

CHAPTER 101.

ALIENS (IMMIGRATION AND REGISTRATION).

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CHAPTER 101.

ALIENS (IMMIGRATION AND REGISTRATION).

An Ordinance to regulate the entry of Aliens into the Colony to make provision for the registration of Aliens and for purposes connected with the matters aforesaid. 37 of 1947.

[31ST DECEMBER, 1947.]

1. This Ordinance may be cited as the Aliens (Immigration and Registration) Ordinance. Short title.

2. (1) In this Ordinance,—

“registration officer” includes the Chief Registration Officer, the Deputy Chief Registration Officer, and any officer of the police force authorised under subsection (4) of section 3 to exercise and perform the powers, functions and duties of a registration officer ;

“residence” means ordinary dwelling-place, and where an alien has more than one dwelling-place, each of such dwelling-places ; and “resident” and “resides” shall have corresponding meanings ;

“section” means a section of this Ordinance.

Interpre-
tation.

(2) For the purposes of this Ordinance any alien who—

(a) crosses a land frontier of the Colony ; or

(b) arrives in the Colony by sea or air and disembarks in the Colony ; or

(c) arrives in the Colony by sea or air with the intention of disembarking in the Colony,—

shall be deemed to have entered the Colony.

Registration
officers.

3. (1) The Commissioner of Police shall be the Chief Registration Officer for the purposes of this Ordinance.

(2) The Governor may, from time to time, appoint a Deputy Chief Registration Officer, and such officer shall have and may exercise all the powers, functions and duties vested in the Chief Registration Officer under this Ordinance.

(3) The Governor may, for the purposes of this Ordinance, appoint registration officers for the Colony or any specified part thereof.

(4) The Chief Registration Officer may, by writing under his hand, authorise any officer of the police force, subject to such directions as he may give to him from time to time, to exercise and perform in a specified part of the Colony, and any such authorised officer shall have and may exercise and perform subject to such directions, all the powers, functions and duties of a registration officer ; and the Chief Registration Officer may at any time, by writing under his hand, cancel such authorisation.

(5) Every appointment or authorisation under this section shall be published in the Gazette.

(6) Every registration officer shall have, and may exercise and perform, all the powers, functions and duties of a member of the police force.

Entry of
aliens into
the Colony.

4. (1) The Governor may in his absolute discretion prohibit the entry of any alien into the Colony.

(2) Subject to the provisions of and save as otherwise provided in this Ordinance, no alien shall enter the Colony except with the leave of an immigration officer, and such leave shall not be given where—

(a) the Governor has prohibited the entry of the alien into the Colony ; or

(b) the alien has not complied with such conditions and requirements as may from time to time be prescribed by the Governor in Council.

(3) Every person who is a registration officer for the purposes of this Ordinance shall, for the purposes of this section, be an immigration officer for the Colony or for a specified part thereof, as the case may be.

(4) Nothing in this section shall be construed as affecting the operation of the Expulsion of Undesirables Ordinance, or of any Ordinance for the time being in force relating to immigration. Cap. 99.

5. (1) Subject to the provisions of and save as otherwise provided in this Ordinance, every alien in the Colony shall register with a registration officer under this Ordinance as an alien. Duty of
aliens to
register.

(2) Where an alien who has attained the age of sixteen years enters the Colony, such alien shall register under this Ordinance within three days, or such further time as may be allowed by a registration officer, after such alien enters the Colony ; and where an alien while in the Colony attains the age of sixteen years, such alien shall register under this Ordinance within fourteen days, or such further time as may be allowed by a registration officer, after such alien attains the age of sixteen years.

6. (1) Every alien who is required under this Ordinance to register as an alien shall, within the time limited by subsection (2) of section 5,— Registration.

(a) attend at the office of the registration officer for the place in which the alien has his residence, and at the office of any registration officer where the alien has no residence in the Colony ; and

(b) furnish to the registration officer particulars as to the matters set out in the schedule to this Ordinance ; and Schedule.

(c) produce to the registration officer a passport containing a photograph of himself or some other document establishing to the satisfaction of the registration officer the identity and nationality of the alien ; or

(d) explain why he has no passport or other document as aforesaid, and establish to the satisfaction of the registration officer his identity and nationality ; and

(e) furnish all particulars concerning his family and himself that the registration officer may require ; and

(f) if required by the registration officer so to do, furnish a recent photograph of himself and submit to his finger-prints being taken.

(2) Where an alien complies with the provisions of subsection (1) of this section to the satisfaction of the registering officer, the registering officer shall issue to the alien a certificate of registration.

(3) A certificate of registration under subsection (2) of this section shall be in the form from time to time approved by the Chief Registration Officer, and shall contain such particulars and marks together with any finger-prints, as may be deemed by the registration officer to be necessary for the purpose of identification.

(4) Where the Chief Registration Officer considers that the finger-prints of an alien to whom a certificate of registration is issued under this Ordinance should be taken or taken again, he shall require the alien to produce to him his certificate of registration and to submit to his finger-prints being taken or taken again, and the finger-prints so taken shall be included in the certificate of registration.

(5) Every identification certificate issued to an alien under the Defence (Aliens) Regulations, 1941, (which Regulations are published in the Gazette of the 25th day of June, 1941, at page 1171) and in force at the commencement of this Ordinance shall have effect as if it were, and shall be deemed to be, a certificate of registration issued under this Ordinance, and the alien to whom any such identification certificate relates shall be deemed to be registered under this Ordinance.

