



## ISLE OF MAN HOMES FOR UKRAINE (HOST PAYMENT) SCHEME 2022

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Statutory Document No. 2022/0215

*Financial Provisions and Currency Act 2011*

## ISLE OF MAN HOMES FOR UKRAINE (HOST PAYMENT) SCHEME 2022<sup>1</sup>

*Approved by Tynwald: 21 July 2022*  
*Coming into operation in accordance with paragraph 2*

The Cabinet Office, with the concurrence of the Treasury<sup>1</sup>, makes the following Scheme under section 3 of the Financial Provisions and Currency Act 2011.

### PART 1 – INTRODUCTION

#### 1 Title

This Scheme is the Isle of Man Homes for Ukraine (Host Payment) Scheme 2022.

#### 2 Commencement

If approved by Tynwald, this Scheme comes into operation on the day after it is approved by Tynwald<sup>2</sup>.

#### 3 General interpretation

(1) In this Scheme, except to the extent the context or subject matter otherwise indicates or requires —

“**1971 Act**” means the Immigration Act 1971<sup>3</sup> (of Parliament) as extended to the Isle of Man by the Immigration (Isle of Man) Order 2008<sup>4</sup>;

“**applicant**” means a person making an application;

“**application**” means an application for a host payment under Part 4;

“**approved form**” means the form approved by the Cabinet Office for the purpose of making an application;

<sup>1</sup> As required by section 3(2)(b) of the Financial Provisions and Currency Act 2011.

<sup>2</sup> Under section 3(7) of the Financial Provisions and Currency Act 2011 this Scheme must not come into operation unless approved by Tynwald.

<sup>3</sup> 1971 c.77.

<sup>4</sup> S.I. 2008/680.

- “**determination**” means a determination of an application under Part 5;
- “**eligible Isle of Man-based sponsor**”, in relation to an eligible guest, means an Isle of Man-based sponsor who is a person to whom any of (a) to (c) in UKR 6.1. of Appendix U: Ukraine Scheme to the Isle of Man immigration rules applies;
- “**host payment**” means a grant payable under this Scheme;
- “**Isle of Man immigration rules**” means the rules laid down as mentioned in section 3(2) of the 1971 Act;
- “**Isle of Man-based sponsor**” is to be construed in accordance with Appendix U: Ukraine Scheme to the Isle of Man immigration rules;
- “**Safe Host under the Isle of Man Homes for Ukraine Scheme**” has the meaning given in the Isle of Man immigration rules; and
- “**UK immigration rules**” means the rules laid down as mentioned in section 3(2) of the Immigration Act 1971 (an Act of Parliament).
- (2) In this Scheme “**the Isle of Man Ukraine Family Scheme**” and “**the Isle of Man Ukraine Sponsorship Scheme**” mean (respectively) the Ukraine Family Scheme and the Ukraine Sponsorship Scheme as set out in Appendix U: Ukraine Scheme to the Isle of Man immigration rules.
- (3) In this Scheme “**the UK Ukraine Family Scheme**” and “**the UK Homes for Ukraine Sponsorship Scheme**” mean (respectively) the Ukraine Family Scheme and the Homes for Ukraine Sponsorship Scheme as set out in Appendix U: Ukraine Scheme to the UK immigration rules.
- (4) In this Scheme “**the Guernsey Ukraine Family Scheme**” and “**the Guernsey Ukraine Sponsorship Scheme**” are to be construed in accordance with Appendix U: Ukraine Scheme to The Immigration (Bailiwick of Guernsey) Rules, 2008<sup>5</sup>.
- (5) In this Scheme “**personal data**” has the meaning given in the GDPR and LED Implementing Regulations 2018<sup>6</sup> and “**data protection legislation**” has the meaning given in regulation 5(1) of those Regulations.

#### 4 Meaning of “eligible guest”

- (1) In this Scheme “eligible guest” means a person to whom any of sub-paragraphs (2) to (5) applies.
- (2) This sub-paragraph applies to a person who is granted permission under the Isle of Man Ukraine Family Scheme.
- (3) This sub-paragraph applies to a person who is granted permission under the Isle of Man Ukraine Sponsorship Scheme.
- (4) This sub-paragraph applies to a person who —

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<sup>5</sup> G.S.I. No. 26 of 2008 (as amended).

<sup>6</sup> SD 2018/0145.

