



## IMMIGRATION (FEES) (NO.2) ORDER 2020

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Statutory Document No. 2020/0141



*Immigration Act 2014*

## IMMIGRATION (FEES) (NO.2) ORDER 2020<sup>1</sup>

*Laid before Tynwald:* 17 March 2020

*Coming into Operation:* 6 April 2020

The Cabinet Office makes the following Order with the consent of Treasury under section 68(1) to (6), (12) and (13) of the Immigration Act 2014<sup>1</sup> (of Parliament) as that Act has effect in the Island<sup>2</sup>.

### 1 Title

This Order is the Immigration (Fees) (No.2) Order 2020.

### 2 Commencement

This Order comes into operation on 6 April 2020

### 3 Interpretation

“**the 1971 Act**” means the Immigration Act 1971 (of Parliament)<sup>3</sup> as that Act has effect in the Island;

“**confirmation of acceptance for studies**” means an authorisation allocated by or on behalf of the Minister under the immigration rules to a sponsor and issued to a person by that sponsor, in respect of an application, or potential application, for entry clearance, leave to enter or leave to remain in the Isle of Man as a sponsored student;

“**entry clearance**” has the same meaning as provided in section 33(1) of the 1971 Act;

“**European residence document**” [Revoked]<sup>2</sup>

“**fees regulation**” means the fees regulations made by the Minister under section 68 of the Immigration Act 2014 (of Parliament) as that Act has effect in the Island;

<sup>1</sup> 2014 c. 22.

<sup>2</sup> S.I. No. 2008/680.

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

“**immigration employment document**” means a work permit, or any other document which relates to employment and is issued for the purposes of the immigration rules or in connection with leave to enter or remain in the Isle of Man but which is not a work permit issued pursuant to the Control of Employment Act 2014<sup>4</sup>;

“**immigration rules**” means the rules made under section 3(2) of the 1971 Act<sup>5</sup>;

“**leave to enter the Isle of Man**” and “**leave to remain in the Isle of Man**” mean respectively leave to enter the Island and leave to remain in the Island given in accordance with the provisions of the 1971 Act or the immigration rules and any subsequent variation of that leave and “leave to enter or remain in the Island” is to be construed accordingly;

“**limited leave**” and “**indefinite leave**” respectively have the same meanings as provided in section 33(1) of the 1971 Act;

“**Secretary of State**” means the Secretary of State of the Home Office of the United Kingdom;

“**sponsor**” means a person licensed by or on behalf of the Minister under the immigration rules to issue certificates of sponsorship or confirmations of acceptance for studies, or both;

“**Sponsor licence**” means a licence granted by or on behalf of the Minister to a person who, by virtue of such a licence, is a licensed sponsor

“**sponsored worker**” means a person seeking leave to enter or leave to remain in the Isle of Man for the purposes of employment (whether paid or unpaid) or some other economic activity, where that person is required by the immigration rules to obtain a certificate of sponsorship;

“**transfer of condition**” means the fixing of a stamp, sticker or other attachment on a passport or other document issued to an applicant, which indicates that a person has been granted leave to enter or remain in the Isle of Man;

“**un-sponsored worker**” means a person seeking leave to enter or leave to remain in the Isle of Man for the purposes of employment (whether paid or unpaid) or some other economic activity, where that person is not required by the immigration rules to obtain a certificate of sponsorship.

#### 4 Fees

- (1) The Minister, or any person appointed by, or acting on behalf of the Minister, must charge the fee specified in fee regulations in respect of the exercise of the functions in connection with immigration that are specified in this Order.
- (2) The fee specified in such regulations may not exceed the maximum amount specified in this Order in respect of the relevant functions.

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<sup>4</sup> AT 11 of 2014

<sup>5</sup> SD No. 62/05 (as amended)

- (3) The fee specified in such regulations must be calculated in the manner specified in this Order.
- (4) Where no particular manner is specified, the fee must be a fixed amount.

