

Application for Indefinite Leave to Remain in the Isle of Man as a Worker Migrant

Please complete in BLOCK CAPITALS and in black ink.

In accordance with paragraph 34 of the Immigration Rules, this form is a specified form for the purpose of the Immigration Rules and must be used for all applications made on or after the date shown on this page for the purposes stated on this page and listed on page 2.

The fee

A Worker Migrant applying for Indefinite Leave to Remain must pay a fee of **£2,389**. The fee must be paid at the time of application.

Dependants

Dependants must complete a separate SET (DEP) form.

The fee for each dependent is **£2,389**.

Disclaimer

Missing documentation could result in your application being delayed or refused. Your passport will be returned to you once a decision has been made on your application.

The Isle of Man Immigration Service aims to have all applications processed within 28 business days once in possession of the application and supporting documents.

Your passport will be held by the Isle of Man Immigration Service until a decision has been made on your application.

You should not book any travel until you have received a decision on your visa application and have had your passport returned to you. The Isle of Man Immigration Service does not accept any responsibility for travel that is booked by you.

Where a person whose application or claim for leave to remain is being considered requests the return of their 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the Common Travel Area, the application for leave shall, provided it has not already been determined, be treated as withdrawn on the date of that request by the Isle of Man Immigration Service – Paragraph 34J of the Immigration Rules.

The Isle of Man Immigration Service is an office within the Cabinet Office of the Isle of Man Government. The Cabinet Office is a Department of Government.

Indefinite
Leave to
Remain as a
Worker
Migrant

Form valid
for use
from
01 January
2021

Fees notes

Payment methods

You must pay by one of the following methods:

- Cheque - made payable to 'Isle of Man Government'
- Postal Order - made payable to 'Isle of Man Government'
- Debit Card - (only 'in person' applications at the Immigration Service)
- Cash - (only 'in person' applications at the Immigration Service)

Consideration process

If the payment submitted does not cover the full cost of your application, it will be an invalid application and the form, together with any documentation submitted, will be returned to you.

The fee charged is for the processing and consideration of the application. This fee will be payable once the application is received by the Isle of Man Immigration Service, regardless of the outcome of the application.

The consideration process will not begin until the payment has cleared. Payments made by cheque may take 5 business days to clear. Payments made by debit cards or postal orders will clear immediately.

Should the application be withdrawn at any time during the consideration process the fee will not be refunded.

This form should be completed **fully** and returned, together with the relevant supporting documentation* to:

**The Immigration Service
Government Office
Bucks Road
Douglas
Isle of Man
IM1 3PN**

***please read the form carefully. You must supply original documentation where possible. Submission of documents that are fraudulent or not genuine or do not properly relate to you will lead to refusal of the application.**

Application for Indefinite Leave to Remain in the Isle of Man as a Worker Migrant

Section 1 Applicant's details

Title (Mr, Mrs, Ms, Miss, other)

First name(s)
(as shown in your passport)Last or family name(s)
(as shown in your passport)

If you are known or have been known by any other name to those give above please give details below and provide evidence showing the name change.

Name known by	Date from/to	Evidence provided
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please use another sheet of paper if more space is needed.

Date of birth

Passport number

Place of birth:

Address in the Isle of Man

<input type="text"/>
<input type="text"/>
Postcode

Telephone number

Mobile

Email address

National Insurance Number
(if known)

Immigration Service Use Only

Section 2 Your finances & employment

2.1 Your employment in the Isle of Man

What is your gross annual salary? (Before tax or any other deductions and including allowances where appropriate)

£

2.2 A letter confirming that your employer will require you for the employment in question for the foreseeable future. This letter must also confirm the salary or hourly wages that will be expected to be paid for the foreseeable future.

Please tick to confirm that this letter is enclosed in the application.

