



**STATEMENT OF
CHANGES IN
IMMIGRATION RULES**

Laid before Tynwald on 20 July 2021 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

The changes set out in this Statement of Changes in Immigration Rules come into operation on 28 June 2021.

Changes to Part 1

- 1.1 In paragraph 6, in sub-paragraph (ii) of the definition of “public funds”, for “section 115E”, substitute “section 150E”.
- 1.2 In paragraph A7(1), for sub-paragraphs (c) and (d), substitute—
 - “(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 referred to in (c) remain in place at the date of application referred to in (2).”.

Changes to Appendix EU

EU1. In Annex 1, in the entry for “required proof of identity and nationality”, before the paragraph beginning “in addition,” insert—

“unless (in the case of (a) or (b)) the Minister agrees to accept alternative evidence of identity and nationality where the applicant is unable to obtain or produce the

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, SD2020/0316, SD2020/0344 SD2020/0467, SD2020/0497, SD 2021/0002 and SD 2021/0155.

required document due to circumstances beyond their control or to compelling practical or compassionate reasons”.

MADE 29 June 2021

HOWARD QUAYLE

Minister for the Cabinet Office

Explanatory Note

to the Statement of Changes In Immigration Rules SD 2021/0216

(This note is not part of the Statement of Changes in Immigration Rules)

This Statement of Changes in Immigration Rules makes the following changes to the Immigration Rules.

Changes to Part 1

A correction has been made to a legislative reference in the definition of “public funds”. The correction will mean that access to benefits which would ordinarily violate the “no recourse to public funds” condition attached to grants of leave, will not be considered a breach of conditions, where access to those funds are permitted under Regulations made under section 150E of the Social Security Contributions and Benefits Act 1992 (as that Act has effect in the Island).

An amendment has been made to paragraph A7 of the Immigration Rules, which sets out temporary measures in relation to making entry clearance applications (which normally must be made overseas) in-country while travel restrictions in place as a direct result of the Covid-19 pandemic make repatriation or a return to the Isle of Man impossible or impractical. The provision is being amended to reflect the full re-opening of the Isle of Man borders.

Amendment to Appendix EU

An amendment has been made to Appendix EU to allow the Minister to accept alternative evidence of identity and nationality, where due to circumstances outside of the applicant’s control, or due to compelling practical or compassionate reasons, the required evidence cannot be produced.