



**STATEMENT OF  
CHANGES IN  
IMMIGRATION RULES**

Laid before Tynwald on 21 April 2020 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 by it as to the practice to be followed in the administration of the Immigration Act 1971<sup>1</sup> (of Parliament) as it has effect in the Isle of Man<sup>2</sup> 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 2005<sup>3</sup>.

## Commencement

All changes set out in this Statement take effect on 5 May 2020.

## Changes to Part 1

- 1.1 In paragraph 6, omit the definition of “business day”.
- 1.2 In paragraph 6, for the definition of “working day”, substitute ““**working day**” has the same meaning as in the Interpretation Act 2015<sup>4</sup>.”.
- 1.3 For paragraphs 18 to 19, substitute—
  - “18. A person may resume their residence in the Isle of Man provided the Immigration Officer is satisfied that the person concerned—
    - (a) had indefinite leave to enter or remain in the Isle of Man when he or she last left;
    - (b) has not been away from the UK and Islands for more than 2 years;
    - (c) did not receive assistance from public funds towards the cost of leaving the Isle of Man; and
    - (d) now seeks admission for the purpose of settlement.
  - 18A. Those who qualify to resume their residence in accordance with paragraph 18 do not need a visa to enter the Isle of Man.
  19. A person who does not benefit from paragraph 18 by reason only of having been absent from the UK and Islands for more than 2 consecutive years, must have applied for, and been granted indefinite leave to enter by way of entry clearance if, he or she can demonstrate that he or she has strong ties to the Isle of Man and intends to make the Isle of Man his or her permanent home.

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<sup>1</sup> 1971 c. 77

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

<sup>3</sup> 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 and SD2020/0088.

<sup>4</sup> AT 11 of 2015

19A. Sub-paragraphs (b) and (c) of paragraph 18 shall not apply where a person who has indefinite leave to enter or remain in the Isle of Man accompanies on an overseas posting a partner, parent, a spouse, civil partner, unmarried partner or same-sex partner who is—

- (a) a member of HM Forces serving overseas; or
- (b) a British citizen or is settled in the Isle of Man; and
  - (i) a permanent member of HM Diplomatic Service;
  - (ii) a comparable Isle of Man based permanent staff member of the British Council;
  - (iii) a permanent staff member of the UK Department for International Development; or
  - (iv) a permanent Home Office employee.”.

## **Changes to Part 9**

9.1 For paragraph D320, substitute —

“D320. (1) Part 9 does not apply to applications made under Appendix EU.

(2) Part 9 does not apply to applications made under Appendix EU (Family Permit).”.

9.2 For paragraph 321B, substitute—

“321B. A person’s leave to enter or remain which is in force on their arrival in or while they are outside the Isle of Man may be cancelled:

- (a) If that person has leave to enter or remain in the Isle of Man granted by virtue of Appendix EU, or leave to enter the Isle of Man granted by virtue of having arrived in the Isle of Man with an entry clearance that was granted under Appendix EU (Family Permit); and
- (b) (i) the cancellation is justified on grounds of public policy, public security or public health in accordance with regulation 28 of the EEA Regulations, irrespective of whether those Regulations apply to that person (except that for “a right of permanent residence under regulation 17” read “indefinite leave to enter or remain”; and for “an EEA decision” read “a decision under paragraph 321B of the Immigration Rules”);
- (ii) the cancellation is justified on the ground that it is conducive to the public good, on the basis of the person’s conduct committed after 23:00 Greenwich Mean Time on 31 December 2020;

- (iii) the cancellation is justified on grounds that, in relation to the relevant application under Appendix EU or Appendix EU (Family Permit), and whether or not to the applicant's knowledge, false or misleading information, representations or documents were submitted (including false or misleading information submitted to any person to obtain a document used in support of the application); and the information, representation or documentation was material to the decision to grant the applicant leave to enter or remain under Appendix EU or (as the case may be) an entry clearance under Appendix EU (Family Permit);
- (iv) in respect of leave to enter granted by virtue of having arrived in the Isle of Man with an entry clearance that was granted under Appendix EU (Family Permit), since that entry clearance was granted, there has been a change in circumstances that is, or would have been, relevant to that person's eligibility for that entry clearance, such that their leave to enter ought to be cancelled; or
- (v) their leave to enter or remain was granted by virtue of Appendix EU and they cease to meet the requirements of that Appendix.”.

