STATUTORY INSTRUMENTS

1969 No. 737

ALIENS

The Aliens Order 1969

Made - - - -	*23rd May* 1969
Laid before Parliament	*30th May* 1969
Coming into Operation	*2nd June* 1969

At the Court at Holyroodhouse, the 23rd day of May 1969

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of section 1 of the Aliens Restriction Act 1914(a), as amended by the Aliens Restriction (Amendment) Act 1919(b), of section 21(5) of the Immigration Appeals Act 1969(c), 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:—

Citation, date of operation and interpretation

1.—(1) This Order may be cited as the Aliens Order 1969.

(2) This Order shall come into operation on 2nd June 1969.

(3) In this Order—

" the principal Order " means the Aliens Order 1953(d) as amended by the Aliens Order 1957(e), the Aliens Order 1960(f), the Aliens Order 1964(g), the Aliens Order 1967(h) and the Aliens Order 1968(i);

" an Appeals Order " means any Order made by virtue of section 14 of the Immigration Appeals Act 1969;

and any other expression which is also used in the principal Order has the same meaning as in that Order.

Liability of owners or agents of ships and aircraft for expenses incurred in respect of aliens directed to be removed from the United Kingdom

2.—(1) Subject to the provisions of this Article, where directions are given under Article 8 of the principal Order for the removal of an alien from the United Kingdom the owners or agents of the ship or aircraft in which he arrived shall be liable to pay to the Secretary of State, on demand, any expenses incurred by the latter in respect of the custody, accommodation or maintenance of that alien at any time after his arrival while he was detained or liable to be detained under paragraph (4) of that Article.

(a) 1914 c. 12.
(b) 1919 c. 92.
(c) 1969 c. 21.
(d) S.I. 1953/1671 (1953 I, p. 94).
(e) S.I. 1957/597 (1957 I, p. 142).
(f) S.I. 1960/2214 (1960 I, p. 291).
(g) S.I. 1964/2034 (1964 III, p. 5116).
(h) S.I. 1967/1282 (1967 II, p. 3712).
(i) S.I. 1968/1649 (1968 III, p. 4471).

(2) The foregoing paragraph shall not apply to expenses in respect of an alien who, when he arrived in the United Kingdom, held—

(*a*) a valid visa for his journey to the United Kingdom; or

(*b*) a current permit of the kind mentioned in Article 4(1)(*b*) of the principal Order (employment permits);

and for the purposes of this paragraph a document purporting to be such a visa or permit shall be treated as genuine unless its falsity is reasonably apparent.

(3) If an alien is granted leave to land before the directions for his removal have been carried out, or he is granted such leave thereafter in consequence of the determination in his favour of an appeal under an Appeals Order (being an appeal against a refusal of leave to land by virtue of which the directions were given or against the directions themselves), no sum shall be demanded under paragraph (1) of this Article for expenses incurred in respect of that alien and any such sum already demanded and paid shall be refunded.

(4) In paragraph (1) of this Article " directions " does not include directions which by virtue of an Appeals Order have ceased to have effect or are for the time being of no effect; and the expenses to which that paragraph applies include expenses in conveying the alien in question to and from the place where he is detained or accommodated unless the journey is made for the purpose of attending an appeal by him under an Appeals Order.

W. G. Agnew.

EXPLANATORY NOTE

(This Note is not part of the Order)

This Order provides for the recovery of certain expenses incurred by the Secretary of State, in respect of an alien directed to be removed from the United Kingdom, from the owners or agents of the ship or aircraft in which he arrived. Its provisions correspond to those in section 21 of the Immigration Appeals Act 1969 in relation to Commonwealth citizens.