



Cabinet Office

Oik Coonceil ny Shirveishee

Isle of Man European Union Settlement Scheme

Guidance notes for applicants

Version 3.1

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About this guidance

This guidance is published by the Isle of Man Immigration Service, which is an office within the Cabinet Office, a Department of the Isle of Man Government.

This guidance is intended to assist EU, EEA and Swiss citizens and their family members to make an application to the Isle of Man EU Settlement Scheme. It is not a substitute for the immigration rules.

On 31 December 2020 free movement ended and European Union (EU), European Economic Area¹ (EEA) and Swiss citizens will fall within immigration control and require an immigration status.

Appendix EU and Appendix EU (Family Permit) of the Island's Immigration Rules sets out and implements the Isle of Man European Union Settlement Scheme (EUSS).

Interpretation

Where the terms EEA citizen is used in this guidance document, it includes citizens of the following countries:

Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Iceland, Liechtenstein, and Norway.

¹ The EEA includes the EU countries and also Iceland, Liechtenstein and Norway.

Deadlines

31 December 2020

The UK left the European Union on 31 January 2020 and entered into a Transition Period which ended at 11.00pm on 31 December 2020.

If you are an EU, EEA and Swiss citizen, you must have been living in the Isle of Man by 11.00pm on 31 December 2020 in order to be eligible to apply for an EUSS immigration status.

30 June 2021

EU, EEA and Swiss citizens and their family members living in the Isle of Man prior to 31 December 2020 have until 30 June 2021 to make an application for an EUSS immigration status.

If you are the close family member of an EU, EEA and Swiss citizen you may apply for an EUSS immigration status after 30 June 2021, but only where the EU, EEA and Swiss citizen was resident in the Isle of Man on or before 31 December 2020, and your relationship to them existed on or before 31 December 2020.

31 December 2025

Spouses and partners of Swiss citizens, may be joined by a partner up until 31 December 2025, provided that the relationship has been formed before this date.

Family members not resident in the Isle of Man by 31 December 2020 will still be able to apply for a status under the EU Settlement Scheme allowing them to join their EU citizen family member after this date if all of the following are true:

- the EU, EEA and Swiss citizen family member has either limited or indefinite leave to remain under the EU Settlement Scheme;
- the relationship began before 31 December 2020; and
- the EU, EEA or Swiss citizen remains a close family member, for example, at the date of application remains a spouse, civil partner, unmarried partner, a dependent child or grandchild, or a dependent parent or grandparent.

Apply for the Isle of Man EU Settlement Scheme

Irish and British citizens do not need to apply for a status under the settlement scheme.

To apply you need to complete an application form which can be found in the EU section of our website – www.gov.im/immigration

You will need to show evidence of the following

Identity

This can be one of the following:

- a valid passport;
- a national identity card; or
- a valid travel document.

Non-EU citizens will need to provide:

- a valid passport; or
- a valid EEA family permit.

Nationality

This can be a valid passport or national identity card.

Residency in the Isle of Man

To be eligible for indefinite leave to remain, you will usually need to have lived in the UK and Islands for at least 6 months in any 12 month period for a continuous period of 5 years.

You will need to provide proof of this when you apply. If you have not lived in the UK and Islands for a continuous period of 5 years you may still be eligible for limited leave to remain.

You will not need to provide evidence for your entire residence in the Isle of Man – just enough to show whether you qualify for indefinite leave to remain or limited leave to remain. You should only need to provide one document dated in the last 6 months to be granted limited leave to remain. All the documents you submit as evidence must be dated and have your name on them.

You should only provide one piece of evidence to cover each month or longer period of time. Use documents that cover longer periods of time if you can, such as annual bank statements, Isle of Man Rates Demands or residential mortgage statement/tenancy agreement. This means you won't need to submit as many documents.

A document with a single date on will count as proof of residence for that month only, for example a monthly electricity bill, an official letter or a general practitioner (GP) or hospital appointment. We may consider other forms of evidence on a case-by-case basis.