- (a) was granted permission under the UK Ukraine Family Scheme or the UK Homes for Ukraine Sponsorship Scheme; and
  - (b) is to be regarded as having leave to enter or remain in the Isle of Man under Schedule 4 to the 1971 Act.
- (5) This sub-paragraph applies to a person who –
- (a) was given leave to enter or stay in the Bailiwick of Guernsey under the Guernsey Ukraine Family Scheme or the Guernsey Ukraine Sponsorship Scheme; and
  - (b) is to be regarded as having leave to enter or remain in the Isle of Man under Schedule 4 to the 1971 Act.
- (6) “Permission” –
- (a) in sub-paragraphs (2) and (3) has the meaning given in the Isle of Man immigration rules; and
  - (b) in sub-paragraph (4) has the meaning given in the UK immigration rules.

## **5 Meaning of “eligible host”**

In this Scheme “eligible host” means –

- (a) in relation to the provision of accommodation for an eligible guest to whom paragraph 4(2) applies, a person who is an eligible Isle of Man-based sponsor; and
- (b) in relation to the provision of accommodation for an eligible guest to whom paragraph 4(3), (4) or (5) applies, a person who is a Safe Host under the Isle of Man Homes for Ukraine Scheme.

## **6 Purpose of this Scheme**

The purpose of this Scheme is to provide financial assistance to persons providing accommodation for persons affected by the conflict in Ukraine.

## **7 Payment of grants**

- (1) The Cabinet Office may pay a grant (“a host payment”) to an eligible host for providing accommodation for an eligible guest or eligible guests in accordance with, and subject to the provisions of, this Scheme.
- (2) A host payment is payable at the rate specified in paragraph 13.

## **PART 2 – CONDITIONS AND CIRCUMSTANCES FOR PAYMENT OF HOST PAYMENT**

### **8 Requirement to make an application for a host payment**

(1) A host payment is not payable to an eligible host unless the eligible host makes an application.

This is subject to sub-paragraph (2).

(2) More than one host payment may be payable to an eligible host under an application for providing accommodation for different periods.

### **9 Only one host payment payable for providing accommodation for more than one eligible guest at the same residential premises**

Only one host payment is payable to an eligible host for providing accommodation for more than one eligible guest at the same residential premises.

### **10 Only one host payment payable for the same eligible guest or eligible guests**

A host payment is not payable to an eligible host for providing accommodation for an eligible guest or eligible guests if a host payment is paid to another eligible host for providing accommodation for that eligible guest or those eligible guests.

### **11 Eligible guest or eligible guests must not be required to pay rent or subsistence**

A host payment is not payable to an eligible host for providing accommodation for an eligible guest or eligible guests if the host requires that eligible guest or any of those eligible guests to make any payment in respect of rent or subsistence for the host providing accommodation for that eligible guest or any of those eligible guests.

### **12 Maximum amount of host payments payable to an eligible host for providing accommodation at the same residential premises**

No more than £2,880 in total may be paid to an eligible host by way of host payments for providing accommodation at the same residential premises

## **PART 3 – PAYMENT OF HOST PAYMENT**

### **13 Rate of host payment payable**

(1) The rate at which a host payment is payable to an eligible host –

- (a) for providing accommodation for a period of one month is the rate under sub-paragraphs (2) to (6) (“the monthly rate”) in respect of each month; or
  - (b) for providing accommodation for a period of less than one month is the rate under sub-paragraphs (7) and (8) (“the daily rate”) in respect of each day in that period.
- (2) The monthly rate is –
- (a) if sub-paragraph (3) applies to the eligible host, the rate specified in sub-paragraph (4); and
  - (b) if sub-paragraph (3) does not apply to the eligible host, the rate specified in sub-paragraph (5).
- (3) This sub-paragraph applies to an eligible host who is providing accommodation for an eligible guest or eligible guests for the period of one month beginning on the day on which this Scheme comes into operation (“month 1”).
- (4) The rate referred to in sub-paragraph (2)(a) is –
- (a) in relation to month 1, month 2 or month 3, £480 per month; and
  - (b) in relation to a period of one month other than month 1, month 2 or month 3, £240 per month.
- (5) The rate referred to in sub-paragraph (2)(b) is £240 per month.
- (6) In sub-paragraph (4) –
- “month 1” has meaning given in sub-paragraph (3);
- “month 2” means the period of one month beginning on the day immediately following the last day of month 1; and
- “month 3” means the period of one month beginning on the day immediately following the last day of month 2.
- (7) The daily rate (“D”) is calculated using the formula –
- $$D = \frac{MR}{30}.$$
- (8) In sub-paragraph (7) “MR” means the rate at which a host payment would be payable if the accommodation had been provided for a period of one month beginning on the first day of the period referred to in sub-paragraph (1)(b).