## 5 Applications for leave to enter or leave to remain in the Isle of Man

- (1) A fee is to be charged for the consideration of an application for leave to enter or leave to remain in the Isle of Man of a type specified in Table 1.
- (2) Table 1 specifies the maximum amount that may be charged in respect of each application.
- (3) In this article, an application includes an application for variation of leave to enter or leave to remain in the Isle of Man.

**Table 1**

<i>Number</i>	<i>Type of application</i>	<i>Maximum amount</i>
1.1	Limited leave to remain in the Isle of Man as a visitor.	£1,000
1.2	Limited leave in the Isle of Man as a sponsored worker, where a certificate of sponsorship has been issued.	£1,500
1.3	Limited leave in the Isle of Man as an unsponsored worker.	£2,000
1.4	Limited leave in the Isle of Man as a student	£480
1.5	Limited leave in the Isle of Man where the basis upon which that leave is given may (after one or more subsequent periods of leave on the same basis) lead to a grant of indefinite leave to remain in the Isle of Man.	£3,250
1.6	Limited leave in the Isle of Man for any purpose (excluding visits) not referred to in the preceding provisions of this Table 1.	£2,000
1.7	Indefinite leave to remain in the Isle of Man.	£3,250

## 6 Documents and administration

- (1) A fee is to be charged for—
  - (a) attending to an application or request for a document of a type specified in Table 2; and
  - (b) carrying out the administrative activities, in connection with an application or claim or on request, specified in Table 2.
- (2) Table 2 specifies how the fee is to be calculated and the maximum amount or rate that may be charged in respect of each document or administrative activity.

**Table2**

<i>Number</i>	<i>Type of application, claim, request or administrative activity</i>	<i>Method of calculation</i>	<i>Maximum amount/rate</i>
<b>2.1</b>	<b>Application or request for documents</b>		

2.1.1	Transfer of conditions.	Fixed amount	£550
2.1.2	Immigration employment document.	Fixed amount	£550
2.1.3 <sup>3</sup>	[Revoked]	[Revoked]	[Revoked]
2.1.4	Any other letter or document (not including a passport) confirming a person's identity and immigration status, or setting out any conditions attendant on such status.	Fixed amount	£550
2.1.5	Copy, or replacement, or amended version of any of the documents specified above.	Fixed amount	£550
2.1.6	Information booklet to support the administration of any test specified in 2.2.1 below.	Fixed amount	£4.00
<b>2.2</b>	<b>Administrative activity</b>		
2.2.1	Administration of any test a person is required to take for the purposes of an application or claim in connection with immigration.	Fixed amount	£250
2.2.2	Carrying out any police criminal record or other checks as required in connection with an immigration application or claim.	Fixed amount	£200

## 7 Sponsorship

- (1) A fee is to be charged for attending to an application or request for a service or process of a type specified in Table 3.
- (2) Table 3 specifies the maximum amount that may be charged in respect of each application, service or process.

**Table 3**

<i>Number</i>	<i>Type of application, service or process</i>	<i>Maximum amount</i>
3.1	A sponsor licence or renewal or maintenance of such licence.	£2,000
3.2	Allocation of a certificate of sponsorship.	£300
3.4	Allocation of a confirmation of acceptance for studies.	£300
3.3	The process of determining, or a plan to determine, a sponsor's status or their suitability to be included on or remain on the register of licensed sponsors maintained by or on behalf of the Minister.	£2,000

## 8 Revocation

- (1) The Immigration (Fees) Order 2020<sup>6</sup> is revoked.
- (2) The Immigration and Nationality (Fees) Order 2018<sup>7</sup> is revoked.

<sup>6</sup> SD No. 2020/0075

<sup>7</sup> SD No. 2018/0092

**MADE**

**3 MARCH 2020**

## 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.

<sup>2</sup> Definition of “European residence document” revoked by SD2020/0573 with effect from 31/12/2020 at 23:00.

<sup>3</sup> Entry revoked by SD2020/0573 with effect from 31/12/2020 at 23:00.