



Isle of Man Immigration Office

Knowledge of Life in the UK and Islands

Requirement for Settlement

Some questions you may have

The Isle of Man Government believes strongly that those who wish to settle in the Isle of Man should be encouraged to play a full part in their wider community. We have had tests of language and of UK and Islands life for citizenship applicants since November 2005 and we now want to include those people who intend staying permanently in the Isle of Man in these arrangements. This will, we hope, encourage people to learn English and to find out about our structures, laws, democratic processes and traditions at the earliest opportunity, so that they can better realise their ambitions here and become full and active citizens earlier.

Therefore all adults who apply for settlement (indefinite leave to remain) on or after 8th May 2007 will need to demonstrate knowledge of language and of "life in the UK and Islands" in addition to meeting the usual requirements for settlement.

1. What is Knowledge of Life in the UK and Islands?

This is the need to demonstrate knowledge of life in the United Kingdom and Islands as well as language ability. There are two ways in which you can do this:

- If you are already at or above ESOL (English for Speakers of other languages) Entry 3 standard of English you will be able to undertake a specially developed short test called "Life in the UK and Islands Settlement Test".

Or

- If you have not reached ESOL Entry 3 you will need to gain an approved English for Speakers of Other Languages (ESOL) qualification through attending an ESOL course which includes citizenship materials at the Isle of Man College.

Details of the two ways in which you can meet the language and knowledge requirements for the purposes of settlement, that is acquiring indefinite leave to remain in the Isle of Man, are set out below.

If you are not sure what your level of language ability is, you should work through the tutorial on the Life in the UK Test website www.lifeintheuktest.gov.uk. If you are unable to fully understand the information then it is likely you will need to enrol on an ESOL with citizenship course.

Life in the UK and Islands Test

You may take this test if your language ability is the equivalent of ESOL Entry 3 or above. You will need to take the test at the Isle of Man College. The test consists of 25 questions, 19 of which will be based on the information contained in the handbook "Life in the United Kingdom: A Journey to Citizenship" and 6 on a Supplement entitled 'Life in the Isle of Man'. The handbook "Life in the United Kingdom: A Journey to Citizenship" was originally published in December 2004 and a revised handbook is due to be published in early 2007. **At the present time the test, if taken at the Isle of Man College, is based on the original edition.** The handbook is available from W H Smith and many bookshops and is priced at £9.99. The book can be ordered online from: www.tso.co.uk/bookshop. The Isle of Man Supplement is available from the Isle of Man Immigration Office and is priced at £1.70. The test itself will cost you £50 and you will be informed of the result by post.

If you pass this test you will **not** need to produce additional proof of your knowledge of English. This is because to pass the test you will need to be competent in English.

ESOL with Citizenship Content Courses.

If you are not yet at ESOL Entry 3 you will be able to meet the new requirements by successfully completing a language course, involving learning materials which incorporate information about citizenship. These materials are intended to enable you to gain sufficient knowledge of the UK at the same time as developing your knowledge of the English language. In order to meet the requirements for settlement, you will need to show that you have progressed from one ESOL level to the next.

Courses are, or will be, available at the Isle of Man College.

2. When will it be introduced for settlement?

The requirement will be introduced for all applications for indefinite leave to remain submitted to the Isle of Man Immigration Office on or after 8th May 2007.

3. Why has it been introduced for settlement?

By introducing knowledge of life and language testing at settlement stage, we will ensure that migrants have an understanding of life in the UK and Islands and the requisite skills to allow them to fully integrate. Studying for and taking the test will give applicants the practical knowledge needed to live in this country and to take part in society.

4. Why was the requirement introduced for citizenship first?

Knowledge of one of the UK languages has been a requirement for citizenship for many years. The changes introduced in July 2004 simply formalised the requirement by specifying the level of competence required and bringing in a more objective assessment process. We then added to this the citizenship knowledge requirement and this, the final stage, is extending the requirement to settlement applicants. Because the settlement requirements are identical to the citizenship requirements, over time the need for citizenship testing will reduce.

5. Will anyone be exempt?

The requirement will only apply to applicants aged 18-65.