## **Changes to Appendix EU**

EU1. For paragraph EU7, substitute—

- “EU7. (1) Annex 1 sets out definitions which apply to this Appendix. Any provision made elsewhere in the Immigration Rules for those terms, or for other matters for which this Appendix makes provision, does not apply to an application made under this Appendix.
- (2) Paragraphs 18 to 19 of the Immigration Rules (returning residents) do not apply to indefinite leave to enter or remain granted under this Appendix. A person granted such leave may resume their residence in the Isle of Man where, having been absent from the UK and Islands, that leave has not lapsed under article 17 of the Immigration (Leave to Enter and Remain) Order 2019<sup>5</sup>.”.

EU2. In row 1 of the table in paragraph EU14—

- (a) in sub-paragraph (a)(v), for “or”, substitute “and”; and
- (b) omit sub-paragraph (a)(vi).

EU3. In Annex 1, for the definition of “adopted child”, substitute—

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<sup>5</sup> SD No. 2019/0147

adopted child	a child adopted in accordance with a <b>relevant adoption decision</b>
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EU4. In Annex 1, in the definition of “civil partner”, omit “same sex”.

EU5. In Annex 1, for the definition of “date and time of withdrawal”, substitute—

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date and time of withdrawal	23:00 GMT on 31 January 2020
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”.

EU6. In Annex 1, for the definition of “dependent relative”, substitute—

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dependent relative	<p>the person—</p> <p>(a) (i) (aa) is a relative (other than a spouse, civil partner, durable partner, child or dependent parent) of their sponsor; and</p> <p>(bb) is, or (as the case may be) for the relevant period was, a dependant of the sponsor, a member of their household or in strict need of their personal care on serious health grounds; or</p> <p>(ii) is a <b>person who is subject to a non-adoptive legal guardianship order</b> in favour (solely or jointly with another party) of their sponsor; or</p> <p>(iii) is a person under the age of 18 years who—</p> <p>(aa) is the direct descendant of the durable partner of their sponsor; or</p> <p>(bb) has been adopted by the durable partner of their sponsor, in accordance with a relevant adoption decision; and</p> <p>(b) holds a <b>relevant document</b> (as described in subparagraph (a)(i) or (a)(ii) of that entry in this table) as the dependent relative of their sponsor for the period of residence relied upon</p> <p>in addition, ‘sponsor’ means—</p> <p>(a) (where subparagraphs (a)(i) and (b) above apply)—</p> <p>(i) a relevant EEA citizen who has been or is being granted indefinite leave to enter or remain or limited</p>
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	<p>leave to enter or remain under this Appendix (or who would be granted that leave, if they made a valid application under this Appendix); or</p> <p>(ii) the spouse or civil partner (as described in sub-paragraph (a) of the entry for ‘family member of a relevant EEA citizen’ in this table) of a relevant EEA citizen who has been or is being granted indefinite leave to enter or remain or limited leave to enter or remain under this Appendix (or who would be granted that leave, if they made a valid application under this Appendix); or</p> <p>(iii) a qualifying British citizen; or</p> <p>(iv) the spouse or civil partner of a qualifying British citizen as described in sub-paragraph (a)(i) or (a)(ii) of the entry for ‘family member of a qualifying British citizen’ in this table; or</p> <p>(b)(where the first sub-paragraph (a)(ii) in this entry and sub-paragraph (b) above apply or the first sub-paragraph (a)(iii) in this entry and sub-paragraph (b) above apply)—</p> <p>(i) a relevant EEA citizen who has been or is being granted indefinite leave to enter or remain or limited leave to enter or remain under this Appendix (or who would be granted that leave, if they made a valid application under this Appendix); or</p> <p>(ii) a qualifying British citizen</p>
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EU7. In Annex 1, in sub-paragraph (b) of the definition of “durable partner”, after “the person holds a relevant document”, insert “(as described in sub-paragraph (a)(i) or (a)(ii) of that entry in this table)”.

EU8. In Annex 1, in the definition of “family member of a qualifying British citizen”—

- (a) in sub-paragraph (a)(ii), after “(a)(i)(bb)”, insert “above”;
- (b) in sub-paragraph (a)(vii), for “sub-paragraph (ii) above”, substitute “sub-paragraph (a)(ii) above”; and
- (c) for sub-paragraph (a)(viii), substitute—
  - “(viii) before 23:00 GMT on 31 December 2020, as the dependent relative of a qualifying British citizen, or (as the case may be) of their spouse or civil partner as described in sub-paragraph (a)(i) or (a)(ii) above, and that family relationship and (in sub-paragraph (a)(i)(bb) of the entry for ‘dependent relative’ in this table) the person’s dependency (or, as the case may be, their membership of the

household or their strict need for personal care on serious health grounds) existed before the applicant returned to the Isle of Man with the qualifying British citizen; and”.