## 14 Method of payment of host payment

A host payment shall be paid by crediting the payment to a bank account or other account.

**15 Arrangements for payment of host payment**

A host payment shall be paid at intervals of a month in accordance with arrangements made for doing so by the Cabinet Office.

**PART 4 – APPLICATION FOR HOST PAYMENT****16 Making an application**

- (1) An application for a host payment must be –
  - (a) made in writing on the approved form;
  - (b) completed by providing the information required to be provided in accordance with the instructions on the approved form; and
  - (c) given or sent to the Cabinet Office.
- (2) The information referred to in sub-paragraph (1)(b) may include –
  - (a) the name of the applicant;
  - (b) the telephone number which may be used to contact the applicant;
  - (c) the email address which may be used to contact the applicant;
  - (d) the Isle of Man Homes for Ukraine Scheme registration number (if applicable);
  - (e) the Isle of Man Ukraine Family Scheme Visa Reference Number (if applicable);
  - (f) the address of the premises at which accommodation is to be provided for any named guest or guests;
  - (g) the name of any guest or guests for whom accommodation is to be provided;
  - (h) contact information relating to the named guest or guests for whom accommodation is to be provided;
  - (i) the following information relating to the account into which a host payment may be paid to an eligible host –
    - (i) the name of the bank;
    - (ii) the address of the bank;
    - (iii) the name of the account;
    - (iv) the number of the account; and
    - (v) the sort code of the bank;
  - (j) the signature and the printed full name of the applicant;
  - (k) the date on which the applicant signs the approved form; and
  - (l) any other information.



- (3) Information provided by an applicant under this paragraph may be processed by a member of the Ukraine Support Team of the Cabinet Office or any other person whose stationed employer is the Cabinet Office.
- (4) In sub-paragraph (3) “stationed employer” has the same meaning as in the Public Services Commission Act 2015.

## **17 Time allowed for making an application**

An application for a host payment for providing accommodation on any day must be made within —

- (a) the period of 6 months beginning on that day; or
- (b) such other period as may be permitted by the Cabinet Office.

## **PART 5 – DETERMINATION OF APPLICATION FOR HOST PAYMENT AND REVIEW OF DETERMINATION**

### **18 Determinations**

- (1) An application is to be determined by the Cabinet Office (a “determination”).
- (2) In respect of an application the Cabinet Office may determine that —
  - (a) a host payment is payable to an applicant and, if so, the amount payable; or
  - (b) a host payment is not payable to an applicant.
- (3) The Cabinet Office must notify the applicant of the determination.

### **19 Review of a determination**

- (1) If an applicant is dissatisfied with a determination (“the original determination”), the applicant may request that the Cabinet Office review the original determination.
- (2) A request for a review of the original determination must —
  - (a) be made in writing;
  - (b) state the grounds on which the review is requested;
  - (c) include information about any measures which have been taken to resolve the matter; and
  - (d) be given or sent to the Cabinet Office.
- (3) A request for a review of the original determination must be made within the period 10 working days beginning with the date on which the applicant was notified of the original determination.

- (4) On receipt of a request for a review of the original determination, the Cabinet Office may –
  - (a) revise the original determination; or
  - (b) not revise the original determination,and must send notification to the applicant accordingly.
- (5) If the Cabinet Office revises the original determination, the revised determination replaces the original determination and is final.
- (6) If the Cabinet Office does not revise the original determination, the original determination is final and the applicant may not make a further request that the Cabinet Office review the original determination.
- (7) An officer must not take part in the carrying out of a review of the original determination if the officer took part in the carrying out of the original determination under paragraph 18.

## **PART 6 – OFFENCES, AND REPAYMENT AND RECOVERY OF HOST PAYMENT**

### **20 Offence of furnishing false, incomplete or misleading information in connection with an application**

A person who furnishes false, incomplete or misleading information in connection with an application commits an offence which is punishable on summary conviction by custody for not more than 6 months, a fine of level 5 on the standard scale, or both.

### **21 Repayment and recovery of host payment following furnishing of false, incomplete or misleading information**

- (1) This sub-paragraph applies if –
  - (a) a person furnishes false, incomplete or misleading information in connection with an application; and
  - (b) in consequence of the person doing so, a host payment is paid to the person.
- (2) If sub-paragraph (1) applies –
  - (a) the amount of the host payment which would not have been paid but for the person furnishing that information is repayable; and
  - (b) the Cabinet Office may recover that amount from the person as a civil debt.
- (3) Any amount recovered under this paragraph forms part of the General Revenue.

