ALIEN

The Aliens Order, 1951

1951 No. 966

Made - - - -	31*st May*, 1951
Laid before Parliament	31*st May*, 1951
Coming into Operation	11*th June*, 1951

At the Court at Buckingham Palace, the 31st day of May, 1951.

Present,

The King's Most Excellent Majesty in Council.

His Majesty, in pursuance of section one of the Aliens Restriction Act, 1914(a), as amended by any subsequent enactment, and of all other powers enabling Him in that behalf, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Aliens Order, 1951, and shall come into operation on the eleventh day of June, 1951.

2.—(1) In this Order the expression "the principal Order" means the Aliens Order, 1920(b), as amended by any subsequent Order in Council.

(2) The Interpretation Act, 1889(c), applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3. In paragraph (1) of Article 1 of the principal Order (which paragraph prohibits aliens coming, except from the Channel Islands, by sea or air to a place in the United Kingdom from landing without the leave of an immigration officer, and, unless they are seamen, from landing elsewhere than at an approved port) the words "except from the Channel Islands" shall be omitted, and for the proviso there shall be substituted the following proviso:—

"Provided that—

(i) this paragraph shall not prohibit an alien from landing in Great Britain from a ship or aircraft coming from Great Britain, the Channel Islands or the Isle of Man, or from landing in Northern Ireland from a ship or aircraft coming from Northern Ireland; and

(ii) the Secretary of State may, in special circumstances, allow an alien to land with such leave as aforesaid at any specified port, notwithstanding that it is not an approved port."

4. In paragraph (4) of the said Article 1 (which paragraph provides, amongst other things, that the conditions subject to which an alien was granted leave to land in Great Britain or Northern Ireland, or those conditions as varied, shall continue to apply to him during any period during which he stays in Great Britain or Northern Ireland, as the case may be, after the conditions were imposed or varied without interrupting his stay except to visit the Channel Islands) for the words from "during any period" to the end of the paragraph there shall be substituted the words:—

"(*a*) if the leave to land was granted in Great Britain, during any period

(a) 4 & 5 Geo. 5. c. 12.
(b) S.R. & O. 1920 (No. 448) I, p. 138.
(c) 52 & 53 Vict. c. 63.

during which, after the time when the condition was attached or varied, he is in Great Britain, not having stayed after the said time outside Great Britain, the Channel Islands and the Isle of Man;

(*b*) if the leave to land was granted in Northern Ireland, during any period during which, after the time when the condition was attached or varied, he is in Northern Ireland, not having stayed after the said time outside Northern Ireland.

If the alien fails to comply as aforesaid, or if he is found in Great Britain or Northern Ireland, as the case may be, at any time after the expiration of the period limited by any such condition and without having been given leave to land after the said time, he shall, for the purposes of this Order, be deemed to be an alien to whom leave to land has been refused."

5. For Article 1A of the principal Order (which provides for treating conditions attached in pursuance of the law of the Channel Islands to the grant to an alien of leave to land in the Channel Islands as if they were attached also to a grant of leave to land in the United Kingdom, and for treating an alien who, having landed in the Channel Islands in contravention of the law of the Channel Islands, is found in the United Kingdom, as if he had been required by Article 1 of the principal Order to obtain leave to land and had been refused such leave) there shall be substituted the following Article:—

"1A.—(1) A condition which, in pursuance of a law for the time being in force in the Channel Islands or the Isle of Man, has been attached to the grant of leave to an alien to land in the Channel Islands or the Isle of Man, as the case may be, or has been subsequently imposed by way of variation of a condition so attached, shall have effect in Great Britain as if the condition had been attached or varied in pursuance of paragraph (4) of the foregoing Article, and that paragraph shall apply accordingly.

(2) Where a condition attached or varied in the Channel Islands or the Isle of Man in pursuance of any such law as aforesaid limits the period during which an alien may remain in the Channel Islands or the Isle of Man, as the case may be, the condition shall, for the purposes of this Order, be treated as if it provided that the alien should not remain in Great Britain after the expiration of the period limited by the condition.

(3) An alien who, having landed in the Channel Islands or the Isle of Man in contravention of a requirement as to leave to land imposed under a law for the time being in force in the Channel Islands or the Isle of Man, as the case may be, is found in Great Britain without having subsequently obtained leave to land therein shall be deemed to be an alien required by the foregoing Article to obtain leave to land to whom such leave has been refused."

6. In Article 1B of the principal Order (which, except in the case of aliens going to the Channel Islands, prohibits aliens going by sea or air from a place in the United Kingdom from embarking without the leave of an immigration officer, and, unless they are seamen, from embarking elsewhere than at an approved port) the words "except to the Channel Islands" shall be omitted, and for the proviso there shall be substituted the following proviso:—

"Provided that—

(i) this Article shall not prohibit an alien from embarking in Great Britain in a ship or aircraft bound for Great Britain, the Channel Islands or the Isle of Man, or from embarking in Northern Ireland in a ship or aircraft bound for Northern Ireland; and

(ii) the Secretary of State may, in special circumstances, allow an alien to embark with such leave as aforesaid at any specified port, notwithstanding that it is not an approved port."