EU9. In Annex 1, in the definition of “family member of a relevant EEA citizen”, for sub-paragraph (e), substitute—

“(e) the dependent relative, before 1 January 2021, of a relevant EEA citizen (or of their spouse or civil partner as described in sub-paragraph (a) above) and the family relationship continues to exist at the date of application”.

EU10. In Annex 1, in the definition of “family member who has retained the right of residence”—

(a) in sub-paragraph (d)(i), for “(or a qualifying British citizen)”, substitute “(or of a qualifying British citizen)”; and

(b) in sub-paragraph (d)(ii), after “date of the termination”, insert “of the marriage or civil partnership”.

EU11. In Annex 1, in sub-paragraph (c) of the definition of “person who has ceased activity”, after “in a country listed in”, insert “sub-paragraph (a)(i) of”.

EU12. In Annex 1, after the definition of “person who had a derivative or Zambrano right to reside”, insert—

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<p>Person who is subject to a non-adoptive legal guardianship order</p>	<p>a person who has satisfied the Minister that, before the specified date, they—</p> <p>(a) are under the age of 18 years; and</p> <p>(b) are subject to a non-adoptive legal guardianship order in favour (solely or jointly with another party) of a relevant EEA citizen or of a qualifying British citizen (who, in either case, is their ‘sponsor’ in accordance with the second sub-paragraph (b) in the entry for ‘dependent relative’ in this table) that—</p> <p style="padding-left: 40px;">(i) is recognised under the national law of the state in which it was contracted; and</p> <p style="padding-left: 40px;">(ii) places parental responsibility on a permanent basis on the relevant EEA citizen or on the qualifying British citizen (in either case, solely or jointly with another party); and</p> <p>(c) have lived with the relevant EEA citizen (or with the qualifying British citizen) since their placement under the guardianship order; and</p>
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	<p>(d) have created family life with the relevant EEA citizen (or with the qualifying British citizen); and</p> <p>(e) have a personal relationship with the relevant EEA citizen (or qualifying British citizen) that involves dependency on the relevant EEA citizen (or on the qualifying British citizen) and the assumption of parental responsibility, including legal and financial responsibilities, for that person by the relevant EEA citizen (or by the qualifying British citizen)</p>
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EU13. In Annex 1, in the definition of “person with a derivative right to reside”—

- (a) after “or (as the case may be) for the relevant period”, insert “in which they rely on having been a person with a derivative right to reside (before they became a person who had a derivative or Zambrano right to reside ) they”; and
- (b) in sub-paragraph (b), after “in respect of the criterion in”, insert “regulation 18(2)(b)(i) or”.

EU14. In Annex 1, in the definition of “person with a Zambrano right to reside”, after “or (as the case may be) for the relevant period”, insert “in which they rely on having been a person with a derivative right to reside (before they became a person who had a derivative or Zambrano right to reside) they”.

EU15. In Annex 1, for sub-paragraph (b) of the definition of “qualifying British citizen”, substitute—

- “(b) satisfied regulation 10(2), (3) and (4)(a) of the EEA Regulations (as British citizen (“BC”) to whom those provisions refer)—
- (i) before 23:00 GMT on 31 December 2020; and
  - (ii) immediately before returning to the Isle of Man with the applicant (who is to be treated as the family member (“F”) or, as the case may be, as the extended family member (“EFM”), to whom those provisions refer); and”.

EU16. In Annex 1, after the definition of “qualifying British citizen”, insert—

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relevant adoption decision	<p>an adoption decision taken—</p> <p>(a) by the competent administrative authority or court in the Isle of Man, the United Kingdom or Channel Islands; or</p> <p>(b) by the competent administrative authority or court in</p>
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	<p>a country whose adoption orders are recognised by the Isle of Man, United Kingdom or Channel Islands; or</p> <p>(c) in a particular case in which that decision in another country has been recognised in the Isle of Man, United Kingdom or Channel Islands as an adoption</p>
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EU17. In Annex 1, for the definition of “relevant document”, substitute—

