



Financial Assistance Scheme

Employment Incentives

Guidance

ISSUED BY THE DEPARTMENT FOR ENTERPRISE

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Disclaimer

The information contained in this document is intended to serve as guidance as to the manner in which the Department for Enterprise (a Department of the Isle of Man Government) ('the Department') exercises its powers to provide financial assistance to eligible businesses under the Enterprise Act 2008. The information contained in this Guidance is intended to be general in scope and should not be relied upon as advice.

Provision of financial assistance is discretionary and the decision to provide assistance in any particular case will be based on the merits of each individual case. The amount of assistance offered may be less than that shown as typical in this Guidance or no offer may be made at all.

The Department may amend this Guidance from time to time. While every effort has been made to ensure that the content was correct and up-to-date at the time of publication, the Department does not accept any responsibility, legal or otherwise, resulting from any errors or omissions, and shall not be liable for any losses or damage that anyone may suffer as a result of relying on the information contained herein.

Prospective applicants may wish to take professional advice before making an application and should seek advice in relation to any documents they are asked to sign whereby they offer security for any financial assistance offered to them.

The Department provides other forms of grants and assistance, details of which can be found at https://www.iomdfenterprise.im/financial-support/

Important notes: -

For further advice and guidance regarding the Department's grants and assistance schemes and the criteria for eligibility, including for this Scheme, potential applicants are encouraged to complete the online enquiry form hosted at www.gov.im/businessenquiries

The offer of any financial assistance is entirely at the Department's discretion. The Department is under an obligation to process and consider all applications reasonably, but it is not under any obligation to make any payment.

Any offer of financial assistance is also subject to availability of Department funds.

1. The statutory framework for providing financial assistance

The Financial Assistance Scheme (FAS) is made up of four sets of guidance which are as follows:-

- Financial Assistance Scheme Employment Incentives This set of guidance outlines the support that is available to assist eligible businesses who are employing off-Island staff and graduates;
- Financial Assistance Scheme Visit This set of guidance outlines the support that is available to eligible businesses in the visitor economy sector;
- Financial Assistance Scheme Local Economy This set of guidance outlines the support that is available to businesses in eligible sectors of the local economy;
- Financial Assistance Scheme Export This set of guidance outlines the support that is available to businesses in eligible exporting sectors.

The Department for Enterprise's Financial Assistance Scheme (FAS) Guidance is made under the Enterprise Act 2008 ("the Act").

The Act gives the Department statutory authority to provide financial assistance (and other forms of assistance) to an 'eligible business' where, in the Department's opinion: -

"(a) the eligible business undertakes or will undertake an economic activity in the Island;

(b) the assistance is likely to encourage sustainable economic growth in the Island; and

(c) the form and amount of the assistance is reasonable having regard to all the circumstances."

In order to be eligible for financial assistance from the Department an eligible business must meet the criteria set out in the Enterprise Act 2008 (Eligible Businesses) Regulations 2018.

Section 4(5) of the Act requires the Department to publish information to serve as guidance with respect to the manner in which it exercises its powers to provide financial assistance to eligible businesses under the Act. This document is intended to constitute such guidance.

Note that purely for ease of reference the various discretionary incentives available under the Act to eligible businesses and which are set out in this Guidance are referred to collectively as the Financial Assistance Scheme Employment Incentives ("the Scheme") but there is in fact no separate scheme document.

2. Overview and background of the Scheme

Since 2016, the Department has introduced a number of incentives to encourage expansion of the workforce on-Island. This has included the Employee Relocation Incentive (ERI), the Seasonal Worker Incentive (SWI) and the Graduate Role Incentive (GRI).

In 2023, the Department reviewed its financial support schemes and as a result combined the three incentives.

The continued expansion of the workforce on-Island is in the Island's national interest. It helps both to grow the economy and to balance the Government's budget by generating additional tax revenue. The Department appreciates that: -

- businesses may have a choice of international locations where they can locate jobs; and
- many existing Island businesses require additional skilled staff who are not available locally.

The Department recognises the additional recruitment and relocation costs in connection with placing off-Island employees into roles where there are skills shortages on-Island. Furthermore, the Department is also aware of the additional costs associated with training and mentoring recent graduates recruited into graduate-level roles.

Therefore, subject to meeting eligibility requirements, this Scheme can provide financial assistance to local businesses where: -

- seasonal roles are filled by off-Island workers or Manx students currently studying off-Island; and
- permanent roles are filled by either off-Island workers, recent on-Island graduates or Manx graduates returning to the Island.

