



Worker Migrant - Leave to Remain Guidance Notes

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Overview

The Worker Migrant route enables non-British and non-Irish nationals to come to the Isle of Man in order to undertake an employment position which cannot be filled by a Settled Worker. The Worker Migrant route also allows certain individuals (including those who hold Worker (ICT) Migrant or Worker (Seasonal) Migrant visas) already present on the Isle of Man to "switch" into the Worker Migrant visa.

An application made under this route must be supported by a valid Confirmation of Employment ("CoE") provided by the Isle of Man Employer.

Applicants under the Worker Migrant route **must** meet the appropriate English language requirements.

Leave to Remain Requirements

To qualify for leave to remain applicants must meet the requirements of Part 2.3 of Appendix W to the Immigration Rules. An overview of the requirements to be met are set out below, however, an applicant should satisfy themselves that they meet all relevant requirements of the Isle of Man Immigration Rules before applying.

- The applicant must provide a valid **Confirmation of Employment**.
- You must meet the **English language** requirement. You can meet this by:
 - Being a national of a majority English-speaking country listed at Appendix B to the Isle of Man Immigration Rules.
 - Completing a degree taught in English, and having this degree verified by UK Ecctis as being equivalent to at least a UK Bachelor's degree.
 - Passing an approved English language test in all 4 components (speaking, reading, listening and writing) to at least level B1 of the Council of Europe's Common European Framework for Language. The achieved scores for all four components assessed must be at B1 Level or higher. [See our website.](#)

You meet this requirement if you have met this requirement in a previous grant of leave.

- **Maintenance funds.** See Appendix C of the Immigration Rules. You can meet this requirement in 2 ways:
 - Your employer has certified on the Confirmation of Employment that they will accommodate you and any dependants under the "Financial Support to Migrant" section of that form.
 - If your employer has not certified this, you must hold a minimum level of funds in your bank account. This is £1,270 plus an additional amounts for any dependants applying: £285 for a dependent partner, £315 for a dependent child and £200 for each additional dependent child. You must hold at least the level of funds in your bank account for 28 days before the date of application.



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- The **salary** for the employment must meet the Appropriate Salary requirements. A salary will only be considered appropriate where the migrant is to be paid **whichever is the higher of:**
 1. a minimum of £20,800, or
 2. the appropriate rate for the employment as set out in Part 7 of Appendix W to the Immigration Rules.
- To **demonstrate the appropriate salary** has been paid applicants must provide:-
 1. an annual tax return(s) to the Isle of Man Treasury or UK HMRC for the last full financial year, immediately preceding the date of application;
 2. the applicant's most recent payslip from their employer; and
 3. a personal bank statement for the same 12-month period as the tax return(s) showing payment of salary from the employer to the applicant's bank account (Further details can be found at Part 2.3.1 of Appendix W of the Immigration Rules).
- **To apply for Further Leave as a Worker Migrant you must not currently have or have last been granted Immigration Leave/Permission as any of the following:**

Visitor, Short-term student, Parent of a Child Student; Seasonal Worker (where this was granted by the UK), Domestic Worker in a Private Household; or Leave outside the Immigration Rules.
- **Criminal history**

You must indicate during your application any criminal convictions or offences that you have committed. These must not meet any of the thresholds set out in Part 9 to the [Isle of Man Immigration Rules](#).
- **No self-employment**

You must not be self-employed or in any arrangement akin to self-employment. For this reason, you must not:

 - have the final say in the running of the Employer's business
 - invest your own money in the Employer's business or act as surety or guarantor for the business,
 - be responsible for covering the losses of the business,
 - provide the major items of equipment needed to do your job, (although you may provide small personal tools required for that purpose);
 - be free to hire other people on terms of your own choice, to do the work for which you been employed-
 - pay yourself or another employee from the your own personal funds,
 - be obliged to correct unsatisfactory work in your own time or at your own expense,
 - be expected to pay your own tax and National Insurance

Reference should be made to Appendix W of the Isle of Man Immigration Rules. If in any doubt you should seek advice from an Isle of Man Immigration Advocate.

Customs and Immigration is a Division of the Treasury, a Department of the Isle of Man Government.

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There are exemptions to this requirement for 2413 – Solicitors, 2211 – Medical practitioners or 2215 – Dental Practitioners.

- If any changes to the applicant's employment have occurred since the last grant of leave, the CoE previously issued expressly permitting this change must also be submitted as part of the application.

Making your application

You must complete the FLR (W) form which is available for download at <https://www.gov.im/categories/travel-traffic-and-motoring/immigration/visa-application-forms/>. Your application must be made before your existing permission to stay expires otherwise you run the risk of being classed as an over stayer. Having adverse immigration history could affect other applications you may make.

The completed form, supporting documentation and the application fee should be submitted to the Isle of Man Immigration Office.

Health and Care Visa Applicants

Individuals applying for the Health and Care Visa will apply using the Worker Migrant application form FLR(W) found on the Immigration webpages of the Isle of Man Government website, and will check the box to confirm they are applying for the Health and Care Visa.

Health and Care Visa applicants, as well as their dependants will pay a reduced fee for this application. You may be eligible to apply for a Health and Care Visa if your CoE confirms that your job is eligible for a Health and Care Visa.

Dependants

Dependants (for example your partner or children) are required to complete form FLR (DEP) and submit the application to the Isle of Man Immigration Office.

General Information

Any documentation missing from your application could result in delay or refusal. An Immigration Officer may contact you and provide additional time to submit any missing documentation.

Your passport will be returned to you once a decision has been made on your application.

The Immigration Office aims to have all applications processed within 36 days once in possession of the application and supporting documents but [you should always check the Isle of Man Government Immigration website as processing times can vary](#).



Your passport will be retained by the Isle of Man Immigration Office until a decision has been made on your application. You should not book any travel until you have received a decision on your visa application and have had your passport returned to you. The Isle of Man Immigration Office does not accept any responsibility for travel that is booked by you.

If the application is successful, a stamp will be placed in your passport. This will state your visa category, visa issue and visa expiry dates

Process Flowchart