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relevant document	<p>(a) (i) a family permit, document certifying an extended right of residence, document certifying a permanent right of residence or document certifying a derivative right of residence issued by the Isle of Man under the EEA Regulations on the basis of an application made under the EEA Regulations before (in the case of a family permit) 1 July 2021 and otherwise before 1 January 2021; or</p> <p>(ii) a document or other evidence equivalent to a document to which sub-paragraph (a)(i) above refers, and issued by the United Kingdom or Channel Islands under the relevant legislation there evidencing the entitlement to enter or reside or a right of permanent residence, either under the Immigration (European Economic Area) Regulations 2016 (of Parliament) or through the application there of section 7(1) of the Immigration Act 1988; or</p> <p>(iii) a document issued by virtue of having been granted limited leave to enter or remain under this Appendix; and</p> <p>(b) it was not subsequently revoked, or fell to be so, because the relationship or dependency had never existed or the relationship or (where relevant) dependency had ceased; and</p> <p>(c) (subject to sub-paragraph (d) below) it has not expired or otherwise ceased to be effective, or it remained valid for the period of residence relied upon; and</p> <p>(d) for the purposes of the reference to ‘relevant document’ in the first sub-paragraph (b) of the entry for ‘dependent relative’ in this table, in sub-paragraph (b) of the entry for ‘durable partner’ in this table and in sub-paragraphs (e) and (f) of the entry for ‘required evidence of family relationship’ in this table, the relevant document</p>
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	<p>may have expired, where—</p> <p>(i) before it expired, the applicant applied for a further relevant document (as described in subparagraph (a)(i) above) on the basis of the same family relationship as that on which that earlier relevant document was issued; and</p> <p>(ii) the further relevant document to which subparagraph (d)(i) above refers was issued by the date of decision on the application under this Appendix</p>
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EU18. In Annex 1, for the definition of “required evidence of family relationship”, substitute—

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<p>required evidence of family relationship</p>	<p>in the case of—</p> <p>(a) a spouse without a documented right of permanent residence – a relevant document as the spouse of the relevant EEA citizen (or of the qualifying British citizen), or a valid document of record of a marriage recognised under the law of the Isle of Man or under the laws of England and Wales, Scotland, Northern Ireland or the Channel Islands;</p> <p>(b) a civil partner without a documented right of permanent residence - a relevant document as the civil partner of the relevant EEA citizen (or of the qualifying British citizen); a valid civil partnership certificate recognised under the law of the Isle of Man or under the laws of England and Wales, Scotland, Northern Ireland or the Channel Islands; or a valid overseas registration document for a relationship which is entitled to be treated as a civil partnership under the Civil Partnership Act 2011 or under any equivalent legislation in the UK or Channel Islands;</p> <p>(c) a child without a documented right of permanent residence – a relevant document issued on the basis of the relevant family relationship or his or her <b>evidence of birth</b> and, where the applicant is aged 21 years or over and was not previously granted limited leave to enter or remain under this Appendix (or under its equivalent in</p>
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	<p>the UK or Channel Islands) as a child, evidence which satisfies the Minister that sub-paragraph (b)(ii) of the entry for “child” in this table is met;</p> <p>(d) a dependent parent without a documented right of permanent residence – a relevant document issued on the basis of the relevant family relationship or his or her evidence of birth;</p> <p>(e) a durable partner –</p> <p style="padding-left: 40px;">(i) (where sub-paragraph (e)(ii) or (e)(iii) below does not apply) a relevant document (as described in sub-paragraph (a)(i) or (a)(ii) of that entry in this table) as the durable partner of the relevant EEA citizen (or of the qualifying British citizen) and, unless this confirms the right of permanent residence in the Isle of Man under regulation 17 of the EEA Regulations (or the right of permanent residence in the UK or Channel Islands under the Immigration (European Economic Area) Regulations 2016 of Parliament) or through the application there of section 7(1) of the Immigration Act 1988), evidence which satisfies the Minister that the durable partnership continues to subsist (or did so for the period relied upon); or</p> <p style="padding-left: 40px;">(ii) (where the applicant is seeking to come to the Isle of Man after 31 December 2020 and sub-paragraph (e)(iii) below does not apply) evidence which satisfies the Minister that the partnership was formed and was durable before the specified date and that the partnership remains durable at the date of application, or</p> <p style="padding-left: 40px;">(iii) (where the applicant has returned to the Isle of Man after 31 December 2020 as a family member of a qualifying British citizen as described in sub-paragraph (a)(iii) of that entry in this table) evidence which satisfies the Minister that the partnership was formed and was durable before the date and time of withdrawal and that the partnership remains durable at the date of application; or</p> <p>(f) a dependent relative – a relevant document (as</p>
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described in sub-paragraph (a)(i) or (a)(ii) of that entry in this table) as the dependent relative of his or her sponsor (in the entry for 'dependent relative' in this table) and, unless this confirms the right of permanent residence in the Isle of Man under regulation 17 of the EEA Regulations (or the right of permanent residence in the UK or Channel Islands under the Immigration (European Economic Area) Regulations 2016 of (Parliament) or through the application there of section 7(1) of the Immigration Act 1988), evidence which satisfies the Minister that the relationship continues to subsist (or did so for the period of residence relied upon)

