



**STATEMENT OF
CHANGES IN
IMMIGRATION RULES**

Laid before Tynwald on 21 July 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 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 17 May 2005³.

Commencement

All changes set out in this Statement take effect immediately after this Statement of Changes in Immigration Rules is made.

Changes to Part 1

1 At the beginning (immediately before the heading preceding paragraph 7), insert—

“Temporary measures relating to certain applications for made during the COVID-19 pandemic

A7 (1) This Rule applies if—

- (a) a person is in the Isle of Man with valid leave;
 - (b) the person wishes to make an application for entry clearance under the Rules (such applications may not be made from within the Isle of Man);
 - (c) the person provides evidence which satisfies the Minister that travel to the country where the application for entry clearance would normally be made has been rendered impossible or impractical due to restrictions on travel imposed as a direct result of the COVID-19 pandemic; and
 - (d) the travel restrictions in (c) remain in place at the date of the application referred to in (2).
- (2) The person may make an application from within the Isle of Man for leave to remain in lieu of an application for entry clearance.
- (3) The evidence referred to in (1)(c) must be provided with the application.

¹ 1971 c. 77

² See the Immigration (Isle of Man) Order (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, 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, SD2020/0088, SD2020/0140 and SD2020/0316.

- (4) The application for leave to remain is to be assessed against the same requirements that would have applied under the Rules if the person had made an application for entry clearance.
- (5) However, where the Minister considers that meeting a requirements is impossible or impractical due to the application being made from the Isle of Man, the Minister may waive the requirement.
- (6) Where the application is successful, the period and conditions attaching to the grant of leave to remain will be the same as those that would have attached to an equivalent grant of entry clearance.
- (7) Unless the context otherwise requires, this Rule has effect despite anything to the contrary contained elsewhere in these Rules.”.

MADE AT 15:35 ON 18 JUNE 2020

HOWARD QUAYLE

Minister for the Cabinet Office

Explanatory Note
to the Statement of Changes In Immigration Rules SD 2020/0344
(This note is not part of the Statement of Changes in Immigration Rules)

This Statement of Changes in Immigration Rules introduces a temporary measure which will allow applicants who would normally be required to make an application for entry clearance from outside of the Isle of Man to make an application for leave to remain in lieu of an application for entry clearance while in the country, if they are unable to return to their country of ordinary residence as a result of any active travel restrictions relating to the Covid-19 pandemic.