Evidence that covers longer periods of time

Documents that cover a longer period of time between two dates include:

- an annual bank statement or account summary covering a 12 month period, showing payments received or spending in the UK and Islands in at least six months of that 12 month period;
- other banking, investment or insurance document;
- employer letter confirming employment and evidence that the employer is genuine, for example, their Companies Registry number;
- letter or certificate from your school, college, university or other accredited educational or training organisation showing the dates you enrolled, attended and completed your course;
- invoice for fees from your school, college, university or other accredited educational or training organisation and evidence of payment;
- a document from the Department of Education, Sports and Culture confirming your student award payment;
- residential mortgage statement or rental agreement and evidence of payment;
- letter from a registered care home confirming your residence there;
- employer pension contributions;
- annual business account of a self-employed person;
- a document from the Department for Enterprise stating that you are an 'Isle of Man Worker';
- Isle of Man Resident Assessment Notices for previous tax years – your Assessment Notice shows the tax you have paid on your salary in the tax year (6 April to 5 April). We may ask you for additional evidence to confirm that you were resident here for at least 6 months of that period;
- An Employers Leaving Certificate (also known as a T21) showing the length of your previous employment. You should get a T21 from your employer when you stop working for them.

The lists of evidence below are not exhaustive.

Evidence that covers shorter periods of time

These documents count as evidence for one month if they have a single date on. They can be used to cover a longer period of time if they have a start and end date covering longer than a month.

- bank statement showing payments received or spending in the Isle of Man;
- payslip for an Isle of Man-based job;
- rates, gas or electricity bill showing an Isle of Man address;
- landline or mobile telephone, TV or internet bill showing an Isle of Man address;

- domestic bill, such as for home repairs, vet's services or insurance, and evidence of payment;
- card or letter from your GP, hospital or other healthcare professional confirming appointments you have made or attended;
- letter from a government Department, public service or charity that show you dealt with them on a particular date or for a particular period (for example the Job Centre);
- passport stamp confirming entry at the UK border;
- used travel ticket confirming you entered the UK from another country;
- invoice for work you have done in the Isle of Man and evidence of payment.

Documents you cannot use as evidence

The documents you use should be from an official or impartial source. You cannot use:

- photos and videos;
- letters or references from family and friends;
- greeting cards, for example birthday cards;
- postcards sent or received;
- personal scrapbooks.

If you do not have enough evidence

If you do not have enough evidence in your own name, contact the Isle of Man Immigration Service who will provide guidance on how you can confirm when you have been resident based on all the evidence available.

Photograph

All applicants must provide a passport style photograph with the applicants name clearly written on the back.

Family Members

Non-EU family members

Non EU citizens may be able to apply if they are:

- a family member of an EU citizen;
- the family member of a British citizen and lived outside the UK, and Isle of Man, in an EEA country together;
- the family member of a British citizen who also has EU, EEA or Swiss citizenship and who lived in the UK or Isle of Man as an EU, EEA or Swiss citizen before getting British citizenship;
- used to have an EU, EEA or Swiss family member living in the UK or Isle of Man;
- the family member of an eligible person of Northern Ireland (see definition below);
- the primary carer of a British, EU, EEA or Swiss citizen; or
- the child of an EU, EEA or Swiss citizen who used to live and work in the UK or Isle of Man, or the child's primary carer.

Proof of Family Relationship

If you are a non-EU citizen, you will need to provide evidence of your relationship to the family member who qualifies under the EU Settlement Scheme. This could be:

- a birth certificate; or
- a marriage or civil partnership certificate; or
- evidence that you have lived together in a durable relationship akin to marriage for at least 2 years.

You will only need to provide evidence of your family member's identity and residence if you apply to the scheme before they do.

If you hold a valid permanent residence document, you do not need to provide proof of relationship or evidence of your family member's identity and residence.

From 1 July 2021, the dependency of a parent or grandparent on the resident EEA citizen will no longer be assumed as it is now, and will need to be evidenced with the application under the EU Settlement Scheme (provided that they were not resident before 1 January 2021).

Family Members of Northern Irish eligible person

Family members of an eligible person of Northern Ireland (whether that family member is an EU, EEA or Swiss citizen or not) can apply under the settlement scheme.

To be eligible, the person of Northern Ireland must:

- be a British, Irish or dual British and Irish citizen,

- have been born in Northern Ireland
- at the time of their birth, have at least one parent who held British, Irish or dual citizenship (or otherwise without any restriction on their period of residence)
- be living in the Isle of Man by 31 December 2020.

The eligible person of Northern Ireland does not need to hold a status under the EU Settlement Scheme in order for their family member to apply.

