

ORDER IN COUNCIL

ratifying a Projet de Loi

ENTITLED

The Aliens Restriction (Amendment) (Guernsey) Law, 1962.

(Registered on the Records of the Island of Guernsey
on the 15th day of May, 1962.)



1962.

VII
1962

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 15th day of May, 1962, before William Henry Arnold, Esquire, C.B.E., Bailiff; present :— William Robert Freake Clark, Esquire, Donald Carey Brock, Esquire, C.B.E., Wilfred John Corbet, Esquire, O.B.E., Théophile Le Messurier Allez, Bertram Guy Blampied, Claude Fortescue Nason, Stanley Walter Gavey, Esquires, Gilbert Carey de Jersey, Esquire, C.B., Carl Edward Blad and Albert Victor Dorey, Esquires, Jurats.

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 18th day of April, 1962, ratifying a *Projet de Loi* entitled "The Aliens Restriction (Amendment) (Guernsey) Law, 1962",—the Court, after the reading of the said Order in Council and after having heard Her Majesty's Procureur thereon, ordered that the said Order in Council be registered on the records of this Island and that an extract of this present Act, together with a copy of the said Order in Council, be sent by Her Majesty's Greffier to the Clerk of the Court of Alderney and to the Seneschal of Sark for registration on the records of those Islands respectively, of which Order in Council the tenor followeth:—

At the Court at Windsor Castle,

The 18th day of April, 1962.

PRESENT,

The Queen's Most Excellent Majesty.

LORD PRESIDENT

LORD CARRINGTON

MR. WATKINSON

MR. POWELL

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 3rd day of April, 1962, in the words following, viz.:—

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 22nd day of February, 1952, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth:—

- ‘1. That, in pursuance of their Resolution of the 19th day of April, 1961, the States of Deliberation at a meeting held on the 7th day of February, 1962, approved a Bill or “Projet de Loi” entitled “The Aliens Restriction (Amendment) (Guernsey) Law, 1962”, which Bill is designed to apply to the Bailiwick of Guernsey, and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto.
2. That the Chief Pleas of the Island of Sark at a meeting held on the 6th day of March, 1962, considered the said Bill or “Projet de Loi” when a resolution was passed agreeing to the application of the same to Sark.
3. That the said Bill or “Projet de Loi” is in the words and figures

set forth in the Schedule hereunto annexed. And most humbly praying that Your Majesty might be graciously pleased to grant Your Royal Sanction to the Bill or "Projet de Loi" of the States of Guernsey entitled "The Aliens Restriction (Amendment) (Guernsey) Law, 1962" and to order that the same shall have the force of law in the Bailiwick of Guernsey.'

