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REVIEW



**New Exemptions in
the Isle of Man Work
Permit System**

  
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February 2010

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Introduction

Welcome to our electronic news review published by M&P Legal (the new business name of Mann & Partners Limited). We hope that the publication is of interest to recipients. Please contact any of the individuals listed on the contact us page with comments for future articles.



Advocate Chiva Samani reviews

the new exemptions in the Isle of Man Work Permit system.

Chiva Samani is a Trainee Advocate of law firm
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New Exemptions in the Isle of Man Work Permit System

A bill which exempts certain forms of short term or intermittent employment from requiring work permits was approved by Tynwald in December 2009 and the provisions of this Bill came into force as of 1 January 2010.

The Control of Employment (Exemptions) Order 2009 is aimed at making the Isle of Man a more accessible place for conducting business by reducing the red tape and administrative formalities which employers have to go through to secure the employment of a non Isle of Man resident. The Order balances this with the need to protect the interests of Isle of Man workers. It is commensurate with the Island's promotional tag line - Freedom to Flourish.

In total, 16 categories of work are exempt from the requirement of obtaining a work permit, of which 13 are of a temporary or intermittent nature and 3 are of a permanent type.

Another significant area of change relates to the general exemption period. The period for which a work permit is not required has been increased across the board – with the exception of construction, mobile caterers and temporary retailers – from 3 working days to 10 working days per annum.

The Order reflects the reality that international companies within the Island may employ high level employees who do not necessarily reside in the Island, and therefore specific provisions have been tailored for such staff. Indeed, the Isle of Man, as an international jurisdiction, appreciates the need of businesses to move high level employees from one jurisdiction to another on a regular basis and the exemption period for this type of employment has therefore been further increased to a maximum of 48 days per year, subject to certain conditions (one of which is the submission of an annual return to the Department of Trade and Industry).

Certain persons relocating businesses to the Island or establishing a branch or a subsidiary of a non Isle of Man business here are also exempt from the need to obtain a work permit.

The Order is intended to increase the standing of the Isle of Man as an accessible and flexible international jurisdiction, unencumbered of red tape, within which to do business.

Chiva Samani is a trainee Advocate and a member of the Employment Unit of Douglas law firm M&P Legal.

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