In addition to supporting local business financially, this Scheme assists with supporting the expansion of the Island's workforce in line with the **Economic Strategy** and the **Island Plan**, encouraging economic growth, diversification of the economy, and the protection of existing key sectors.

3. Overview of assistance available

Assistance is available under the Scheme in the form of a grant which is paid retrospectively to the businesses after the qualifying criteria for each payment has been met.

The grant assistance available under this Scheme is paid directly to the business (not the employee) and can be used at the business's discretion. However, it is hoped and encouraged that all or part of the funding is used to support the employee with the costs of relocating to the Island and/or developing their career on the Island in the case of graduates.

Please note that no upfront payments or payment towards the direct costs of the individual e.g. travel, transporting belongings etc. are made by the Department under these incentives.

The assistance provided under the Scheme is in two parts:-

- 1) Assistance for seasonal and temporary workers, in the following sectors:
 - Tourism, Retail & Hospitality;
 - Fishing and seafood processing;
 - Other seasonal food processing;
 - Critical Services (contact Enterprise Support for eligibility list); and
 - Childcare & nursery.
- 2) Assistance for permanent employees in any sector.

4. Eligibility criteria

This section provides details of the general eligibility criteria which applies under this Scheme.

Important note - For the avoidance of doubt, Government Departments, local authorities and statutory boards are not eligible for assistance under this Scheme.

4.1. General eligibility criteria applicable to all applications

In the case of all applications made under this Scheme, the application must be received by the Department **prior** to the individual commencing employment with the company.

Any business requesting assistance must have (or will have, following a role(s) applied for under this Scheme) at least one employee who is or (in the case of a new business or business relocating to the Island) will be resident for tax purposes in the Isle of Man, while in the case of a sole trader, the business must be the principal business of the individual.

In addition, a business must meet all other eligibility requirements as set out in this Guidance.

In order to be eligible to apply for this Scheme, all of the following general eligibility criteria must be met: -

- The business:
 - must have a permanent establishment/place of business on the Island;

- must be an eligible business under the Regulations (see Section 1); and
- must declare that it is up to date with all tax (including VAT) and National Insurance obligations, including returns and payments.
- The job:
 - must pay a minimum gross salary of £25,000 per annum (or pro-rated equivalent for seasonal and temporary roles);
 - must be a full-time role in which the employee is contracted to work a minimum of 30 hours per week;
 - the role must have been advertised on-Island (unless exempt) for a minimum of two weeks, associated evidence must be provided;
 - only one claim may be made per job/employee, other than in cases where assistance has been received under 4.2 and the employee becomes permanent.

• The employee:

- must be directly employed by the business;
- unless a Manx graduate (or student in respect of temporary/seasonal roles), must not be income tax resident on the Island at the time of application;
- must become resident on the Island for income tax purposes for the period of employment in respect of which the grant is claimed, if not already tax resident in the case of a Manx graduate (or student in respect of temporary/seasonal roles);
- their work must take place predominantly on the Island.
- Other:
 - an application must be received by the Department prior to the individual commencing employment with the Company, in order to be eligible;
 - an applicant must comply with the Control of Employment Act 2014 (CEA) and, in the case of any proposed workers from outside the Common Travel Area, with the Immigration Act 1971 (of Parliament) and the immigration rules made under it, as they have effect on the Island;
 - in some cases the jobs may be covered by exemptions under the CEA. Where an exemption does not apply, applicants are advised to seek advice from the Department prior to or at the time of application.

Financial assistance will **not** be available where, in the Department's opinion, in order to obtain grant assistance, the business: -

- manipulates the employment status of some or all of the workforce (including after receipt of a grant);¹
- moves jobs between connected Island employers or Isle of Man companies (including newly created companies) within the same Group (so that the jobs are not, in effect, new jobs); or
- seeks to displace existing workers.

4.2. Assistance for seasonal and temporary workers

The Department is seeking to support businesses in sectors where seasonal and temporary or relief workers are required for their business to operate successfully during peak times and there are difficulties recruiting suitably experienced and qualified staff on-Island.

The assistance provided is in the form of a grant of a maximum of $\pounds1,000$ per employee/role towards full-time, temporary or seasonal roles, which is paid in two separate instalments of $\pounds500$ each.

¹ For example, a self-employed individual incorporates and becomes an employee in order to receive a payment, then reduces the salary and pays dividends in order to save National Insurance Contributions.

The following sectors are eligible for this support:-

- Tourism, Retail & Hospitality;
- Fishing and seafood processing;
- Other seasonal food processing;
- Critical services (contact Enterprise Support for eligibility list); and
- Childcare & nursery.

