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STATUTORY INSTRUMENTS

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**2016 No. 755**

**The Immigration (Isle of Man)  
(Amendment) (No. 2) Order 2016**

**Amendment of Schedule 3**

- 4.—(1) Schedule 3 (the Immigration Act 1971) is amended as follows.
- (2) In paragraph 13, after sub-paragraph (4) insert—
- “(4A) In subsection (5) after “expired” insert “or otherwise ceased to be in force”.”.
- (3) In paragraph 14, after sub-paragraph (2) insert—
- “(3) After subsection (3) insert—
- “(4) References in this section to a person who ceases to be exempt do not include a person who ceases to be exempt by virtue of section 8B(3).”.”.
- (4) In paragraph 15—
- (a) in sub-paragraph (2) for “subsections (1), (2) and (5)” substitute “subsections (1) and (2)”;  
(b) after sub-paragraph (2) insert—
- “(2A) In subsection (1) after paragraph (b) insert—
- “(and any leave given to a person who is an excluded person is invalid)”.  
(2B) For subsection (3) substitute—
- “(3) Any exemption of a person from the provisions of this Act under section 8(1), (2) or (3) does not apply while the person is an excluded person.”.
- (2C) In subsection (4) for “a designated instrument” substitute “an instrument falling within subsection (5)”.”;
- (c) for sub-paragraph (3) substitute—
- “(3) In subsection (5) for “The Secretary of State may by order designate an instrument” substitute “An instrument falls within this subsection”.”;
- (d) after sub-paragraph (3) insert—
- “(3A) After subsection (5) insert—
- “(5A) Subsection (1), (2) or (3) does not apply to a person if—
- (a) the application of that subsection to that person would be contrary to the Isle of Man’s obligations under—
- (i) the Human Rights Convention (within the meaning given by section 167(1) of the Immigration and Asylum Act 1999), or
- (ii) the Convention relating to the Status of Refugees done at Geneva on 28 July 1951 and the Protocol to the Convention as it has effect for the time being in relation to the Isle of Man, or
- (b) the person has been exempted from the application of that subsection under a process applying by virtue of the instrument falling within subsection (5).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(e) in sub-paragraph (4) after “subsections” insert “(6),”.