2.3 Where your previous grant of leave is in one of the categories below, you must provide evidence that you were paid the appropriate salary throughout the period of your leave:

Worker Migrant, Tier 2 Migrant, Tier 2 (Intra-Company Transfer) Migrant

Please refer to the Help Text at the end of this form.

2.4 About your employment

Please complete the boxes below. The relevant SOC code should be recorded on your Confirmation of Employment or Certificate of Sponsorship.

SOC code (or nearest applicable which best describes your employment)

Current rate of pay (hourly rate or annual salary)

Number of hours this salary is based on

Number of weekly hours

Rate of pay for this SOC code stated in the codes of practice for skilled workers (hourly rate or annual salary)

The Codes of Practice for Skilled Workers can be found at www.gov.uk

2.5 Are you receiving any public funds?

Yes

No

If you have answered Yes to this question you must tick the boxes to show which public funds are being received. Please note that, under Immigration Rules, public funds include:

Housing & Homelessness Assistance

Attendance Allowance

Severe Disablement Allowance

Carers Allowance

Disability Living Allowance

Income Support

Working Tax Credit

Social Fund Payment

Council Tax Benefit

Child Benefit

Income Based Job Seekers

Housing Benefit

State Pension Credit

Child Tax Credit

Section 3 Immigration history

3.1 When was your entry clearance valid from?

D D / M M / Y Y Y Y

Note: This refers to the date of the main applicant's first entry to the Isle of Man/UK as a Worker Migrant or Tier 2

3.2 Have you had any individual absences of 180 days or more in any given year spent outside the Isle of Man/UK since your first entry? **Yes** **No**

If **Yes**, you should list these absences in the spaces provided below and explain the reason(s) for the absence(s).

Dates of absence(s)	Reason(s) for absence(s)

3.3 From the list below, please state which immigration route you currently have leave in:

- Worker Migrant
- Tier 1 Migrant (other than a Post Study Work or Graduate Entrepreneur)
- Tier 2 (General) Migrant, Tier 2 (Minister of Religion) Migrant or Tier 2 (Sportsperson) Migrant
- Tier 2 (Intra Company Transfer) Migrant, provided they were granted leave under rules in place before 26 July 2010
- Representative of an Overseas Business
- Highly Skilled Migrant
- Work Permit Holder

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3.4 What date is your current or last leave (or permission to stay) valid until?

D D / M M / Y Y Y Y

3.5 What evidence of leave (or permission to stay), stated in 3.4, has been provided?

- Passport
- Travel document
- Biometric Residence Permit
- Other (please state)
- None

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3.6 Are you required to register with the police? **Yes** **No**

3.7 If **Yes**, please confirm when and where you registered.

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Please submit your registration certificate with your application.

Section 4 English Language Requirements and Knowledge of Life in the UK and Islands

To qualify for indefinite leave to remain, the applicant and any dependant aged 18-64 must prove that they are able to speak and understand English to B1 level.

The main applicant **and** all dependants aged 18-64 will, unless they are exempted, be required to show that they can speak and understand English to the required level. If you have already met the required level for your current grant of leave, you will not be required to provide the evidence again.

If you have not been required to meet B1 level at speaking and listening for your current grant of leave, you must provide evidence that you have now reached that level.
Please refer to the Help Text at the end of this form for more information.

4.1 Have you already met the requirement in a previous grant of leave?	<input type="checkbox"/> Yes, proceed to 4.6 <input type="checkbox"/> No, proceed to 4.2
4.2 Are you from a majority English-speaking country that is listed in the <i>Help Text</i> ?	<input type="checkbox"/> Yes, proceed to Section 4.6 <input type="checkbox"/> No, proceed to 4.3
4.3 Have you completed a degree that was taught in English and in accordance with the rules stated in the <i>Help Text</i> ?	<input type="checkbox"/> Yes, proceed to Section 4.6 <input type="checkbox"/> No, proceed to 4.4
4.4 Have you completed a speaking and listening qualification at B1 level at one of the Secure English Language Test (SELT) centres?	<input type="checkbox"/> Yes, proceed to 4.5 <input type="checkbox"/> No, proceed to Section 4.6
4.5 Please provide details of your English Language Test: Tick to confirm which body awarded your test(s): <input type="checkbox"/> IELTS SELT Consortium <input type="checkbox"/> Trinity College London	Provide the SELT unique electronic reference number(s) provided by the awarding body: Proceed to Section 4.6

4.6 All applicants aged 18-64 must have passed the Knowledge of Life in the UK and Islands Test.

Have you passed the Knowledge of Life in the UK and Islands Test?