in addition—

(a) where the eligibility requirements to be met for leave to be granted under this Appendix relate to the death of a person, the required evidence of family relationship must include his or her death certificate or other evidence which the Minister is satisfied evidences the death; and

(b) where the applicant is a non-EEA citizen without a documented right of permanent residence, or is an EEA citizen without a documented right of permanent residence who relies on being (or, as the case may be, for the relevant period on having been) a family member of a qualifying British citizen, a family member of a relevant EEA citizen or a family member who has retained the right of residence, the required evidence of family relationship must include—

(i) the following proof of identity and nationality of (as the case may be) the relevant EEA citizen, or the qualifying British citizen, of whom the applicant is (or, as the case may be, for the relevant period was) a family member—

(aa) (in the case of a relevant EEA citizen who is neither a relevant naturalised British citizen nor a relevant EEA citizen as described in sub-paragraph (d) of that entry in this table, or in the case of a qualifying British citizen) their valid passport; or

	<p>(bb) (in the case of a relevant EEA citizen who is neither a relevant naturalised British citizen nor a relevant EEA citizen as described in subparagraph (d) of that entry in this table) their valid national identity card or confirmation that they have been or are being granted indefinite leave to enter or remain or limited leave to enter or remain under this Appendix; or</p> <p>(cc) (in the case of a relevant EEA citizen who is a relevant naturalised British citizen or who is a relevant EEA citizen as described in subparagraph (d) of that entry in this table) their valid passport or valid national identity card as a national of a country listed in subparagraph (a)(i) in the entry for ‘EEA citizen’ in this table, and information or evidence which is provided by the applicant, or is otherwise available to the Minister, which satisfies the Minister that the person is a British citizen,</p> <p>unless (in any case) the Minister agrees to accept alternative evidence of identity and nationality where the applicant is unable to obtain or produce the required document due to circumstances beyond his or her control or to compelling practical or compassionate reasons; and</p> <p>(ii) evidence which satisfies the Minister that—</p> <p>(aa) where the applicant is (or, as the case may be, for the relevant period was) a family member of a relevant EEA citizen, either that EEA citizen is (or, as the case may be for the relevant period was) a relevant EEA citizen as described in subparagraph (a) in the entry for ‘relevant EEA citizen’ in this table, and is (or, as the case may be, was) such a relevant EEA citizen throughout any continuous qualifying period on which the applicant relies as being a family member of a relevant EEA citizen; or that EEA citizen is a relevant EEA citizen as described in sub-</p>
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	<p>paragraph (b), (c) or (d) in the entry for ‘relevant EEA citizen’ in this table; or</p> <p>(bb) where the applicant is (or, as the case may be, for the relevant period was) a family member of a qualifying British citizen, that British citizen is (or, as the case may be, for the relevant period was) a qualifying British citizen throughout any continuous qualifying period on which the applicant relies as being a family member of a qualifying British citizen; and</p> <p>(c) where, in order to meet the requirements of this entry, the applicant submits a copy (and not the original) of a document the Minister can require the applicant to submit the original document where the Minister has reasonable doubt as to the authenticity of the copy submitted; and</p> <p>(d) ‘valid’ here means, in respect of a document, that it is genuine and has not expired or been cancelled or invalidated</p>
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EU19. In Annex 1, for the definition of “specified date”, substitute—