7. At the end of paragraph (1) of Article 3 of the principal Order (which paragraph provides for the inspection of aliens seeking to land in the United Kingdom) there shall be added the following proviso:—

" Provided that this paragraph shall not apply to an alien seeking to land in Great Britain from a ship or aircraft coming from Great Britain, the Channel Islands or the Isle of Man, or to an alien seeking to land in Northern Ireland from a ship or aircraft coming from Northern Ireland."

8. In sub-paragraph (*c*) of paragraph (5) of the said Article 3 (which paragraph provides for the removal from the United Kingdom of, amongst other persons, any alien who, not having been granted leave to land, is found on shore in the United Kingdom) for the words " Any alien who, not having been granted leave to land," there shall be substituted the words " Any alien who, being required to obtain leave to land and not having been granted such leave,".

9. At the end of paragraph (7) of the said Article 3 (which paragraph provides that aliens landing or embarking at any place in the United Kingdom shall disclose documents carried by them and may be searched for the purpose of ascertaining what documents are carried by them) there shall be added the following proviso:—

" Provided that this paragraph shall not apply—

(*a*) to an alien landing in Great Britain from a ship or aircraft coming from Great Britain, the Channel Islands or the Isle of Man, or to an alien landing in Northern Ireland from a ship or aircraft coming from Northern Ireland ; or

(*b*) to an alien embarking in Great Britain in a ship or aircraft bound for Great Britain, the Channel Islands or the Isle of Man, or to an alien embarking in Northern Ireland in a ship or aircraft bound for Northern Ireland."

10. At the end of Article 5 of the principal Order (which requires the master of a ship or the pilot of an aircraft landing or embarking passengers in the United Kingdom to make a return of alien passengers, and the master of a ship or the pilot of an aircraft coming to the United Kingdom to make a return of alien members of the crew) there shall be added the following paragraph:—

" (3) This Article shall not require the master of a ship or the pilot of an aircraft to furnish particulars—

(*a*) of alien passengers landing—

(i) at a port in Great Britain, from a ship or aircraft coming from Great Britain, the Channel Islands or the Isle of Man ; or

(ii) at a port in Northern Ireland, from a ship or aircraft coming from Northern Ireland ;

(*b*) of alien passengers embarking—

(i) at a port in Great Britain, in a ship or aircraft bound for Great Britain, the Channel Islands or the Isle of Man ; or

(ii) at a port in Northern Ireland, in a ship or aircraft bound for Northern Ireland ; or

(*c*) of alien members of the crew of a ship or aircraft—

(i) coming from Great Britain, the Channel Islands or the Isle of Man to a port in Great Britain ; or

(ii) coming from Northern Ireland to a port in Northern Ireland."

11. In sub-paragraph (*d*) of paragraph (1) of Article 6 of the principal Order (which sub-paragraph requires an alien who is absent from his registered place of residence for a continuous period exceeding two weeks to notify his address and, when he returns, the fact that he has done so) for the word " weeks " there shall be substituted the word " months ".

12. For paragraph (4) of the said Article 6 (which paragraph provides that that Article shall not apply to an alien who lands in the United Kingdom on any occasion, not being an alien resident in the United Kingdom at the time when he lands on that occasion, until the expiration of two months from the time when he lands on that occasion) there shall be substituted the following paragraph:—

" (4) The preceding provisions of this Article shall not apply to an alien who lands in the United Kingdom on any occasion (not being an alien resident therein when he lands on that occasion) until the expiration of three months from the time when he lands on that occasion, unless his leave to land on that occasion was granted subject to a condition requiring him forthwith to comply with the provisions of this Article relating to the furnishing to a registration officer of particulars about himself."

13. At the end of Article 12 of the principal Order (which relates to the making and effect of deportation orders) there shall be added the following paragraphs:—

" (8) Where, in pursuance of a law for the time being in force in the Isle of Man, the Governor of the Isle of Man with the approval of the Secretary of State has made an order requiring an alien to leave, and to remain thereafter out of, the Isle of Man, that order shall, unless the Secretary of State otherwise directs, have effect as if it were a deportation order made under this Article.

(9) Where an alien is required to leave the Isle of Man in obedience to an order having effect under the last preceding paragraph as if it were a deportation order made under this Article, nothing in that paragraph shall be construed as prohibiting his landing in the United Kingdom on his way from the Isle of Man."

14. After paragraph (2) of Article 15 of the principal Order (paragraphs (1) and (2) of which relate to the carrying of passports by and the identification of persons landing or embarking in the United Kingdom) there shall be inserted the following paragraph:—

" (2A) The preceding provisions of this Article shall not apply to a person landing or embarking—

(*a*) in Great Britain, from or in a ship or aircraft coming from or, as the case may be, bound for Great Britain, the Channel Islands or the Isle of Man ;

(*b*) in Northern Ireland, from or in a ship or aircraft coming from or, as the case may be, bound for Northern Ireland."

