
STATUTORY INSTRUMENTS

2019 No. 562

The Immigration (Isle of Man) (Amendment) Order 2019

Immigration Act 1971 applied in modified form — Schedule 3 amended

11.—(1) Schedule 3 (which sets out the modifications subject to which the Immigration Act 1971⁽¹⁾ extends to the Isle of Man) is amended as follows.

- (2) In paragraph 1(4), for “Council of Ministers” substitute “Minister”.
- (3) In paragraph 3(3), for “Governor” substitute “Minister”.
- (4) In paragraph 4—
 - (a) in sub-paragraph (3) —
 - (i) in paragraph (a), for “Council of Ministers” substitute “Minister”;
 - (ii) omit paragraph (c);
 - (iii) in the text substituted by paragraph (d), for “Council of Ministers” substitute “Minister”;
 - (b) in sub-paragraph (4), for “Governor” substitute “Minister”.
- (5) In paragraph 5(3), for “Governor” substitute “Minister”.
- (6) In paragraph 6(3), for “Governor” substitute “Minister”.
- (7) In paragraph 7(3), for “Governor” substitute “Minister”.
- (8) In paragraph 9—
 - (a) for subparagraph (2) substitute—

“(2) In subsection (1)⁽²⁾—

 - (a) for “the United Kingdom” in both places substitute “the Isle of Man”;
 - (b) for “Secretary of State” substitute “Minister”;
 - (c) for “order made by statutory instrument” substitute “an order made by the Minister”.
 - (b) in sub-paragraph (4)(a), for “Governor” substitute “Minister”.
- (9) In paragraph 10—
 - (a) in sub-paragraph (3), for “Governor” substitute “Minister”;
 - (b) for sub-paragraph (4)⁽³⁾, substitute—

“(4) In subsection (4)—

 - (a) in paragraph (a), after “his wife” insert “, husband or civil partner”;
 - (b) in paragraph (b), after “her husband” insert “, wife or civil partner”.
- (10) In paragraph 12(2)(c), for “Governor’s” substitute “Minister’s”.

(1) 1971 c. 77.

(2) Subsection (1) was amended by para. 45 of Sch. 14 to 1999 c. 33: there is a further amendment to subsection (1), but it has not been applied to the Isle of Man.

(3) Paragraph 10(4) was added by Sch. 1, para. 2(a) of S.I. 2011/1408.

- (11) In paragraph 13(3)(a), for “Governor” substitute “Minister”.
- (12) In paragraph 15—
- (a) for sub-paragraph (2C)(4) substitute—
- “(2C) For subsection (4)(b) substitute—
- “(b) a person who, under regulations under section 1 of the Sanctions and Anti-Money Laundering Act 2018 (referred to in this section as “the 2018 Act”) (as that section has effect in the United Kingdom), is an excluded person for the purposes of this section as it has effect in the United Kingdom (see section 4 of the 2018 Act as it has effect there);”.
- (b) in sub-paragraph (3A)(5)—
- (i) in the text of the inserted subsection (5A)(a), for “the Isle of Man’s obligations” substitute “the obligations of the United Kingdom in respect of the Isle of Man”,
- (ii) after the inserted subsection (5A) insert—
- “(5B) In relation to any person within subsection (4)(b), subsections (1) to (3) are subject to any exception created under, or direction given by virtue of, section 15(4) (power to create exceptions) of the 2018 Act (as it has effect in the United Kingdom).”.
- (13) In paragraph 16(5) and (7)(6) for “Governor” substitute “Minister”.
- (14) In paragraph 23(4), for “Governor” substitute “Minister”.
- (15) In paragraph 28(2) for “Governor” substitute “Minister”.
- (16) In paragraph 34—
- (a) in sub-paragraph (2) for “Governor” substitute “Minister”;
- (b) in sub-paragraph (3) for “or Deputy Chief Constable” substitute “or a Superintendent”.
- (17) In paragraph 41(3) for “Governor” substitute “Minister”.
- (18) In paragraph 43(3) for “the Governor” substitute “the Minister”.
- (19) In paragraph 45(4) for “Governor” substitute “Minister”.
- (20) In paragraph 46(2)(b) omit the definition of “Council of Ministers” and at the same place insert ““Minister” means the Minister for the Cabinet Office (a Department constituted under the Government Departments Act 1987 (an Act of Tynwald)(7);”.
- (21) In paragraph 49—
- (a) in sub-paragraph (2) for “Governor” substitute “Minister”;
- (b) for sub-paragraph (3) substitute—
- “(3) In sub-paragraph (2), for the words from “by the Secretary of State” to “and the Secretary of State” substitute “by the Department of Health and Social Care in pursuance of arrangements made between that Department and the Minister.”;
- (c) for sub-paragraph (4) substitute—
- “(4) For sub-paragraph (3) substitute—
- “(3) In the exercise of their functions under this Act—
- (a) immigration officers shall act in accordance with such directions as the Minister may give them; and

(4) Sub-paragraph (2C) was inserted by art. 4(4)(b) of [S.I. 2016/755](#).

(5) Sub-paragraph (3A) was inserted by art. 4(4)(d) of [S.I. 2016/755](#).

(6) Sub-paragraph (7) was added by art. 4(2)(b) of [S.I. 2016/156](#).

(7) AT 13 of 1987.

- (b) medical officers shall act in accordance with such directions as the Department of Health and Social Care may give them.”.”.
- (22) In paragraph 54(2) for “Governor” substitute “Minister”.
- (23) In paragraph 56(4), for the inserted sub-paragraph (5)(b)(8) substitute—
- “**(b)** such other person, being a fully registered person within the meaning of the Medical Act 1983(9), as is appointed for the purposes of this Act by the Department of Health and Social Care.”.
- (24) In paragraph 59(2) for “Governor” substitute “Minister”.
- (25) After paragraph 59 insert—
- “**59A.**—(1) Paragraph 11 of Schedule 2 (removal of persons refused leave to enter and illegal entrants)(10) is modified as follows.
- (2) In that paragraph for “Secretary of State” substitute “Minister”.”.
- (26) In paragraph 62(2) for “Governor” substitute “Minister”.
- (27) In paragraph 65(2) for “Governor” substitute “Minister”.
- (28) In paragraph 66(3) for “Governor” substitute “Minister”.
- (29) In paragraph 67(3) for “Governor” substitute “Minister”.
- (30) In paragraph 68(3) for “Governor” substitute “Minister”.
- (31) In paragraph 75(4) for “Governor” substitute “Minister”.
- (32) In paragraph 76(3)(11) for “Governor” substitute “Minister”.
- (33) In paragraph 77(3) and (4)(12) for “Governor” substitute “Minister”.
- (34) In paragraph 81(2)(a) for “Governor” substitute “Minister”.
- (35) In paragraph 86(2) for “Governor” substitute “Minister”.
- (36) In paragraph 87(2) for “Governor” substitute “Minister”.
- (37) In paragraph 96(3)(a) and (4)(a) for “Governor” substitute “Minister”.

(8) The text of the inserted paragraph (b) was amended by Sch.1 para. (2)(d) of [S.I. 2011/1408](#).

(9) c. 54. See also the Healthcare Professionals Act 2014 (of Tynwald: AT 9 of 2014).

(10) Paragraph 11 was amended by para. 1 of Sch. 9 to the [2014 c. 22](#).

(11) Paragraph 76 was substituted by para. 2(e) of Sch. 1 to [S.I. 2011/1408](#).

(12) There is an amendment to paragraph 77, but it is not relevant for present purposes.