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<p>specified date</p>	<p>(a) (where sub-paragraph (b) below does not apply) 23:00 GMT on 31 December 2020; or</p> <p>(b) (in the case of a family member of a qualifying British citizen as described in sub-paragraph (a)(i), (a)(iii), (a)(v) or (a)(vi) of the entry for ‘family member if a qualifying British citizen’ in this table) 23:00 GMT on 29 March 2022 in the reference to specified date in sub-paragraph (a) of the entry for ‘continuous qualifying period’ in this table, for the purposes of the references to continuous qualifying period in—</p> <ul style="list-style-type: none"> <li>— condition 3 in the table in paragraph EU12 of this Appendix;</li> <li>— condition 2 in the table in paragraph EU14 of his Appendix;</li> <li>— sub-paragraphs (a) and (d) of the entry for ‘family member who has retained the right of residence’ in this table; and</li> </ul>
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	—sub-paragraph (a) of the entry for ‘supervening event’ in this table
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EU20. In Annex 1, for the definition of “specified relevant document”, substitute—

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specified relevant document	(a) within the meaning of sub-paragraph (a)(i) of the entry for ‘relevant document’ in this table, a document certifying an extended right of residence, a document certifying a permanent right of residence or a document certifying a derivative right of residence issued by the Isle of Man under the EEA Regulations; or  (b) a document as described in paragraph (a)(iii) of the entry for ‘relevant document’ in this table
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EU21. In Annex 2, in sub-paragraph A2.2.(c), for “If the applicant or P (as the case may be)”, substitute “If the applicant or (as the case may be) P”.

EU22. In Annex 2, in sub-paragraph A2.2.(e), after “on the sole basis that the applicant or”, insert “(as the case may be)”.

### **Changes to Appendix EU (Family Permit)**

EUFP1. In Annex 1, in the definition of “civil partner”, omit “same sex”.

EUFP2. In Annex 1, in the definition of “family member of a relevant EEA citizen”, for both occurrences of “31 December 2020”, substitute “the specified date”.

EUFP3. In Annex 1, in sub-paragraph (b) of the definition of “relevant document”, after “had never existed or”, insert “the relationship or (where relevant) dependency”.

EUFP4. In Annex 1, in the definition of “relevant EEA citizen”, for both occurrences of “curtailed or revoked”, substitute “curtailed, revoked or invalidated”.

EUFP5. In Annex 1, in the definition of “required evidence of family relationship”—

- (a) in sub-paragraph (b), omit “same sex”;
- (b) at the end of sub-paragraph (d), insert “or”; and
- (c) in sub-paragraph (e), for the words “31 December 2020” to the end of the sub-paragraph, substitute “the specified date and that the partnership remains durable at the date of application”.

EUFP6. In Annex 1, for the definition of “required evidence of qualification”, substitute—

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<p>required evidence of qualification</p>	<p>(a) (in the case of a relevant EEA citizen who is an Irish citizen who has not been granted indefinite leave to enter or remain or limited leave to enter or remain under Appendix EU to these Rules or under its equivalent in the Islands):</p> <ul style="list-style-type: none"> <li>(i) their passport or national identity card as an Irish citizen, which is: <ul style="list-style-type: none"> <li>(aa) valid; and</li> <li>(bb) the original document and not a copy; and</li> </ul> </li> <li>(ii) information or evidence which satisfies the immigration officer or entry clearance officer that the person would be granted indefinite leave to enter or remain or limited leave to enter or remain under Appendix EU to these Rules, if they made a valid application under it; or</li> </ul> <p>(b) (in the case of a relevant EEA citizen who is a relevant naturalised British citizen):</p> <ul style="list-style-type: none"> <li>(i) their passport or national identity card as an EEA citizen, which is: <ul style="list-style-type: none"> <li>(aa) valid; and</li> <li>(bb) the original document and not a copy; and</li> </ul> </li> <li>(ii) information or evidence which is provided by the applicant, or is otherwise available to the immigration officer or entry clearance officer, which satisfies the immigration officer or entry clearance officer that the relevant EEA citizen is a British citizen; and</li> <li>(iii) information or evidence which satisfies the immigration officer or entry clearance officer that the person would (but for the fact that they are a British citizen) be granted indefinite leave to enter or remain or limited leave to enter or remain under Appendix EU to these Rules, if they made a valid application under it</li> </ul> <p>in addition:</p> <ul style="list-style-type: none"> <li>(a) ‘valid’ here means, in respect of a document, that it is genuine and has not expired or been cancelled or invalidated; and</li> <li>(b) where, in order to meet the requirements of subparagraph (a)(ii), (b)(ii) or (b)(iii) above, the applicant submits a copy (and not the original) of a document, the</li> </ul>
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	entry clearance officer can require the applicant to submit the original document where the entry clearance officer has reasonable doubt as to the authenticity of the copy submitted
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EUFP7. In Annex 1, in the definition of “required proof of identity and nationality”, for “‘valid’”, substitute “in addition, ‘valid’ here”.

