ALIENS

The Aliens Order, 1960

1960 No. 2214

Made - - - -	30*th November*, 1960
Laid before Parliament	6*th December*, 1960
Coming into Operation	1*st January*, 1961

At the Court at Buckingham Palace, the 30th day of November, 1960

Present

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of section one of the Aliens Restriction Act, 1914(**a**), as amended by the Aliens Restriction (Amendment) Act, 1919(**b**), and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows :—

1. This Order may be cited as the Aliens Order, 1960, and shall come into operation on the first day of January, nineteen hundred and sixty-one.

2.—(1) In this Order the expression " the principal Order " means the Aliens Order, 1953(**c**).

(2) Any reference in this Order to the principal order shall be construed as a reference to that order as amended by the Aliens Order, 1957(**d**), and, except where the context otherwise requires, this Order.

(3) The Interpretation Act, 1889(**e**), applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament and as if any provision of the principal Order revoked by this Order were an enactment thereby repealed.

Relaxation of requirements as to registration

3.—(1) The provisions of the principal Order mentioned in the next following paragraph shall not apply to any alien other than one in whose case there is in force a landing condition requiring him to leave the United Kingdom within a specified period.

(2) The said provisions are paragraph (2) of Article 14 (which requires an alien to attend at the office of a registration officer and furnish particulars for the purposes of the local register and the issue of a registration certificate), Article 16 (duty of an alien to notify changes of residence and address, etc.), and Article 17 (duty of an alien as to maintenance of accuracy of register).

(**a**) 4 & 5 Geo. 5. c. 12. (**b**) 9 & 10 Geo. 5. c. 92. (**c**) S.I. 1953/1671 (1953 I. p. 94).
(**d**) S.I. 1957/597 (1957 I, p. 142). (**e**) 52 & 53 Vict. c. 63.

(3) An alien to whom paragraph 2 of Part I of the First Schedule to the principal Order applies (provisions applicable to certain aliens entering through the Republic of Ireland) shall be treated for the purposes of paragraph (1) of this Article as one in whose case there is in force such a landing condition as is mentioned in that paragraph.

(4) In paragraph (1) of this Article the expression "landing condition" has the meaning assigned to it by the principal Order, and includes a condition imposed on an alien on landing in any of the Channel Islands or the Isle of Man as that condition has effect in relation to him while in the United Kingdom by virtue of Article 6 of the principal Order (landing conditions imposed in Channel Islands and Isle of Man).

(5) In accordance with the foregoing provisions of this Article, the following amendments shall be made in the principal Order, that is to say—

(*a*) sub-paragraph (*c*) of paragraph (1) of the said Article 14 (by virtue of which a person of or over the age of sixteen years who becomes an alien while in the United Kingdom is required to comply with paragraph (2) of that Article) shall be omitted;

(*b*) after paragraph (1) of Article 15 (which specifies the conditions on which an alien is exempt from registration on entering the United Kingdom) there shall be inserted the following paragraph:—

"(1A) An alien shall not be required to attend and furnish particulars as aforesaid by reason of his entering the United Kingdom or of his falling within sub-paragraph (*b*) of paragraph (1) of the said Article 14 unless there is for the time being in force in his case a landing condition requiring him to leave the United Kingdom within a specified period."

(*c*) at the end of Article 16, there shall be added the following paragraph:—

"(5) This Article 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 United Kingdom within a specified period.";

(*e*) at the end of Article 17 there shall be added the following paragraph:—

"(4) This Article 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 United Kingdom within a specified period.";

(*f*) After paragraph 2 of the First Schedule there shall be inserted the following paragraph:—

"2A. An alien to whom the last foregoing paragraph applies shall be deemed, for the purposes of Article 13 of this Order and Articles 15, 16 and 17 thereof, to be one in whose case there is in force a landing condition such as is mentioned in paragraph (1A) of the said Article 15."

Abolition of central register

4. The provision and maintenance of a central register of aliens shall no longer be required, and accordingly paragraph (1) of Article 13 of the principal Order is hereby revoked.

Duties of Registration Officers

5. The following paragraph shall be inserted after paragraph (3) of Article 13 of the principal Order (registration officers to keep local registers of aliens) :—

"(3A) Nothing in the last foregoing paragraph shall be taken as requiring a registration officer to keep in the local register for his district 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 United Kingdom 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 Article 15 of this Order to attend and furnish particulars under paragraph (2) of Article 14 of this Order".

Postponement of registration

6. In paragraph (2) of Article 15 of the principal Order (which postpones for three months the obligation of an alien to register, except in certain events) for the words "unless he is required by landing conditions to comply" there shall be substituted the words "unless he is required by landing conditions or notice in writing given to him by the Secretary of State to comply".