Yes No

Please tick to confirm that you are submitting all required evidence that you have passed the English language requirement and Life in the UK and Islands requirement.

If you have not completed either requirement please complete **4.7** otherwise proceed to Section **5**

4.7 If you have not obtained one of the relevant qualifications, are you claiming exemption from this requirement because a physical or other condition prevents you from taking the Life in the UK test or doing a speaking and listening qualification in English?

Yes No

If you are claiming exemption, you must provide a completed exemption form or letter from your doctor confirming your physical or mental condition and that you and/or your partner are unable to take the test or obtain a speaking and listening qualification. An exemption will only be agreed exceptionally.

An exemption form can be found at <https://www.gov.uk/english-language/exemptions>.

Proceed to **section 5**.

Section 5 Criminal history

It is mandatory to complete this section. If it is not completed, the application will be invalid and returned to you. Information given may be checked with other agencies.

Under the Rehabilitation of Offenders Act 2001 (Exceptions) (Immigration and Nationality) Order 2016, Sections 4 and 5 (1) of the Rehabilitation of Offenders Act 2001 Act do not apply, therefore for the purposes of this application you are required to **declare ALL convictions including those deemed as spent under the Rehabilitation of Offenders Act 2001.**

It is an offence under section 26(1)(c) of the Immigration Act 1971 to make a statement or representation which you know to be false or do not believe to be true. Information given will be checked with other agencies.

5.1 Have you had any Criminal Convictions in the Isle of Man, UK or other country (including traffic offences) or any civil judgements made against you? **Yes** **No**

If **Yes**, you must give details below. Continue on another sheet if necessary. (see note below)

First sentence

Nature of offence

Date sentenced

Sentence given

Country where sentenced

Second sentence

Nature of offence

Date sentenced

Sentence given

Country where sentenced

Third sentence

Nature of offence

Date sentenced

Sentence given

Country where sentenced

Section 6 Documentary Evidence

The documents and photographs needed in support of your application, as well as those of any dependants included in your application, are listed below. You only have to provide those which are relevant to your case. Please tick the relevant box to show a document has been provided.

6.1 Please tick to confirm that you have included in your application the following:

Your current passport, with two clear pages back to back. If you first entered the UK/ Isle of Man on a previous passport, please also provide this passport.

Your Police Registration Certificate (if you have been asked to register with the Police).

A letter from your employer confirming that you are still needed and that your employment with them is continuing, your current gross annual salary, and where applicable, the date of start of current maternity, paternity or adoption leave and confirmation of salary on return

- Annual self-assessment tax return for the last full financial year;
- your most recent payslip dated no earlier than 1 calendar month prior to the date of application (this must be either an original payslip or a copy which is accompanied by a letter from your employer on company headed paper confirming that the payslip is authentic); and
- Personal bank statements, building society pass book or building society statements for the same 12 month period as the annual tax return, showing 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.