EUFP8. In Annex 1, for the definition of “specified date”, substitute—

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specified date	23:00 Greenwich Mean Time on 31 December 2020
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EUFP9. In Annex 2, for sub-paragraphs A2.2(1)(a) and (b), substitute—

- “(a) request that the person (“P”) on whom the application relies as being the relevant EEA citizen with whom the applicant is in a family relationship provide information or evidence about their relationship with the applicant; or
- (b) request that P be interviewed by the immigration officer or entry clearance officer in person, by telephone, by video-telecommunications link or over the internet.”.

EUFP10. In Annex 2, in sub-paragraph (3), for “the relevant EEA citizen”, substitute “P”.

EUFP11. In Annex 2, in sub-paragraph (5) for “the relevant EEA citizen”, substitute “(as the case may be) P”.

## Changes to Appendix M

M1. In the table, for “Grand National Archery Society,” substitute “Archery GB”.

M2. After the row beginning with “Tennis”, insert—

“

Tennis	Tennis & Rackets Association	Tier 5 (Temporary Worker – Creative and Sporting)
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”.

## Changes to Appendix N

N1. Omit the row beginning with “NHS Tayside International Staff Exchange Scheme”.

N2. Omit the row beginning with “Royal Pharmaceutical Society international pre-registration scheme”.

N3. After the row beginning with “Tier 5 interns scheme”, insert—

“

<p>UK Research and Innovation – Science, Research and Academia</p>	<p>A scheme to enable UK Research and Innovation (UKRI) to engage with sponsored researchers within its own organisation as well as endorsing select Independent Research Organisations to hold a Tier 5 Licence. Sponsored researchers include academics, researchers, scientists, research engineers or other skilled research technology specialists who will be hosted through an approved research institute, in a supernumerary role. The sponsored researcher may give lectures (which does not amount to a formal teaching post), act as an examiner, undertake skill development/knowledge transfer, undertake a period of work-based training/work experience/internship/placement or work on research collaborations. UKRI provide endorsement for use of the scheme on behalf of the Department for Business, Energy and Industrial Strategy.</p>	<p>UK Research and Innovation (UKRI) and the following organisations endorsed by UKRI:</p> <ul style="list-style-type: none"> <li>• Armagh Observatory and Planetarium</li> <li>• Babraham Institute</li> <li>• British Institute of International and Comparative Law</li> <li>• Centre for Ecology and Hydrology</li> <li>• Culham Centre for Fusion Energy/UK Atomic Energy Authority</li> <li>• Diamond Light Source Ltd</li> <li>• Earlham Institute</li> <li>• H R Wallingford Ltd</li> <li>• Historic Royal Palaces</li> <li>• Institute for Fiscal Studies</li> <li>• Institute of Development Studies</li> <li>• Institute of Occupational Medicine</li> <li>• International Institute for Environment and Development</li> <li>• John Innes Centre</li> <li>• Kew Gardens</li> <li>• National Centre for Social Research</li> <li>• National Institute of Agricultural Botany (NIAB)</li> <li>• National Museums of Scotland</li> <li>• National Oceanography Centre</li> </ul>	<p>Research &amp; Training Programmes Maximum 24 months</p>	<p>All UK</p>
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		<ul style="list-style-type: none"> <li>• Natural History Museum</li> <li>• Nesta</li> <li>• Overseas Development Institute</li> <li>• Plymouth Marine Laboratory</li> <li>• Quadram Institute Bioscience</li> <li>• Rothamsted Research</li> <li>• Royal Botanic Garden Edinburgh</li> <li>• Science Museum Group</li> <li>• Scottish Association for Marine Science</li> <li>• The Alan Turing Institute</li> <li>• The British Library</li> <li>• The British Museum</li> <li>• The Faraday Institution</li> <li>• The Francis Crick Institute</li> <li>• The James Hutton Institute</li> <li>• The National Archives</li> <li>• The Pirbright Institute</li> <li>• The Sainsbury’s Laboratory, Norwich</li> <li>• The Trustees of the Tate Gallery</li> <li>• The Welding Institute</li> <li>• Victoria and Albert Museum</li> <li>• Wellcome Trust Sanger Institute</li> </ul>		
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**Changes to Appendix W**

- W1. In sub-paragraph 1.3(2)(d), for “Business Days”, substitute “working days”.
- W2. In sub-paragraph 2.2.(1)(n), for “Business Days”, substitute “working days”.
- W3. In sub-paragraph 2.2.(1)(q)(i), for “Business Days”, substitute “working days”.
- W4. In sub-paragraph 6.1(6), for “business days”, substitute “working days”.