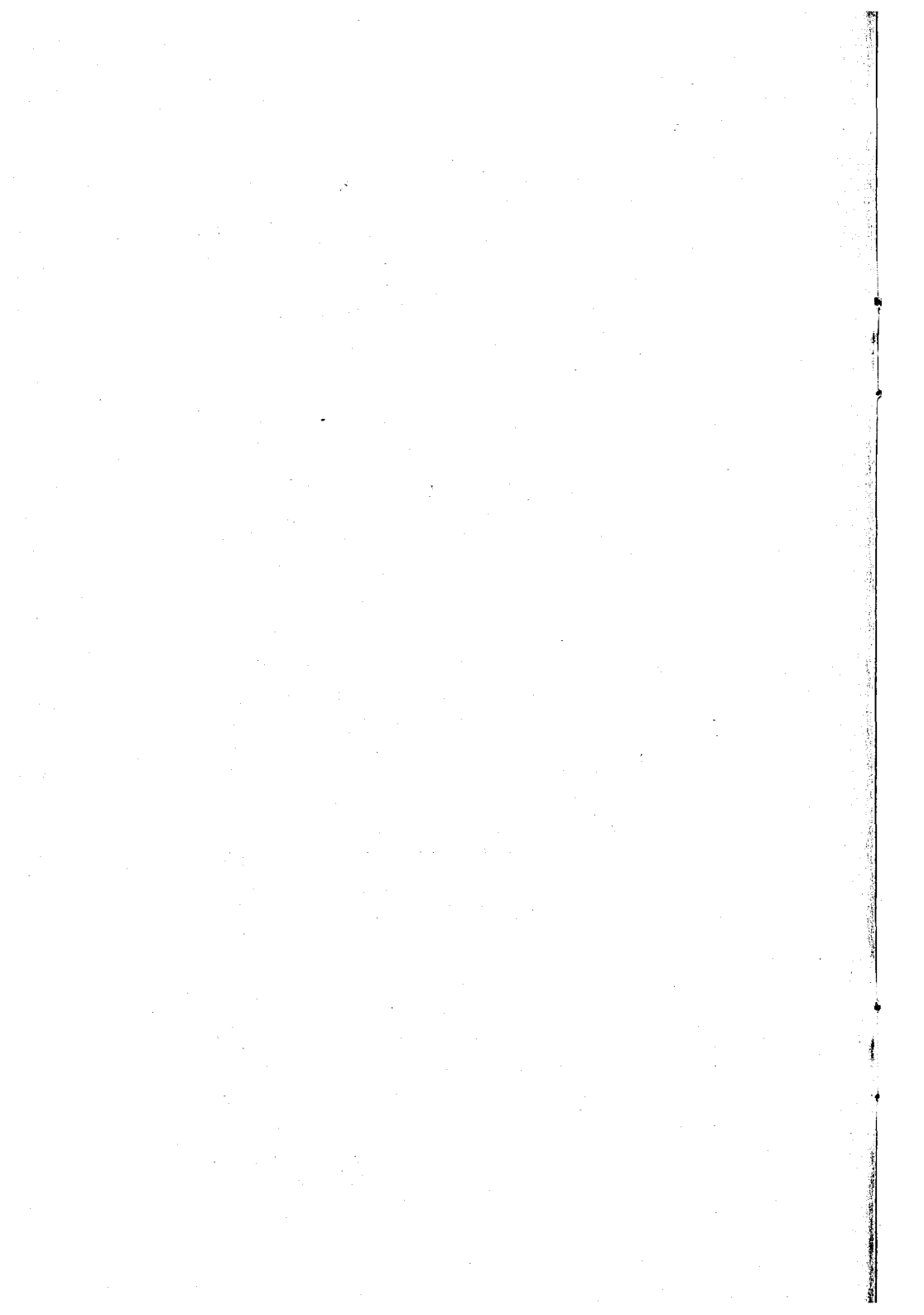
"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HER MAJESTY having taken the said Report into consideration is pleased, by and with the advice of Her Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Bailiwick of Guernsey.

AND HER MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

AND the Lieutenant Governor and Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other Her Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

W. G. AGNEW.



Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI

ENTITLED

The Aliens Restriction (Amendment) (Guernsey) Law, 1962

THE STATES, in pursuance of their Resolution of the nineteenth day of April, nineteen hundred and sixty-one, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Bailiwick of Guernsey.

1. (1) The provisions of the Aliens Restriction (Guernsey) Law, 1958 (hereinafter referred to as "the principal Law") set out in the next succeeding subsection shall not apply to any alien other than one in whose case there is in force a landing condition requiring him to leave the Bailiwick within a specified period.

Relaxation
of require-
ments as to
registration
of certain
aliens.

(2) The said provisions are subsection (2) of section thirteen (which requires an alien to attend at the office of the registration officer and furnish particulars for the purposes of the general register and the issue of a registration certificate), section fifteen (duty of an alien to notify changes of residence and address, etc.) and section sixteen (duty of an alien as to maintenance of accuracy of register).

(3) An alien to whom paragraph 2 of the First Schedule to the principal Law applies (provisions applicable to certain aliens coming from the common travel area) shall be treated for the purposes of subsection (1) of this section as one in whose case there is in force such a landing condition as is mentioned in that subsection.

(4) In subsection (1) of this section the expression "landing condition" has the same meaning as a landing condition has in the principal Law and includes a condition imposed on an alien on landing in the Island of Jersey, the United Kingdom or the Isle of Man as that condition has effect in relation to him while in the Bailiwick by virtue of the provisions of paragraph 1 of the First Schedule to the principal Law (provisions applicable to certain aliens coming from the common travel area).

Amend-
ments to
principal
Law.