Your current Confirmation of Employment, and any other Confirmation of Employment documents that you've held throughout your current grant of leave

A document confirming that you have passed the 'Life in the UK and Islands Test' (the documents produced must be a Certificate issued by University College Isle of Man, together with the letter confirming a pass.)
and

a) a national passport confirming you are a national of a majority English speaking country as outlined in Appendix 1; **or**

b) a Degree certificate or Academic Transcript for a degree taught in a specified country outlined in Appendix 2, **or**

c) a Degree certificate or Academic Transcript for a degree taught outside the UK together with a letter from UK NARIC confirming its equivalence to a UK degree and that it was taught in English; **or**

d) a Degree certificate or Academic Transcript for a degree taught outside the UK together with a letter from UK NARIC confirming its equivalence to a UK degree together with evidence that it was taught in English in the form of a letter from the awarding body; **or**

e) acceptable evidence confirming that you have passed an approved English speaking and listening test, at least level B1, with a provider approved by the Lieutenant Governor for the purpose.

Acceptable evidence for each test is outlined in the Immigration rules in Appendix O. The Immigration Rules can be found at www.gov.im/immigration

or

Where such evidence is not produced, proof that you are exempt either by reason of age or disability. In the case of disability, evidence of the disability, plus evidence that University College Isle of Man cannot cater for such a disability should be produced (**Note:** each case will be judged on its merits.)

Section 8

Declaration

You must now read the declaration below and sign it. It must be signed by you (the applicant) and not by a representative or other person acting on your behalf.

I hereby apply for Indefinite Leave to Remain in the Isle of Man for myself.

The information I have given in this application is complete and is true to the best of my knowledge.

If there is a material change in my circumstances or any new information relevant to my application becomes available before it is decided, I will inform the Isle of Man Immigration Service immediately.

I understand that documents provided in support of this application will be checked for authenticity, and that false documents will be retained and may result in my application being refused and/or in my prosecution and subsequent removal from the Isle of Man.

I am aware that it is an offence under the Immigration Act 1971, as amended by the Immigration and Asylum Act 1999 and the Nationality, Immigration and Asylum Act 2002, to make, to a person acting in execution of any of these Acts, a statement or representation which I know to be false or do not believe to be true.

I understand that all information given by me will be treated in confidence and will be processed by the Cabinet Office for the purpose of determining my visa application.

Data will be processed in accordance with the Data Protection Act 2018 and the GDPR and LED Implementing Regulations 2018. Privacy Notices can be found at www.gov.im/immigration

(Data Protection Officer: DPO-CabOff@gov.im Tel: 01624 686779)

Signed

Date

This form should be completed **fully** and returned, together with the relevant supporting documentation* to:

**The Immigration Service
Government Office
Bucks Road
Douglas
Isle of Man
IM1 3PN**

***(please ensure that the documents indicated in Section 7 have been supplied and the relevant boxes ticked accordingly)**

Worker Route - Application Form Help Text

Introduction

This document provides information to help applicants to complete the Worker application form.

For further information on the Worker route, please see Appendix W of the Immigration Rules. This is available on the Isle of Man Government website.

Who should apply using this form?

This application form should only be completed by individuals who are already in the Isle of Man. Applicants should use the application form if they are:

- Currently in the Isle of Man as a main applicant under Tier 2 or on the Worker Migrant route seeking to extend their leave indefinitely; or
- Currently in the Isle of Man under the work permit arrangements, and seeking an indefinite extension under the Worker Route.

Please note: Turkish nationals who have accrued employment rights under Decision 1/80 of the Turkey ECAA Association Council do not require a Confirmation of Employment. More information on Decision 1/80 rights is available on the Gov.UK website.

Submitting a valid application

The applicant will only be considered to have submitted a 'valid' application if the following has been complied with:

- the correct application form must be completed and submitted;
- the correct application fee must be paid;
- the applicant's current passport, Identity Card for Foreign Nationals (ICFN), if applicable, or travel document must be provided, unless it is not available for one of the reasons specified on the application form;
- the mandatory sections in the application form must be completed.

Applicants who are required to register with the Police must also include their Police Registration Certificate with their application.

Supporting evidence

Applicants must ensure that all of the necessary supporting documentation needed to verify compliance with the Immigration Rules is provided at the time the application is submitted.

Only those documents specified in the application form and set out in detail in the Immigration Rules relevant to this application need to be provided.

