STATUTORY INSTRUMENTS

1970 No. 623

ALIENS

DETENTION

The Aliens (Places of Detention) Order 1970

Made - - - 23*rd April* 1970

Coming into Operation 1*st May* 1970

In pursuance of the power conferred upon me by Articles 28(2) and 29 of the Aliens Order 1953(**a**), I hereby make the following Order :—

1.—(1) This Order may be cited as the Aliens (Places of Detention) Order 1970 and shall come into operation on 1st May 1970.

(2) The Aliens (Places of Detention) Order 1954(**b**) and the Aliens (Places of Detention) Order 1962(**c**) are hereby revoked.

2. The places in which aliens shall be detained under the provisions hereinafter mentioned of the Aliens Order 1953, as amended (**d**), shall be—

(*a*) in the case of an alien detained under Article 7(3) of the said Order (which provides for the examination of aliens seeking to land in the United Kingdom) or under Article 8(4) of the said Order (which relates to aliens to whom leave to land has been refused)—

(i) any place used by an immigration officer for the purposes of his functions at the port at which the alien is seeking to land or has been refused leave to land, as the case may be ; or

(ii) any place specially provided for the purpose of detention at any port or at Government Buildings, Colnbrook By-Pass, Harmondsworth, Middlesex ; or

(iii) any premises on which appeals under Part II of the Aliens (Appeals) Order 1970(**e**) are heard or any place specially provided for the purpose of detention in the vicinity of such premises ; or

(iv) any police station, prison, remand home or remand centre ;

(*b*) in the case of an alien detained under Article 8(4) of the said Order as applied by Article 9 thereof (which paragraph, as so applied, relates to aliens who have landed unlawfully in the United Kingdom and to certain alien seamen), any such place as is mentioned in sub-paragraph (*a*)(ii), (iii) or (iv) above ;

(*c*) in the case of an alien detained under Article 21(4) of the said Order by reason of the giving of a certificate by a court recommending the making of a deportation order, any such place as is mentioned in sub-paragraph (*a*)(iv) above ;

(**a**) S.I. 1953/1671 (1953 I, p. 94). (**b**) S.I. 1954/395 (1954 I, p. 120).
(**c**) S.I. 1962/1301 (1962 II, p. 1392).
(**d**) The relevant amending instrument is S.I. 1970/151 (1970 I, p. 663).
(**e**) S.I. 1970/151 (1970 I, p. 663).

(*d*) in the case of an alien detained under the said Article 21(4) by reason of the making of a deportation order, any such place as is mentioned in sub-paragraph (*a*)(iii) or (iv) above.

3. An alien shall not be detained under the provisions aforesaid for more than five days elsewhere than in a prison, remand home or remand centre :

Provided that this paragraph shall not apply—

(*a*) to detention in the place specially provided at Government Buildings, Colnbrook By-Pass, Harmondsworth, Middlesex, for the purpose of detention ; or

(*b*) in Scotland to detention in legalised police cells within the meaning of section 14 of the Prisons (Scotland) Act 1952(**a**).

James Callaghan,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
23rd April 1970.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order consolidates with amendments the Orders mentioned in Article 1(2) relating to the places in which aliens detained under different provisions of the Aliens Order 1953 may be detained. Under this Order, aliens may be detained at the places mentioned in the Orders hereby revoked and in addition, except in the case of dentention by virtue of a recommendation by a court for deportation, at or in the vicinity of premises used for hearing immigration appeals. (The Government Buildings at Harmondsworth referred to in Articles 2 and 3 include premises which are intended to be used for the hearing of immigration appeals at London Airport.) In the case of aliens undergoing examination while seeking leave to land, the places in which they may be detained are extended to include all places in which aliens refused leave to land may be detained.

(**a**) 1952 c. 61.

SI 1970/ 623
ISBN 0-11-000623-2