The role must constitute a full-time, fixed-term or seasonal contract of employment.

The first instalment of £500 is paid to the business after presenting the first month's payslip of the new employee. In order to receive the first instalment, the employee's first month's payslip must show the employee on a gross salary that will attract a minimum of £25,000 per annum and has been contracted to work a minimum of 30 hours per week, for the one month period.

The second instalment of £500 is paid to the business after presenting the new employee's sixth month's payslip. The business must evidence that the employee has continued to receive a monthly gross salary, that when annualised will amount to a minimum of £25,000 and has been contracted to work a minimum of 30 hours per week, for the 6 month period.

If the employee becomes permanent, the business may also apply for assistance under 4.3. providing the eligibility criteria is met.

If the business wishes to do this, it must submit an application for conversion before the employee has completed nine months of continuous employment with the company.

The £1,000 will be deducted from the assistance provided under 4.3.

4.3. Assistance for permanent employees

The Department wishes to incentivise businesses to bring new employees to the Island and employ recent graduates from both off-Island and on-Island. Assistance is available in the form of a grant equivalent to 25% of the employee's net salary for the first 12 months of continuous employment with the company, capped at £10,000 per role/employee. The payment can only be claimed retrospectively after the employee has completed 12 months of continuous employment.

The 25% grant is calculated on the actual net salary paid to the employee excluding any bonuses, discretionary payments, Income Tax, National Insurance, and superannuation costs.

This assistance is available towards both new roles which will increase the Company's overall headcount, and backfilled roles in cases where assistance has not been claimed for the same role previously.

Where assistance is requested for a new role, it is expected that the business is expanding its overall workforce by at least the number of full-time equivalent employees (FTEEs) in respect of which assistance is being sought.

Where the business is requesting assistance towards a backfill role, the role must not have received assistance under 4.3 previously (or under the incentives formerly known as the Employee Relocation Incentive and the Graduate Role Incentive).

In addition to the eligibility criteria as outlined in 4.1. the role must be:

• a **permanent** full-time role in which the employee is contracted to a minimum of 30 hours per week.

The employee must:

• in respect of an on-Island graduate or Manx graduate returning to the Island, have graduated from an accredited Higher Educational Institution at RQF Level 6 or higher (or equivalent) within two years of the commencement of the role.

5. The application process

All applicants are encouraged to carefully read the Scheme Guidance and review their eligibility status as detailed in Section 4 of this Guidance before submitting an application. Potential applicants who are unsure of their eligibility may contact the Department by telephone on +441624 687333 or by completing the brief online enquiry form which can be found at www.gov.im/businessenguiries

Applicants are also advised to read the Terms and Conditions relating to each incentive in Section 6.1 thoroughly before applying.

Businesses are encouraged to contact the Department before submitting an application to confirm whether an application can be made. Once this has been established, applicants must submit a fully completed and signed application form along with the required supporting information as detailed in **Section 5.2** prior to the candidate commencing employment with the business.

Important notes: -

- financial assistance cannot be considered retrospectively for any individuals who have already commenced employment with the business;
- neither a preliminary discussion nor presentation should be considered a substitute for a properly supported application; and
- the applicant is responsible for all costs involved in preparing and submitting an application and any related work permit or visa applications.

5.1. Application form

The application form is available online:

www.iomdfenterprise.im/financial -support/funding/employee-relocation-incentive/

The completed application form and supporting documentation should either be emailed to enterprisesupport@gov.im or posted to: -

The Financial Assistance Scheme - Employment Incentives, Enterprise Support, Department for Enterprise, 1st Floor, St George's Court, Upper Church Street, Douglas, Isle of Man, IM1 1EX

The Department would recommend that postal applications are sent by recorded mail.

5.2. Information to be provided

All applicants must provide the following information: -

- A fully completed and signed application form including:
 - details of the business;
 - answers to all eligibility questions;
 - details of assistance sought;
 - \circ acknowledgement of the Department's standard declarations; and
 - signatures of all directors if the application is on behalf of a company.
- Along with the fully completed application form, the following supporting information should also be supplied:

