in their particular field.

2.3 With the exception of the digital technology field, applicants for all recognised fields may also qualify if they have demonstrated exceptional promise in their field and are therefore deemed likely to become a world leader in the future.

2.4 Leave to enter in this category may be granted for a maximum of 5 years and 4 months as requested by the applicant. Following five years continuous leave in the Isle of Man this category is eligible for settlement.

2.5 It is possible to switch into this category from within the Isle of Man if an individual has last been granted leave as a Tier 1 migrant, Tier 2 migrant or Tier 5 (Temporary worker) migrant in the government authorised exchange subcategory.