(6) Any such identification certificate shall be produced by the alien to the Chief Registration Officer whenever he is required by the said officer so to do, and the Chief Registration Officer shall issue to the alien, in place of the identification certificate, a certificate of registration under this Ordinance :

Provided that before the issue of such certificate of registration the Chief Registration Officer may, if he thinks fit, require the alien to submit to his finger-prints being taken.

7. (1) Where an alien who has attained the age of sixteen years proposes to change his place of residence he shall—

(a) inform the registration officer of the place in which he

has his residence, of his intention to change the place of his residence ;

(b) state the date of the proposed change ; and

(c) state the address at which he proposes to reside after such change.

(2) Where an alien who has attained the age of sixteen years changes his place of residence he shall, within three days after such change, report the change and produce his certificate of registration as an alien, at the office of the registration officer of the place in which he has his place of residence as aforesaid, and if required so to do by such registration officer, he shall report in person to such registration officer.

8. (1) Every alien to whom a certificate of registration is issued, or is deemed to be issued, under section 6 shall at all times, if required so to do, produce the certificate to any registration officer or to any member of the police force ; and if an alien fails so to produce such certificate he may be detained pending the making of inquiries concerning him, and, while so detained, he shall be deemed to be in legal custody.

Conditions and restrictions relating to certificates of registration.

(2) No person to whom a certificate of registration is issued, or is deemed to be issued, under section 6 shall lend, transfer, assign, or part with the possession of, such certificate to any other person.

(3) Where a person has in his possession a certificate of registration which appears to be a certificate issued, or deemed to be issued, under section 6, he shall answer all questions put to him by a registration officer or a member of the police force for the purpose of establishing his identity with the person named in the certificate, and shall, if required by a registration officer or member of the police force so to do, submit to his finger-prints being taken for that purpose.

9. Any person who—

Offences.

(a) being an alien prohibited from entry into the Colony, enters the Colony ; or

(b) being an alien, enters the Colony except with the leave of an immigration officer ; or

(c) being an alien who has attained the age of sixteen years, is not registered under this Ordinance ; or

(d) being an alien, fails to comply with any of the provisions of subsection (4) or subsection (6) of section 6 ;

(e) without lawful authority or excuse, alters any certificate of registration issued, or deemed to be issued, under section 6 ; or

(f) without lawful authority or excuse, has in his possession any altered certificate of registration issued, or deemed to be issued under section 6, or any forged certificate of registration purporting to be issued, or to have been deemed to be issued, under section 6 ; or

(g) fails to comply with any of the provisions of section 7 ; or

(h) contravenes or fails to comply with any of the provisions of section 8 ; or

(i) aids, assists or procures an alien to commit an offence under paragraphs (a) or (b) of this section ; or

(j) assaults, resists, obstructs, or hinders any registration officer or immigration officer or member of the police force in the execution of his duty under this Ordinance,—

shall be guilty of an offence and on summary conviction thereof shall be liable to a penalty of two hundred and fifty dollars or to imprisonment for six months or to both such penalty and imprisonment.

Power of
Governor
to vary
schedule.

10. The Governor may at any time from time to time, by order published in the Gazette, revoke, vary or add to the schedule to this Ordinance, or substitute a new schedule therefor.

Power to
exempt
aliens from
the pro-
visions of
the
Ordinance.

11. (1) The Governor in Council may, by order published in the Gazette, exempt, from all or any of the provisions of this Ordinance, any alien, or any class of aliens, and such exemption may be general or subject to such conditions, restrictions, limitations or exceptions as are specified in the order.

(2) The Governor in Council may, by a like order, revoke or vary any order made under subsection (1) of this section.

When
Ordinance
does not
apply.

12. (1) This Ordinance shall not apply to the areas leased to the United States of America for use as Air and Naval Bases.

(2) This Ordinance shall not apply to the following aliens—

(a) persons not resident in the Colony who are officers, or members of the crew, of a ship and who do not land in the Colony for discharge ;

(b) persons in the service of the Government of the Colony, or in the service of the Crown in the United Kingdom or in any British Possession ;

(c) consuls general, consuls, vice-consuls, or consular officers, of a foreign power duly accredited to the Colony, and the staff of any such persons ;

(d) members of the Armed Forces of the United States of America, where they are in the Colony in the course of their duties as members of such armed forces ;

(e) citizens of the United States of America where they are engaged in work in the Colony in connection with the areas leased to the United States of America for use as Air and Naval Bases ;

(f) the wife, and any child who has not attained the age of sixteen years, of any person referred to in any of the preceding paragraphs of this subsection.

SCHEDULE.

(Particulars to be supplied where application is made for registration of an alien.) ss. 6 (1) (b) and 10.

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1. Name in full and sex.
 2. (a) Present nationality and how and when acquired.
(b) Previous nationality (if such be the case).
 3. Date, and country, of birth.
 4. Profession or occupation.
 5. Date, place, and mode of arrival in the Colony.
 6. Address of place of residence in the Colony.
 7. Address of last place of residence out of the Colony.
 8. Particulars of passport or other document establishing nationality and identity.
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