

CHAPTER 31.

IMMIGRATION.

AN ORDINANCE TO IMPOSE RESTRICTION ON IMMIGRATION 34 of 1949.
AND FOR PURPOSES CONNECTED THEREWITH. 10 of 1950.

[31st December, 1949.]

1. This Ordinance may be cited as the Immigration Ordinance. Short title.

2. In this Ordinance or any regulation made thereunder unless the context otherwise requires: Definitions.

“Alien” means a person who is neither a British subject, a British protected person, a citizen of India nor a citizen of the Republic of Ireland. 9 of 1950.

“Prohibited immigrant” means any person who

- (a) is not in possession of a passport valid for entry into the Colony; or
- (b) has left the Colony at the public expense; or
- (c) is deemed by the Governor to be an undesirable immigrant; or
- (d) is an idiot or insane; or
- (e) is without visible means of support or is likely to become a public charge; or
- (f) has signed or entered into an agreement to labour for hire in the Colony, or whose passage has been paid on his behalf with a view to his entering into such an agreement on arrival, unless the consent in writing of the Colonial Secretary to the immigration of such person has been obtained.

3. The Governor may prohibit any person landing in the Colony and may impose all or any of the following conditions in respect of any person appearing to be a prohibited immigrant: Prohibition of and conditions on landing any immigrant.

[*Note.* This Ordinance is declared to be in force in the Dependencies by the Application of Colony Laws Ordinance, Cap. 1 (D.S.).]

- (a) he shall deposit with the Colonial Secretary the sum of £100 provided that the Colonial Secretary may in lieu of requiring the said deposit permit the intending immigrant to give security by bond in the prescribed form in the sum of £100 with one or more sureties to be approved by the Colonial Secretary conditional on the intending immigrant obtaining from the Colonial Secretary within six months after entering the Colony a certificate that he is a fit and proper person to be received as an immigrant;
- (b) if he shall, within six months after entering the Colony, obtain from the Colonial Secretary such certificate as aforesaid his deposit, if any, shall be refunded;
- (c) if he shall fail to obtain such certificate within six months as aforesaid, his deposit may be forfeited or the bond may be put in suit by the Colonial Secretary, and he may be deported.

In the case of any person allowed to enter the Colony, under this section, no liability shall attach to the vessel or the owner, agent or master of such vessel.

Offence of
illegal land-
ing and
deportation.

4. Any prohibited immigrant who shall land in the Colony except under and in accordance with the provisions of section 3 shall commit an offence and shall on conviction be liable to a fine not exceeding £50 or to imprisonment for a term not exceeding six months and the Governor in Council may make a deportation order in respect of such prohibited immigrant upon such conviction.

Liability of
master,
owner and
agent of a
ship in res-
pect of pro-
hibited
immigrant.

5. The master or person having command or charge of the vessel in which a prohibited immigrant (not having been shipwrecked) arrived in the Colony shall, if required, give a passage and accommodation and maintenance during the passage to such prohibited immigrant upon deportation, and the master and the owner and the agent of any vessel from which any prohibited immigrant shall land or be landed shall be jointly and severally liable to pay to the Government of the Colony all expenses incurred in connection with the maintenance of such immigrant and his deportation from the Colony.

Alien
immigrants
to register.
10 of 1950.

6. Every alien immigrant over the age of 16 years shall within seven days of his landing in the Colony register with the Chief Constable and furnish him with such particulars

as he may require, and if he shall fail without reasonable excuse to comply with the provisions of this section he shall commit an offence.

7. (1) No seaman shall be discharged from any ship in the Colony except with the consent of the Harbour Master which consent shall not be given unless the master, owner or agent shall have made arrangements to the satisfaction of the Harbour Master to ensure that the seaman shall not become a charge on the Colony.

Seamen not to be discharged without consent of Harbour Master.

(2) Any seaman discharged without such consent or deserting from the ship or being left behind in the Colony shall be deemed to be a prohibited immigrant.

8. Any person bringing into the Colony any person to serve under an agreement, who shall within twelve months of the date of his arrival become chargeable to the Colony, shall be liable to repay to the Government of the Colony all costs and charges incurred in respect of such person and the cost of his removal from the Colony.

Liability of employers bringing persons into Colony.

9. Any person who—

Offences.

- (a) aids and assists any prohibited immigrant to land in the Colony in contravention of this Ordinance; or
- (b) being the master of a ship knowingly permits any prohibited immigrant to land from his ship in contravention of this Ordinance, or refuses to receive on board, or neglects to take reasonable measures to keep on board, any prohibited immigrant who shall have landed from his ship and been replaced on board; or
- (c) being an alien immigrant fails without reasonable excuse to comply with the provisions of section 6 of this Ordinance; or
- (d) being the master, owner or agent of a ship discharges a seaman from such ship without the consent of the Master;

shall commit an offence and be liable to a fine not exceeding £50 or to imprisonment for a term not exceeding six months, and when the master of a ship is charged with any offence clearance outwards of the ship shall be refused until the charge has been heard and the fine if any imposed has been paid.

Exemptions. 10. This Ordinance shall not apply to persons in the service of the Government of the Colony or to natives of the Colony or persons domiciled therein.