W5. In sub-paragraph 6.1(8), for “business days”, substitute “working days”.

W6. In Table 5 of Part 7 of Appendix W, after the row beginning with SOC code “5119”, insert—

“

5431	Butchers	<ul style="list-style-type: none"><li>• Butcher</li><li>• Butchery Manager</li><li>• Master Butcher</li><li>• Slaughter man</li></ul>	<ul style="list-style-type: none"><li>• slaughters animal and removes skin, hide, hairs, internal organs, etc.</li><li>• cuts or saws carcasses into manageable portions;</li><li>• removes bones, gristle, surplus fat, rind and other waste material;</li><li>• cuts carcass parts into chops, joints, steaks, etc. for sale;</li><li>• prepares meat for curing or other processing; cleans tools and work surfaces.</li></ul>	£22,000
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### Changes to Appendix X

X1. In the table in paragraph 4.9, in paragraph (1) of row 4 omit “Worker Migrant”.

**MADE 2 April 2020**

**HOWARD QUAYLE**

*Minister for the Cabinet Office*

**Explanatory Note**  
**to the Statement of Changes In Immigration Rules SD 2020/0140**  
*(This note is not part of the Statement of Changes in Immigration Rules)*

The changes made by this Statement of Changes in Immigration Rules are as follows—

**Changes to Part 1**

The definitions of “business day” and “working day” have been consolidated into a single definition of “working day”, which is defined in the Interpretation Act 2015. Consequential changes have been made to other Parts of the Rules in order to change remaining references to “business day” to “working day”.

The Rules relating to Returning Residents have been updated, and brought in line with the equivalent Rules in the United Kingdom. A person who has indefinite leave to remain may now be absent from the Isle of Man for more than 2 years or have received public funds towards their leaving the Island, where the purpose of the absence is to join a partner falling within paragraph 19A.

**Changes to Part 9**

An addition to Part 9 of the Immigration Rules (the general grounds for refusal) has been made to allow for the cancellation of leave to enter granted by virtue of having arrived in the Isle of Man with an entry clearance that was granted under Appendix EU (Family Permit) where there has been a material change in circumstances since the family permit was granted.

**Changes to the EU Settlement Scheme (Appendix EU and Appendix EU (Family Permit))**

- A change has been made to disapply the provisions of paragraphs 18 and 19 of the Rules from indefinite leave granted under Appendix EU. These paragraphs set out that a person who has indefinite leave to remain may not normally return to the Island as a returning resident where they have had an absence of 2 or more years from the UK and Islands, whereas it is 5 years in the case of indefinite leave to remain granted under Appendix EU.
- A change has been made so that applicants who receive limited leave to enter or remain may use this document as proof of their relationship to a relevant EEA national, when making an application for indefinite leave to remain.
- Changes have been made in order to clarify that family members and extended family members of British citizens who are returning from an EEA State or Switzerland must meet the relevant conditions in regulation 10 of the Immigration

(European Economic Area) Regulations 2019 (as amended)<sup>6</sup> before 31 December 2020 if they wish to return to the Isle of Man after this date.

- Durable or dependent relatives of an EEA national who are applying to the EU Settlement Scheme may now rely on documentation that has expired, where, before it did so, they had already applied for a further replacement document under the Immigration (European Economic Area) Regulations 2019. Furthermore a person may also rely on a document issued under these Regulations where the application for this document is outstanding after the end of the Implementation Period.

### **Changes to Appendix M and Appendix N**

Minor amendments have been made to both of these Appendices which set out the Sports Governing Bodies for Tier 5 (Temporary Worker) Migrants, and Approved Tier 5 Government Authorised Exchange Schemes.

### **Changes to Appendix W**

A change has been made to the Standard Occupation Classification codes (SOC codes), setting out the job roles that Isle of Man employers may hire migrants to fill. Butchers have now been added to these lists as SOC code 5431.

### **Changes to Appendix X**

Applicants to the Business Migrant routes will no longer be able to meet the English language requirement where they have previously held leave as a Worker Migrant. The minimum English level for the Business Migrant routes is level B2 of the Common European Framework of Reference for Language, whereas Worker Migrants are only required to meet level B1.

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<sup>6</sup> (SD No. 2019/0132)