2. The principal Law is hereby amended as follows, that is to say:—

- (a) immediately after subsection (2) of section twelve thereof (the registration officer to keep general register of aliens) there is hereby inserted the following additional subsection numbered "(2A)"—

"(2A) Nothing in the last foregoing subsection shall be taken as requiring the registration officer to keep in the general register any particulars relating to an alien in whose case there is not for the time being in force a landing condition requiring him to leave the Bailiwick within a specified period or who is for the time being not required (otherwise than by reason of his being such an alien as aforesaid) by virtue of section fourteen of this Law to attend and furnish particulars under subsection (2) of section thirteen of this Law.";

- (b) paragraph (c) of subsection (1) of section thirteen thereof (by virtue of which a person of or over the age of sixteen years who becomes an alien while in the Bailiwick is required to comply with subsection (2) of that section) is hereby repealed;

- (c) in section fourteen thereof (which specifies the conditions on which an alien is exempt from registration on entering the Bailiwick):—
- (i) immediately after subsection (1) thereof there is hereby inserted the following additional subsection numbered “(1A)”—
- “(1A) An alien shall not be required to attend and furnish particulars as aforesaid by reason of his entering the Bailiwick or of his falling within paragraph (b) of subsection (1) of section thirteen of this Law unless there is for the time being in force in his case a landing condition requiring him to leave the Bailiwick within a specified period.”;
- (ii) in subsection (2) thereof (which postpones for three months the obligation of an alien to register, except in certain events) the words “unless he is required by landing conditions to comply” are hereby repealed and the words “unless he is required by landing conditions or by notice in writing given to him by the Lieutenant Governor to comply” are hereby substituted therefor;
- (d) in section fifteen thereof (duty of an alien to notify changes of residence, address, etc., within seventy-two hours after his arrival):—
- (i) in subsection (1) thereof the words “within seventy-two hours after his arrival” are hereby repealed and the words “before the expiration of the

period of seven days beginning with the day of his arrival " are hereby substituted therefor;

- (ii) in subsection (3) thereof the words " Subject to subsection (4) of this section " are hereby repealed and the words " within seventy-two hours " to the end of that subsection are hereby repealed and the words " to the registration officer before the expiration of the period of seven days beginning with the day of his arrival therein " are hereby substituted therefor;

- (iii) immediately after subsection (3) thereof there is hereby inserted the following additional subsection numbered "(4)"—

"(4) This section shall not apply to an alien other than one in whose case there is for the time being in force a landing condition requiring him to leave the Bailiwick within a specified period.";

- (e) in section sixteen thereof (duty of an alien as to maintenance of accuracy of register):—

- (i) in paragraph (a) of subsection (1) thereof the words " within seventy-two hours after the occurrence of any event " are hereby repealed and the words " before the expiration of the period of seven days beginning with that on which occurs any event " are hereby substituted therefor and the words and figures " paragraphs 8 to 10 " are hereby repealed and the words and figures " paragraphs 8 to 11 " are hereby substituted therefor;

- (ii) immediately after subsection (3) thereof there is hereby inserted the following additional subsection numbered "(4)"—

"(4) This section shall not apply to an alien other than one in whose case there is for the time being in force a landing condition requiring him to leave the Bailiwick within a specified period.";

- (f) section seventeen thereof (duty of alien as to production of registration certificates, etc.) is hereby repealed and the following section is hereby substituted therefor—

"17. (1) Every alien of or over the age of sixteen years in whose case there is for the time being in force a landing condition requiring him to leave the Bailiwick within a specified period shall, on demand made at any time by an immigration officer or a member of the Island Police Force either produce—

- (a) if the alien has furnished particulars under section thirteen of this Law, his registration certificate;
- (b) if the alien has not furnished such particulars, his passport or some other document satisfactorily establishing his identity;

or give to the officer or member a satisfactory reason for not producing such a registration certificate, passport or other document as aforesaid.

(2) Every alien of or over the age of sixteen years, other than one to whom the last preceding subsection applies, shall on

demand made at any time by an immigration officer or a member of the Island Police Force either produce to the officer or member a document, being his registration certificate, passport or some other document, satisfactorily establishing his identity or give to the officer or member a satisfactory reason for not producing such a document.”;

- (g) in subsection (2) of section twenty-eight thereof the words “or (in the case of detention under subsection (2) of section seventeen) the Board ” are hereby repealed;
- (h) immediately after paragraph 2 of the First Schedule thereto there is hereby inserted the following additional paragraph numbered “2A”—
 “2A. An alien to whom the last foregoing paragraph applies shall be deemed, for the purposes of sections twelve, fourteen, fifteen and sixteen of this Law to be one in whose case there is in force a landing condition such as is mentioned in subsection (1A) of the said section fourteen.”;
- (i) paragraph 13 of the Second Schedule thereto (particulars of aliens to be entered in general register) is hereby repealed.

Citation and
collective
title.

3. This Law may be cited as the Aliens Restriction (Amendment) (Guernsey) Law, 1962, and this Law and the principal Law may be cited together as the Aliens Restriction (Guernsey) Laws, 1958 and 1962.

R. H. VIDELO,

Her Majesty's Greffier.