Applicants who have either a physical or mental impairment that prevents them from taking the test or studying an ESOL course may be exempt.

6. What do I need to do if I think I am exempt?

You will need to include in your application to the Isle of Man Immigration Office detailed reasons for claiming exemption. You should contact the Immigration Office for further advice if you are unsure.

7. What evidence do I need to provide if I think I am exempt?

You will need to supply documentary evidence of your age, for example by producing a passport or birth certificate, or evidence from an appropriate medical practitioner of any physical or mental impairment that would prevent you from taking a test. You should be aware that the Isle of Man College may cater for applicants with a range of disabilities and you should contact them for advice on what they provide.

8. Why does someone whose first language is English, or has lived and been educated here have to meet the requirement?

The requirement is that applicants must have knowledge of both language **and** of life in the UK and Islands. The test allows those applicants who are already English speakers a simple way to demonstrate that they also meet the knowledge of life requirements.

9. I have invested £XXX in the Isle of Man and employ XXX people, why should I have to prove I can speak English and have knowledge of life in the UK and Islands?

Investors and employers still need to interact with other members of the community, even for basic functions such as shopping or going to the doctor. Embracing a common language and an understanding of life in the UK and Islands is important in achieving effective integration, good race relations and community cohesion. This applies equally to all migrants including those who make an economic contribution to the island such as investors and employers.

10. The Highly Skilled Migrant Programme has recently introduced a language requirement. Will people who have come to the UK by this route be exempt from the knowledge of life and language requirement at settlement stage?

No. Migrants who entered the UK using the HSMP route will need to provide the same knowledge of life and language evidence as any other applicant.

While HSMP migrants may have already demonstrated that they meet the language requirements for settlement, they will not have previously had to demonstrate knowledge of life in the UK. and Islands. The test provides a simple way for those people already fluent in English (such as Highly Skilled Migrants) to demonstrate that they also meet the knowledge of life requirements.

11. Will EEA nationals need to take the test?

No. The provisions of the European Charter concerning free movement of labour mean that the UK cannot impose these requirements on nationals of the EEA. and consequently, neither will the Isle of Man. However, we would encourage EEA nationals to read the Life in the UK handbook and the Isle of Man Supplement, or to undertake language courses if they need to, so that they can lead full and active lives here. EEA nationals will however have to meet the knowledge of life and language requirements if they go on to apply for naturalisation as a British citizen.

12. Why aren't any other categories of applicants exempt?

We believe that all migrants should have the opportunity to develop the knowledge and skills they need to function effectively in UK and Isle of Man society. We do not want any individual to feel isolated or alone here. Therefore we will generally only exempt those people who would find it extremely difficult to demonstrate knowledge of life and language.

13. Why is it becoming harder to get settlement?

We simply want to ensure that those with a long-term future in the Isle of Man have the right skills to allow them to fully participate in their wider community. Most people already do so, and this new requirement will actively encourage everyone to do so.

14. Why wasn't this announced earlier to allow people time to meet the requirement?

The intention to introduce knowledge of life and language testing to settlement applications was made public in the UK Home Office IND 5 year strategy (published in February 2005), and the IND review (published July 2006) confirmed that by April 2007 all migrants wishing to settle in the UK would have to have English language skills. We think this is enough time for people to have made the necessary arrangements, especially as we estimate that around 80% of people who have been in the UK or Isle of Man long enough to

qualify for settlement will already have developed their language skills to the required level.

15. Will qualifying periods be changed to allow me time to undertake the test?

No. 4 months will have elapsed between the date of formal announcement in the UK (December 2006) and implementation 8th May 2007.

16. How many times can I take the test?

There is no limit to the number of times you can take the test. However, if you repeatedly fail the test it may mean that you should consider taking an ESOL with citizenship course instead or undertake some private tuition to prepare you for the test.

17. Will I be refused settlement if I continue to fail the test or cannot progress one ESOL level?

Yes. Unless you fall into one of the exempted categories you will only be granted settlement if you can provide evidence of knowledge of language and life evidence.

18. Will I be removed from the Isle of Man if I am unable to obtain evidence of knowledge of language and life in the UK and Islands?