Proof of Family Relationship

In addition to your family relationship as set out on page 8, you'll also need to provide:

- a birth certificate or passport showing that your family member was born in Northern Ireland
- evidence that, at the time of your family member's birth, one of their parents was a British, Irish, or dual British and Irish citizen, or without any restriction on their period of residence.

Surinder Singh and other 'rights of residence'

Family members may also qualify under the different rights of residence set out below where they were living in the Isle of Man on or before 31 December 2020. To find out more about each right and its requirement, please click on the links below which will take you to the Home Office website.

The Isle of Man requirements are aligned to those of the UK.

- [retained right of residence](#)
- [derivative right of residence](#)
- [Surinder Singh](#)

Children

If you have included dependent children under the age of 18 on your application form, you must also submit their identity documents and proof of their relationship to you. You do not have to provide proof of residence for your children.

Criminal convictions

This is a mandatory section in the application form and must be completed or the application will be invalid.

If you are 18 or over, the Immigration Service will check you have not committed serious or repeated crimes, and that you do not pose a security threat. This information is required in order to assess whether your application should be refused in accordance with paragraph EU16 of Appendix EU.

You will be asked about your criminal history in the Isle of Man and overseas.

If you have been to prison, you will usually need at least 5 years' continuous residence from the day you were released to be considered for indefinite leave to remain.

Limited leave to remain

Applicants will usually be granted limited leave to remain (also known as "pre-settled status") if they:

- started living in the Isle of Man by 31 December 2020; and
- have not lived in the UK and Islands for a continuous 5-year period, known as "continuous residence".

Following the grant of limited leave to remain applicants can apply to change this to indefinite leave once they acquired 5-years of continuous residence in the UK and Islands.

Those granted limited leave to remain can stay in the Isle of Man for a further 5 years from the date it is granted.

Indefinite leave to remain

Applicants will usually obtain indefinite leave to remain (also known as “settled status”) if they:

- started living in the Isle of Man by 31 December 2020; and
- have lived in the UK and Islands² for a continuous 5-year period at the date of application, known as ‘continuous residence’.

Continuous residence means a consecutive 5 years of residence in the UK and Islands for at least 6 months in any 12 month period. Exceptions are:

- one period of absence up to 12 months for an important reason (for example, childbirth, serious illness, study, vocational training or an overseas work posting); or
- an absence due to compulsory military service of any length.

Where continuous residence has been broken (for example, by an absence from the UK and Islands for a period longer than 6 months), applicants will usually need to complete a further continuous residence in order to qualify for indefinite leave to remain.

Coronavirus (Covid-19): absences

Where your continuous residence in the UK and Islands has been affected by coronavirus, the UK guidance linked below will be followed in assessing your application:

<https://www.gov.uk/guidance/coronavirus-covid-19-eu-settlement-scheme-guidance-for-applicants>

If you want to spend time outside the Isle of Man

Indefinite leave to remain enables holders to spend a continuous period of up to 5 years (4 years for Swiss citizens) outside the UK and Islands without losing that status³.

Limited leave to remain enables holders to spend a continuous period of up to 2 years outside the UK and Islands without losing that status. Applicants must maintain their continuous residence in order to qualify for indefinite leave to remain.

Applying to the United Kingdom EU Settlement Scheme

The Isle of Man Immigration Service has made arrangements with the UK Home Office to provide for EU, EEA and Swiss citizens who are resident in the Isle of Man to make an application for their immigration status to the UK’s EU Settlement Scheme if they wish.

The UK Scheme will accept eligible applications from EU, EEA and Swiss citizens residing in the Isle of Man, their family members, and the family members of a qualifying British citizen

² UK and Islands means the United Kingdom, the Isle of Man and Channel Islands taken together.

³ Article 17(4) of the Immigration (Leave to Enter and Remain) Order 2019 (SD No. 2019/0146)

and if successful they will be granted an immigration status of either indefinite leave to enter or limited leave to enter.

There is no fee for this application. Successful applicants will be given [proof of their status through a UK online service](#) confirming their grant of leave under Appendix EU to the UK's Immigration Rules.

Contact Us

Isle of Man Immigration Service
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Central Government Office
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Douglas
IM1 3PN
immigration@gov.im

Normal public counter opening times
Monday to Thursday 9.30am to 4.30pm
Friday 9.30am to 4pm

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