



GUYANA

ACT No. 7 of 2007

IMMIGRATION (AMENDMENT) ACT 2007

I assent.

**Samuel Hinds,
Prime Minister,
Performing the
functions of the
President.**

31st January, 2007

ARRANGEMENT OF SECTIONS

SECTION

1. Short Title
2. Amendment of section 2 of the Principle Act.
3. Insertion of new 8A in the Principle Act.
4. Amendment of section 12 of the Principle Act.
5. Amendment of the Schedule of the Principle Act.
6. Insertion of Schedules 11 and 111 of the Principle Act.

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AN ACT to amend the Immigration Act.

A.D.2007

Enacted by the Parliament of Guyana:-

**Short title.
Cap.14:02**

1. This Act, which amends the Immigration Act, may be cited as the Immigration (Amendment) Act 2007.

Amendment of section 2 of the Principal Act.

2. Section 2 of the Principal Act is amended by inserting in the appropriate alphabetical sequence the following definitions-

“advance passenger information” means the information in respect of a passenger, crew member or other person transported in the vessel;

“competent authority” means any person or entity as the Minister may by order prescribe;

“domestic space” means the domestic space of any country specified in Schedule III;

Schedule III.

“passenger” means any person not being a *bona fide* member of the crew, travelling or seeking to travel on a vessel;.

Insertion of new section 8A in the Principal Act.

3. The Principal Act is amended by the insertion after section 8 of the following section as section 8A-

“Duty of master to provide advance passenger information.

8A. (1) The master of a vessel expecting to arrive at a destination in Guyana or is leaving or expected to leave Guyana shall, before the arrival or the departure, as the case may be, of the vessel from the last port of call, provide to the competent authority at the intended port of arrival in or departure from Guyana the information as is set out in Schedule II in respect of the vessel and each person on board the vessel in the form and manner as may be approved by

Schedule II.

the Chief Immigration Officer.

(2) The information required to be provided by the master of a vessel shall be provided-

(a) in the case of a commercial aircraft, not later than fifteen minutes after departure from the last port of call;

(b) in the case of a private aircraft, not later than thirty minutes prior to the departure from the last port of call;

(c) in the case of a ship arriving from outside the domestic space not later than twenty-four hours prior to the arrival in Guyana;

(d) in the case of a ship arriving from a destination within the domestic space, not later than one hour prior to the arrival of the vessel from the last port of call.

(3) Where a master intentionally or recklessly-

(a) fails to transmit the information required to be provided under this section; or

(b) transmits incomplete or false information ,

the master commits an offence and is liable on summary conviction to a fine of twenty million dollars.

(4) The Minister may by order and for reasons to be recorded in writing waive the requirements of subsection (1) in such circumstances and on such conditions as he may specify.

(5) For the removal of doubts it is clarified that-

(a) the provisions of this section do not apply to the arrival or departure of a vessel from Guyana to a domestic space; or

(b) the requirement of furnishing of information under this section is in addition to and not in derogation of compliance with the requirements under section 8(1).”.

Amendment of
section 12 of the

4. Section 12(7) and (8) of the Principal Act are amended by the substitution for the word “Schedule”,

- Principal Act.** wherever it occurs, of the words "Schedule I".
- Amendment of Schedule to the Principal Act.** 5. The Schedule to the Principal Act is amended by the substitution for the word "SCHEDULE" of the words "SCHEDULE I".
- Insertion of Schedules II and III to the Principal Act.** 6. The Principal Act is amended by the insertion after Schedule I (as amended) of the following Schedules-

**"SCHEDULE II
ADVANCE PASSENGER INFORMATION**

s.8A(1)

PART I. Information relating to the flight or voyage

1. Flight identification or Vessel identification
[IATA Airline code and flight number of the aircraft or vessel name and voyage number, as the case may be].

2. Particulars of vessel:

- (i) Registration number
- (ii) Country of registration
- (iii) Name of local agent or where no local agent is there, the name of owner

3. Scheduled date of departure of vessel or aircraft
[Based on the local time of the port of departure].

4. Scheduled time of departure
[Based on the local time of the port of departure].

5. Scheduled date of arrival in Guyana
[Date of scheduled arrival of the vessel or aircraft at a port in Guyana based on local time of the port of arrival].

6. Scheduled time of arrival in Guyana
[As per local time of location in Guyana].

7. Last place or port of call of the vessel/aircraft.

8. Place or port in the country of destination where

the vessel or aircraft arrives from the last place or port of departure.

9. Subsequent place or port within the country.

10. Total number of passengers on board the aircraft/vessel

11. Number of crew members including the master.

PART II. Information relating to individual passengers

A. Core data elements of the official travel document:

- (i) Official travel document number.
- (ii) Issuing country or organization of the official travel document.
- (iii) Official travel document type.
- (iv) Date of expiry of the travel document.
- (v) Surname/Given name(s) of the passenger.

[Family name and given name(s) of the holder as it appears in the Official Travel Document]

- (vi) Nationality.
- (vii) Date of birth [in Christian era].
- (vii) Gender.

B Additional data (if applicable):

- (I) Guyanese/Caricom Visa number
- (ii) Date of issue of visa.
- (iii) Place of issue of visa.
- (iv) Other document number used for travel [Other document number used for travel is required when the official travel document is not required].

(v) Type of other document used for travel.

- (vi) Place of birth and country of birth.
- (vii) Status of traveller

(Passenger/ crew/ passenger in transit].

(viii) Place or port of original embarkation.

(ix) Place or port of clearance.

(x) Place or port of onward foreign destination.”

**SCHEDULE III
DOMESTIC SPACE COUNTRIES**

1. Antigua and Barbuda.
2. Barbados.
3. Dominica.
4. Grenada.
5. Guyana.
6. Jamaica.
7. St.Kitts and Nevis.
8. Saint Lucia.
9. St.Vincent and the Grenadines.
10. Trinidad and Tobago.”.

Passed by the National Assembly on 31st January, 2007.

S. E. Isaacs,
Clerk of the National Assembly

(BILL No. 5/2007)