There are no immediate plans to remove people from the Isle of Man if they continue to meet the other requirements of the immigration rules, but have not been able to take or pass the Life in the UK and Islands or language requirements.

We will however be closely examining the cases of individuals who persistently fail to meet the new requirements and we will keep our policy on non-removal under review.

If you do not meet the requirements for settlement you must ensure that you apply for further leave to remain in the normal way. If you do not have valid leave to remain in the Isle of Man, or break the conditions of your leave to remain, you may be subject to removal.

19. If I pass the ESOL course/test will there be a time limit or will the pass stand indefinitely?

A pass in either the knowledge of life test or an ESOL with citizenship course is not time-limited, they will remain valid indefinitely. You can also use the result to help you meet the requirements for citizenship if you wish to take this further step in the journey.

20. Will I have to pay for a Knowledge of life in the UK and Islands test

Yes. The stand-alone test costs £50. The fee covers the cost of administration.

21. Can I submit my application early?

No. Applications for indefinite leave to remain cannot be submitted more than 28 days before applicants meet the residence requirements for settlement.

22. What should I do if I can't pass a test or ESOL course before my leave expires?

If your leave is due to expire before you can obtain the necessary evidence, you should apply to the Isle of Man Immigration Office to extend your leave to remain. Failure to do so will mean that you are in the Isle of Man illegally and may be subject to removal. To find out how to extend your leave to remain you should contact the Isle of Man Immigration Office.

23. If I need to extend my leave to remain how long will it be extended for?

Your leave will be extended according to the provisions relevant to the category that you are in. Thus, if you came to the Isle of Man as a businessman and you continue to meet the criteria for that category, you can apply for and be granted leave to remain any number of times on that basis.

24. How many times can I extend my leave to remain while I am trying to obtain knowledge of life and language evidence?

There will be no limit on the number of times an applicant can extend their leave to remain in order to enable them to meet the knowledge of life and language requirement. The only thing affected by not taking or passing the test is the grant of settlement. Therefore, a person can still qualify to remain in the Isle of Man in their current category providing they continue to meet the criteria for that category and they make applications for further leave to remain when required.

25. I am in the Isle of Man on a work permit, will I need to renew my work permit as well as my leave to remain?

If your work permit (and leave to remain) is due to expire before you are able to take or pass the test, you will need to apply to have your work permit renewed **before** you apply for your leave to remain to be extended – just as you do now.

For further information on renewing your work permit you should contact the Work Permit Office of the Department of Trade and Industry on 682390.

26. If I am granted further leave to remain and pass the test before that limited leave expires will I be able to apply for settlement straight away?

You will be able to apply for settlement as soon as you pass the test, as long as you satisfy the rest of the criteria and have completed the qualifying period for the application you are making.

27. What happens if I make an out of time application whilst trying to meet the requirement?

If your leave has expired you should apply to extend your leave to remain in the UK or leave the country. Failure to do so will mean that you are in the Isle of Man illegally and may be subject to removal. To find out how to extend your leave to remain you should contact the Isle of Man Immigration Office.

28. What will happen if I don't meet the requirement and my leave has expired?

If your leave has expired you should either apply to extend your leave to remain in the Isle of Man or leave the British Islands. Failure to do so will mean that you are in the Isle of Man illegally and may be subject to removal. To find out how to extend your leave to remain you should contact the Isle of Man Immigration Office.

29. My ESOL course does not finish until after my leave to remain has expired, what do I do?

You should apply for further leave to remain before your current period of leave expires. Alternatively, if your tutor thinks you may already have progressed from one level to the next, he or she might recommend that you take an ESOL Skills for Life examination before the end of the course.

30. What should I do if I have tried to obtain knowledge of life and language evidence but keep failing the test/course?

You should ensure that you have valid leave to remain in the Isle of Man

You should also continue to try and obtain the necessary knowledge of life evidence, either by studying for the knowledge of life test or your ESOL with citizenship course.

31. Will my dependants have to meet the requirements?

If your dependants are aged 18-65 they will also need to meet the requirement, unless they fall into one of the exempt categories (see question 7 above).