- a brief executive summary of the business;
- details of the business including, date of registration, shareholders (to include percentages of shares owned), directors, beneficial owners etc. and links to other businesses;
- a brief summary of how the business plans to increase its workforce on the Island. This must include: Details of the applicant's current workforce (in the case of an existing business), specifically numbers of directly employed, including how many employees are permanent/fixed term/temporary, and how many are full-time and part-time; the latter also expressed as FTEEs;
- details as to the job(s), role title(s) and brief job description(s) and the gross and net salaries in respect of which assistance is claimed;
- confirmation that the role is full-time and the employee is contracted to a minimum of 30 hours per week;
- \circ confirmation of the hourly rate that will be paid to the employee;
- clarification as to which jobs are to be new jobs and which are backfilled positions;
- confirmation and evidence that the role(s) have been advertised locally for a minimum of two weeks (unless exempt) and where;
- confirmation of the anticipated start date(s), if known; and
- a brief summary of the candidate(s) e.g. where are they relocating from (if relocating) and any relevant skills and experience, if known.
- Where the role is temporary/seasonal the following additional information will be required:
 - confirmation of the expected duration of employment for each role; and
 - \circ $\,$ confirmation if the role is a new role, a temporary role, or a seasonal or recurring role.
- Where the role is to be filled by an on-Island graduate or a Manx graduate returning to the Island:
 - \circ confirmation that the individual graduated from an accredited Higher Educational Institution at RQF Level 6 or higher (or equivalent) within two years of the commencement of the role.

The Department reserves the right to ask for any additional information required in the processing of the application.

5.3. Evaluation of the application

Following receipt of the application and supporting documentation, the application will be formally evaluated against the Scheme's eligibility criteria set out in this Guidance. At this stage the Department may contact you to request additional information or seek clarification on certain points.

Once the Department has all the information that is required to evaluate the application, a report is prepared for formal consideration by the Department.

The Department aims to deal with the majority of applications within 4 weeks of receipt of all of the required information.

In cases where the total grant requested is over £100,000, further approval by the Treasury will also be required and therefore the decision process will take longer.

5.4. The decision

Where the application is successful the applicant will be notified of the offer in writing via email, along with the terms and conditions which would apply upon acceptance and must be met in order for any payment to be claimed. The standard Terms and Conditions relating to each Employment Incentive are detailed in Section 6.1.

These cover the implications of acceptance of the offer and set out the process for reporting information on the business that the Department will require as a condition of providing assistance.

On occasion the Department may also apply additional bespoke conditions relating to an individual application.

The Scheme is discretionary and the offer of any financial assistance is entirely at the Department's discretion. The Department is under an obligation to process and consider all applications reasonably, but is not under an obligation to make any offer of assistance or payment.

Any offer of financial assistance is also subject to availability of Department funds at the time of application.

The Department reserves the right to withdraw an offer of assistance at its discretion. Although unusual, this circumstance could arise if an applicant fails to comply with terms and conditions or if the Department believes that any information submitted as part of the application is incorrect or untrue.

Where the application is refused, the applicant will be advised of the decision and the reasons for it.

5.5. Requesting a review of the decision

Only offers or decisions made via an offer letter can be reviewed e.g. the Department has made its decision on the eligibility and funding levels. Applicants are unable to request a review of any decision made in the processing of the application up to the point of the offer letter being issued.

An applicant who is refused financial assistance can ask the Department to reconsider its decision if they have additional information or is of the view that a relevant factor has not been taken into account. Similarly where the Department decides to offer financial assistance, but on terms which the applicant considers to be unacceptable, the applicant may request the Department to reconsider the terms and conditions.

A request for a review of a decision must be made in writing within 28 days of the date the company was notified of the decision.

The applicant must clearly and concisely state the reasons for the review and provide any additional supporting information.

The Department will appoint a Manager from within the Enterprise Support Division to undertake the initial review. If this decision is not in the favour of the applicant, the findings of this initial review will then be passed to a senior officer outside of the Enterprise Support Division and not involved in the original decision, to make the final decision.

The reviewing officer will then consider whether the correct decision has been made in relation to the Scheme's Guidance and cannot take into account hardship and personal circumstances etc.

The reviewing officer does not have the authority to make exceptional one-off decisions which do not comply with the Scheme's legislative framework.

The review officer's decision will be final and a decision may only be reviewed once.

Review requests should be either emailed to enterprisesupport@gov.im or sent to: -

The Financial Assistance Scheme Manager Department for Enterprise 1st Floor, St Georges Court Upper Church Street Douglas Isle of Man IM1 1EX.

5.6. Accepting the offer

Where the offer of financial assistance is approved, an offer letter containing any related terms and conditions will be issued. If acceptable, this should be signed by the company and returned to the Department. This is necessary before any application for payment can be considered.

The offer of financial assistance must be accepted by the applicant within six months of issue of the offer letter. The assistance may then be claimed over a period of two years from the date that the offer of financial assistance was made.