Amendments relating to notification of changes affecting registered aliens

7.—(1) The following amendments shall be made in Article 16 of the principal Order, that is to say,—

(*a*) in paragraph (1) (which requires a registered alien to report a change of residence within seventy-two hours after his arrival) for the words "within seventy-two hours after his arrival" there shall be substituted the words "before the expiration of the period of seven days beginning with the day of his arrival";

(*b*) in sub-paragraph (*a*) of paragraph (3) (which requires a registered alien having no residence in the United Kingdom to report a move into a registration district in which he remains for more than seventy-two hours) for the words "more than seventy-two hours" there shall be substituted the words "a longer period than seven days beginning with the day of his arrival therein";

(*c*) in sub-paragraph (*b*) of paragraph (3) (which requires a registered alien having no residence in the United Kingdom who moves from one address to another within the same registration district to notify his new address within seventy-two hours after his arrival) for the words from "within seventy-two hours" to the end of the paragraph there shall be substituted the words "to the registration officer of that district before the expiration of the period of seven days beginning with the day of his arrival therein."

(2) The following amendments shall be made in sub-paragaph (*a*) of paragraph (1) of Article 17 of the principal Order (which paragraph requires a registered alien to give notice of any event affecting the accuracy of any particulars registered in relation to him (other than particulars specified in paragraphs 7 to 10 of the Second Schedule to the principal Order) within seventy-two hours after the occurrence of that event), that is to say—

(*a*) for the words "within seventy-two hours after the occurrence of any event" there shall be substituted the words "before the expiration of the period of seven days beginning with that on which occurs any event";

(*b*) for the words "paragraphs 7 to 10" there shall be substituted the words "paragraphs 7 to 11".

Production of registration certificates, etc.

8. The following shall be substituted for Article 18 of the principal Order (production of registration certificates, etc.) :—

" 18.—(1) Every alien of or over the age of sixteen years in whose case there is for the time bting in force a landing condition requiring him to leave the United Kingdom within a specified period shall, on demand made at any time by an immigration officer or constable either produce—

(*a*) if the alien has furnished particulars under Article 14 of this Order, 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 constable 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 foregoing paragraph applies, shall on demand made at any time by an immigration officer or constable either produce to the officer or constable a document, being his registration certificate, passport or some other document, satisfactorily establishing his identity or give to the officer or constable a satisfactory reason for not producing such a document."

Amendment of Article 24 of principal Order

9. In sub-paragraph (*b*) of paragraph (3) of Article 24 of the principal Order (exemption from the Order, in certain circumstances, of members of the armed forces of specified countries) after the word " France " there shall be inserted the word " Greece ", and after the word " Portugal " there shall be inserted the word " Turkey ".

Amendment of First Schedule to principal Order

10. In paragraph 4 of the First Schedule to the principal Order (provisions applicable to certain aliens entering through the Republic of Ireland), in sub-paragraph (*a*), after the word " Belgium " there shall be inserted the word " Bolivia ", after the word " Luxembourg " there shall be inserted the word " Mexico ", after the word " Monaco " there shall be inserted the word " Morocco ", and after the words " San Marino " there shall be inserted the word " Spain ".

Amendment of Second Schedule to principal Order

11. In the Second Schedule to the principal Order (particulars of aliens to be entered in local register) paragraph 14 is hereby revoked.

W. G. Agnew.

EXPLANATORY NOTE

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

This Order amends the Aliens Order, 1953 (" the principal Order "), with effect from 1st January, 1961, and relates to the liability of aliens to register with the police and certain other matters.

Under Article 3 of the present Order no alien will be required to register or furnish particulars, or changes in particulars, to the police under the principal Order, unless he is required, by a landing condition or under the First Schedule to the principal Order, to leave the United Kingdom within a specified period. Article 5 of the present Order makes consequential provision regarding the duties of registration officers. Under Article 4 the requirement to keep a central register of aliens is abolished.

Under Article 15 (2) of the principal Order the normal postponement for three months of the obligation of an alien to register is made subject to certain exceptions: under Article 6 of the present Order there is added to the exceptions the case of an alien who is required by notice of the Secretary of State to register forthwith. Under Articles 16 and 17 of the principal Order registered aliens are required to notify within 72 hours changes of residence or address or of particulars entered in the registration certificate: under Article 7 of the present Order this period is extended to 7 days.

Article 18 of the principal Order makes provision regarding the production by aliens of documents establishing their identity: the new Article 18 set out in Article 8 of the present Order makes fresh provision in this respect; in particular, the requirement to produce is now restricted to aliens over the age of sixteen, and the provision as to detention of aliens who fail to comply with the Article is not reproduced. Under Article 24 of the principal Order aliens serving in the United Kingdom in the armed forces of certain countries are exempt from the provisions of the principal Order: under Article 9 of the present Order, Greece and Turkey are added to the list of these countries. Under the First Schedule to the principal Order aliens entering the United Kingdom through the Irish Republic are subject to certain restrictions which, however, are modified in the case of the nationals of certain countries: under Article 10 of the present Order, Bolivia, Mexico, Morocco and Spain are added to the list of these countries.

Under Article 11, aliens registering will no longer be required to give particulars of service under any government.