It is only necessary to submit evidence that is directly appropriate to the application as requested.

The applicant must be selective in submitting evidence, as sending large amounts of irrelevant or poor quality documentation may delay the consideration of the application.

Any documentary evidence that the applicant provides should be original (unless otherwise stated).

Where a document is not in English, the original must be accompanied by a fully certified translation by a professional translator. This translation must include

details of the translator's credentials and confirmation that it is an accurate translation of the original document. It must also be dated and include the original signature of the translator.

Application types

Applications can be made for indefinite leave to remain as a Worker Migrant only if the last grant of leave was as a Worker Migrant, Tier 2 Migrant, Tier 2 (ICT) Migrant, Tier 1 Migrant, Representative of an Overseas Business, Highly Skilled Migrant or a Work Permit Holder. Part 2.4 of Appendix W sets out the requirements.

Question-specific help text

Further advice on specific questions in the application form is detailed below.

Section 1

The applicant should provide full details of their name and title. If they have previously been known by any other name(s) they should provide full details of each name, the date of each change and submit the relevant supporting legal documentation.

Evidence of name change(s) should show the applicant's full name before and after the change and may include:

- deed poll documents or marriage certificates; and,
- both the old passport and the new passport.

Should the applicant submit documentation in support of their application that refers to them under a name(s) not given in this section, we will not consider that documentation.

National Insurance Numbers are usually in the format of 2 letters followed by 6 numbers followed by 1 letter (e.g. AA 123456 A) or 2 numbers followed by 1 letter followed by 5 numbers (e.g. 12 A 34567). Where an applicant does not have a National Insurance number in this format this question should be left blank.

Section 2

Applicants who have previously been granted leave as Worker Migrants, Tier 2 Migrants and Tier 2 (Intra-Company Transfer) Migrants must provide the below evidence. These applicants are required to show that they have been paid the appropriate salary throughout the period of their most recent grant of leave.

The evidence is:

- All annual self-assessment tax returns covering the last full financial year;
- Where the tax return is not yet due for filing, applicants must provide original payslips from their employer covering the period between the date of the last filed tax return and the date of application;
- A bank or building society statement showing that the income has been paid into an account in the name of the applicant or in the name of the applicant and their partner jointly.

Section 4

All applicants must demonstrate sufficient proficiency in the English language and enclose proof of this in each case. This can be demonstrated in three ways.

1. Being a national of a country where the main language is considered to be English. The Isle of Man Immigration Service considers the following countries to be majority English-speaking countries:

Worker Route - Application Form Help Text

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.

Proof of the applicant's nationality must be enclosed (e.g. a valid passport).

2. If you hold an academic qualification equivalent to at least a Bachelor's degree in the UK which was taught in English, you will not be required to take the English language test. If the qualification was obtained from one of the majority English speaking countries listed above, then this may also be deemed to automatically satisfy the English language requirement.

Qualifications that were taught in English, but awarded outside of the UK must be recognised by UK NARIC as equivalent to a UK Bachelor's degree. You must provide a letter from UK NARIC stating that your qualification meets this standard.

3. Applicants who do not meet the above two criteria will be required to take an English language test and score at least a level B1 according to the Common European Framework of Reference for Language. A test must be booked and taken at a Secure English Language Test (SELT) centre. Appendix O of the Immigration Rules states the acceptable SELT centres in the UK, currently these are the IELTS SELT Consortium and Trinity College London.

If proof of at least one of these cannot be provided by the main applicant and all dependants aged 18-64, then the application will be rejected.

In addition to demonstrating the English language requirement, Life in the UK and Islands test must be passed by the main applicant and all dependants aged 18-64. This test is administered by an educational institution or other person approved for that purpose by the Lieutenant Governor. Proof that this test has been passed by all applicable applicants must also be enclosed.

Data Processing

The data submitted will be processed by the Cabinet Office for the purpose of determining the applicant's visa application.