A business may request an extension of this period and such requests will be considered at the Department's discretion. If, for business reasons, an applicant is unable to take up an offer of assistance within the given timescale, submission of a new application may be necessary.

Applicants who are in receipt of an offer should read the terms and conditions carefully, as they may include significant obligations. As stated previously, the Department may impose conditions which are additional to those included in the standard terms and conditions for the type of grant applied for.

Applicants are advised to seek independent legal advice as to the terms and conditions and any additional documentation which they are required to sign, if required.

5.7. Can the business apply for more than one incentive under the Scheme?

A business can submit applications for all/any combination(s) of incentives under this Scheme providing that all of the eligibility criteria for each incentive is met.

In cases where a business has already applied for assistance for a seasonal or temporary role and either the role becomes permanent or the employee applies for a conversion to a Worker Migrant visa for another permanent role within the same business, the company may also apply for the assistance for permanent employees in Section 4.3. In these circumstances an application **must** be made before the employee has completed nine months consecutive employment with the business in order to be eligible, and the employee must meet the requirements for the Work Permit or Worker Migrant visa route, if applicable.

The £1,000 received under the assistance for seasonal or temporary workers will be deducted.

6. Claiming payments from the Department

Once the applicant has signed and returned the offer letter and terms and conditions to the Department, the applicant may make claims for payment. As stated above, the offer of assistance is valid for two years and claims must be submitted within that time unless an extension has been requested by the business and subsequently approved by the Department.

Financial assistance will be paid retrospectively for all grants offered under this Scheme.

In order to submit a claim for payment, applicants should complete the application for payment form and submit it to the Department together with the required supporting information detailed in Section 6.1.

Any queries regarding the claim procedures should be directed to the Department on (+44) 1624 687333 or by emailing: enterprisesupport@gov.im.

6.1. Terms and Conditions for payment of grants

Bespoke terms and conditions apply to all offers of financial assistance made under each Employment Incentive. These terms and conditions must be met prior to any grant payment being made to the business.

These are intended to protect the Department's investment so that if, for example, a business is found to have breached any of these terms and conditions or provided any false or misleading information, then all or part of the financial assistance received may be repayable.

The following terms and conditions apply to **all** of the incentives under this Scheme.

Payment of assistance will be made retrospectively only after the following criteria have been confirmed to the Department's satisfaction: -

- only one claim may be made per job/employee;
- all applicants must comply with the Control of Employment Act 2014 (CEA) and, in the case of any proposed workers from outside the Common Travel Area, with the Immigration Act 1971 (of Parliament) and the immigration rules made under it, as they have effect on the Island;
- in some cases the jobs may be covered by exemptions under the CEA. Where an exemption
 does not apply, applicants are advised to seek advice from the Department prior to or at the
 time of application;
- the employment is consistent to the details which were provided in the application;
- where the applicant has applied for assistance regarding a new role, it is expected that the applicant's workforce has expanded in accordance with the details that were provided at the time of application (and to this end the applicant must provide information as to the number of FTEEs working in the business at the end of the required period);
- where the role has been filled by an on-Island graduate or Manx graduate returning to the Island, the business must provide confirmation that the individual graduated from an accredited Higher Educational Institution at RQF Level 6 or higher (or equivalent) within two years of the commencement of the role;
- no payments will be made in cases where a minimum gross salary equivalent to £25,000 p.a. has not been paid to the employee;
- copies of the employee's payslips for the required period of continuous employment have been provided to the Department;
- where the employee does not complete the required period of continuous employment for each payment, no pro-rata payment will be made;
- where the employee does not complete the required period of continuous employment, the business must notify the Department detailing the reasons for their departure;
- the Department will determine on a case by case basis the date by which the employee must have taken up the role in the company;
- the relevant employee in respect of whom assistance is sought must have completed the relevant period of continuous service detailed in the original application; and
- Notification requirement Applicants must notify the Department when each employee in respect of whom assistance is sought commences employment in the Island.

7. Public disclosure of financial assistance paid

It is a statutory requirement that the names of businesses which have received support under the Scheme are published in an annual report prepared by the Department which is laid before Tynwald

(the Isle of Man's Parliament). Previous annual reports to Tynwald can be found here: https://www.iomdfenterprise.im/enterprise-act-2008-annual-reports/

Applicants should also be aware that both parliamentary and freedom of information (FoI) questions may be asked about particular applications or applicants. Details of financial assistance cannot therefore, be confidential to the business concerned.

The Department will answer all parliamentary questions and freedom of information requests in accordance with the Freedom of Information Act 2015 and the Data Protection Act 2018 and personal or commercially sensitive information will not be published.



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