15. For paragraph (4) of the said Article 15 (paragraph (3) of which authorises the detention in a ship arriving at a port in the United Kingdom of passengers and crew until examined by an immigration officer) there shall be substituted the following paragraph:—

" (4) The last preceding paragraph shall not authorise the master of a ship to detain a person, where the port is in Great Britain, if the ship comes from Great Britain, the Channel Islands or the Isle of Man, or, where the port is in Northern Ireland, if the ship comes from Northern Ireland."

16. At the end of Article 20 of the principal Order (which relates to the interpretation of that Order) there shall be added the following paragraph:—

"(3) In this Order—

(*a*) references to a ship or aircraft coming from Great Britain, the Channel Islands or the Isle of Man shall be construed as references to a ship or aircraft that started her voyage in Great Britain, the Channel Islands or the Isle of Man, as the case may be, and has not during the voyage called at any place outside Great Britain, the Channel Islands and the Isle of Man;

(*b*) references to a ship or aircraft bound for Great Britain, the Channel Islands or the Isle of Man shall be construed as references to a ship or aircraft that is due to end her voyage in Great Britain, the Channel Islands or the Isle of Man, as the case may be, and is not due to call during the voyage at any place outside Great Britain, the Channel Islands and the Isle of Man;

(*c*) references to a ship or aircraft coming from Northern Ireland shall be construed as references to a ship or aircraft that started her voyage in Northern Ireland and has not during the voyage called at any place outside Northern Ireland;

(*d*) references to a ship or aircraft bound for Northern Ireland shall be construed as references to a ship or aircraft that is due to end her voyage in Northern Ireland and is not due to call during the voyage at any place outside Northern Ireland."

17. In Article 22 of the principal Order the following provisions are hereby revoked, that is to say:—

(*a*) in paragraph (1), the proviso (which provides for the application of the principal Order to diplomatic persons);

(*b*) in paragraph (2), sub-paragraph (*c*) (which provides that during a period during which an alien is a member of armed forces maintained by certain foreign authorities he shall be deemed for the purposes of that Order not to be an alien);

(*c*) paragraph (3) (which provides that during a period during which an alien is a member of the Civilian Technical Corps he shall be deemed for the purposes of that Order not to be a alien).

18. The Orders in Council mentioned in the first and second columns of the Schedule to this Order are hereby revoked to the extent specified in the third column of that Schedule.

E. C. E. Leadbitter.

SCHEDULE

ORDERS IN COUNCIL REVOKED

Date and Number	Short Title	Extent of Revocation
S.R. & O. 1941 No. 1043 ...	The Aliens Order, 1941 ...	The whole Order.
S.R. & O. 1944 No. 465 ...	The Aliens Order, 1944 ...	Article 3.
S.R. & O. 1945 No. 1209 ...	The Aliens Order, 1945 ...	The whole Order.
S.R. & O. 1946 No. 380 ...	The Aliens Order, 1946 ...	Articles 1, 3, 4, 5 and 6.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

Articles 3 to 10 and 14 to 16 amend the provisions of Articles 1, 1A, 1B, 3, 5, 15 and 20 of the Aliens Order, 1920, containing restrictions on or in relation to the landing and embarkation of aliens in the United Kingdom so as to apply them only to traffic between Great Britain and places outside Great Britain, the Channel Islands and the Isle of Man and to traffic between Northern Ireland and places outside Northern Ireland.

Article 11 increases from two weeks to two months the period during which an alien may be absent from his registered place of residence without informing the police at the end of that period.

Article 12 increases from two to three months the initial period after landing during which an alien visitor (whose grant of leave to land is not made subject to a condition requiring immediate registration) is not obliged to register with the police.

Article 13 provides for making effective in the United Kingdom deportation orders made by the Governor of the Isle of Man.

Article 17 revokes a provision relating to diplomatic persons which became ineffective with the revocation of Regulation 20A (3) of the Defence (General) Regulations, 1939, a provision relating to aliens in armed forces maintained by a foreign authority for service in association with His Majesty's forces which is no longer of effect, and a provision relating to aliens in the Civilian Technical Corps, which no longer exists.

Article 18 makes consequential revocations.

The Aliens (Employment) (Former Prisoners of War) (Revocation) Order, 1951

1951 No. 2233

Made - - - - *17th December,* 1951

Coming into Operation *1st January,* 1952

In pursuance of the power conferred upon me by paragraph (2) of Article 17 of the Aliens Order, 1920(a), I hereby order as follows:—

1. The Aliens (Employment) (Former Prisoners of War) Order, 1947(b) (which restricts the employment of certain aliens, being former prisoners of war), is hereby revoked.

2. This Order may be cited as the Aliens (Employment) (Former Prisoners of War) (Revocation) Order, 1951, and shall come into force on the first day of January, 1952.

David Maxwell Fyfe,

One of His Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
17th December, 1951.

(a) S.R. & O. 1920 (No. 448) I, p. 138.

(b) S.R. & O. 1947 (No. 1391) I, p. 78.