## **22 Change of circumstances and repayment and recovery of host payment arising**

- (1) If a change of circumstances applies to a person as a result of which the person is no longer –
  - (a) an eligible host; or
  - (b) providing accommodation for any eligible guests,the person must notify the Cabinet Office of that change of circumstances as soon as reasonably practicable after the change occurs in such manner as the Cabinet Office specifies.
- (2) Following a change of circumstances occurring which has the result referred to in sub-paragraph (1) –
  - (a) the amount of any host payment which would not have been paid to a person but for that change occurring is repayable; and
  - (b) the Cabinet Office may recover that amount from the person as a civil debt.
- (3) Any amount recovered under this paragraph forms part of the General Revenue.

## **PART 7 – INFORMATION AND GUIDANCE**

### **23 Processing of personal data**

- (1) Personal data obtained under this Scheme may be used for any of the following purposes—
  - (a) determining whether a person is an eligible host;
  - (b) determining whether a person is an eligible guest;
  - (c) determining whether a person is an eligible Isle of Man-based sponsor;
  - (d) determining whether any condition is met, or circumstances apply, in relation to the payment of a host payment under Part 2;
  - (e) determining an application;
  - (f) reviewing a determination;
  - (g) determining whether a person has committed an offence under Part 6;
  - (h) determining whether a host payment is repayable or recoverable under Part 6; or
  - (i) performing any other function under this Scheme.
- (2) Personal data may not be processed under this paragraph if doing so would contravene the data protection legislation.

## 24 Disclosure of information

- (1) This paragraph applies to information relating to —
  - (a) an applicant; or
  - (b) a person named as a guest of an applicant in an application completed in accordance with paragraph 16.
- (2) The Minister for the Cabinet Office or the Chief Constable may disclose to the Cabinet Office information to which this paragraph applies which is obtained or held by the Minister for the Cabinet Office or the Chief Constable for immigration purposes or police purposes (as the case may be), except information obtained under this paragraph, to the extent that the information is likely to be of use for any of the following purposes —
  - (a) determining whether a person is an eligible host;
  - (b) determining whether a person is an eligible guest;
  - (c) determining whether a person is an eligible Isle of Man-based sponsor;
  - (d) determining whether any condition is met, or circumstances apply, in relation to the payment of a host payment under Part 2;
  - (e) determining an application;
  - (f) reviewing a determination;
  - (g) determining whether a person has committed an offence under Part 6;
  - (h) determining whether a host payment is repayable or recoverable under Part 6; or
  - (i) performing any other function under this Scheme.
- (3) The Cabinet Office may disclose to —
  - (a) the Minister for the Cabinet Office;
  - (b) the Chief Constable; or
  - (c) the Assessor,information to which this paragraph applies and which is obtained or held by the Cabinet Office for the purposes of this Scheme, except information obtained under this paragraph, to the extent that the information is likely to be of use for immigration purposes, police purposes or income tax purposes (as the case may be).
- (4) Personal data may not be processed under this paragraph if doing so would contravene the data protection legislation.
- (5) In this paragraph —

“the Immigration Acts” has the meaning given by section 61 of the UK Borders Act 2007<sup>7</sup> (an Act of Parliament) as extended to the Island by the Immigration (Isle of Man) (Amendment) Order 2019<sup>8</sup>;

“immigration purposes” means —

- (a) the administration of immigration control under the Immigration Acts; or
- (b) the prevention, detection, investigation or prosecution of criminal offences under those Acts;

“income tax purposes” means the assessment and collection of income tax; and

“police purposes” means —

- (a) the prevention, detection, investigation or prosecution of criminal offences; or
- (b) safeguarding national security.

## 25 Guidance

The Cabinet Office may publish information to serve as guidance with respect to the manner in which powers are to be exercised under this Scheme.

MADE 2ND JULY 2022

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<sup>7</sup> 2007 c.30.

<sup>8</sup> S.I. 2019/562.

## ENDNOTES

### Table of Endnote References

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<sup>1</sup> The format of this legislation has been changed as provided for under section 75 of, and paragraph 2 of Schedule 1 to, the Legislation Act 2015. The changes have been approved by the Attorney General after consultation with the Clerk of Tynwald as required by section 76 of the Legislation Act 2015.