32. What happens if my dependants don't meet the requirement but I do?

Your dependants should apply for further leave to remain. The test is about qualifying for indefinite leave to remain, not about remaining in the Isle of

Man. No-one will be asked to leave the Isle of Man just because they have not been able to pass this test.

Our experience in the citizenship context is that it is unusual for an applicant and a dependant partner not to qualify together.

33. What happens if my dependants meet the requirement but I don't?

A dependant partner over the age of 18 may take the Life in the UK and Islands test and pass, but they will not qualify for settlement as a dependant just because of that. The main applicant must also qualify for indefinite leave to remain, in order for them to be granted the same as a dependant.

34. How many times will I/my dependants be allowed to extend my leave to remain until I/they meet the requirement?

There will be no limit on the number of times an applicant can extend their leave to remain in order to enable them to meet the knowledge of life and language requirement. The only thing affected by not taking or passing the test is the grant of settlement. Thus a person can still qualify to remain in the Isle of Man in their current category providing they continue to meet the criteria for that category and they make applications for further leave to remain when required.

35. What happens if my dependants continue to fail the test?

The only thing affected by not taking or passing the test is the grant of settlement. Thus a person's dependants can still qualify to remain in the Isle of Man, providing they continue to meet the criteria set out for dependants, and they make applications for further leave to remain when required.

36. If I already have settlement will I need to meet the Knowledge of Life requirement for citizenship?

The requirement to demonstrate knowledge of life and language for citizenship applicants will remain. Applicants who have not demonstrated knowledge of life and language at settlement stage will have to do so before they can be naturalised as a British citizen.

37. How can I find out if my English is good enough to take the test?

If you are not sure what your level of language ability is, you should work through the tutorial on the life in the UK test website www.lifeintheuktest.gov.uk . If you do not fully understand the information then it is likely you will need to enrol on an ESOL with citizenship course

38. How many times can I re-sit the tests?

There is no limit; however candidates are advised to study the handbook further before trying again and feedback is given to unsuccessful candidates to help with this.

39. What happens if I repeatedly fail the test?

You will need to wait until your knowledge of life in the UK, as set out in the handbook, is at the required level before trying again. You may also want to check that your English is up to the required standard of ESOL Entry 3, as this could be a factor in your performance. You are strongly advised to visit the Knowledge of Life in the UK Test Website (www.lifeintheuktest.gov.uk) which includes a short tutorial to help you prepare for the test and see if you are ready to sit the test. If you still cannot pass the test you may want to consider taking an ESOL with citizenship course or private tuition in preparation.

40. What will the test consist of?

The test consist of 25 questions based on the information contained in chapters 2, 3 and 4 of the handbook "Life in the United Kingdom: A Journey to Citizenship". and the 'Life in the Isle of Man' supplement.

41. What identification should I take with me to the test?

You will need to confirm your identity by presenting photographic identification at the test centre. Acceptable forms of ID are:

- a passport (from your country of origin)
- one of the following Home Office travel documents: a Convention Travel Document (CTD), a Certificate of Identity Document (CID) or a Stateless Person Document (SPD)
- an Immigration Status Document, endorsed with a UK or Isle of Man Residence Permit .

42. Will I get a certificate?

You will get a letter which proves you have been successful. It is called your **pass notification letter**. It needs to be kept safe and then attached to your completed indefinite leave to remain application form when you submit it to the Isle of Man Immigration Office. As confirmation, the test centre will also notify the Immigration Office of all results.

43. What do I need to learn before taking the test?

All the information on which you will be tested is contained in:

- Current book (first edition) -chapters 2, 3 and 4 of the handbook.
PLUS
- Isle of Man Supplement

We advise you to read them very carefully and make notes. Also look at the "Prepare for the test" section of the Life in the UK Test website

44. Will those who pass the Life in the UK and Islands Test still have to prove knowledge of English to ESOL Entry 3?

No. The language used in the test will be at ESOL Entry 3 and so applicants who pass the test will automatically have shown that they have the required level of ability in English.

45. Where can I get further information?

The Isle of Man Immigration Office can be contacted by telephone or in writing at:

Isle of Man Immigration Office

Government Office

Bucks Road

Douglas

Isle of Man

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Telephone: 685203/686396