

ANNO SEXTO

GULIELMI IV. REGIS.

****

CAP. XI.

An Act for the Registration of Aliens, and to repeal an Act passed in the Seventh Year of the Reign of His late Majesty for that Purpose.

[19th *May* 1836.]

WHEREAS in the Seventh Year of the Reign of His late Majesty an Act was passed, intituled *An Act for the Registration of Aliens:* And whereas it is expedient that the said Act should be repealed, and that Provisions in respect of Aliens should be made in lieu of the Regulations therein contained: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act shall be and is hereby repealed. 7 G. 4. c. 54. repealed.

II. And be it further enacted, That the Master of every Vessel which after the Commencement of this Act shall arrive in this Realm from Foreign Parts shall immediately on his Arrival declare in Writing to the Chief Officer of the Customs at the Port of Arrival whether there is, to the best of his Knowledge, any Alien on board his Vessel, and whether any Alien hath, to his Knowledge, landed therefrom at any Place within this Realm, and shall in his said Declaration specify the Number of Aliens (if any) on board his Vessel, or who have, to his Knowledge, landed therefrom, and their Masters of Vessels arriving from Foreign Parts to declare what Aliens are on board or have landed from their Vessels

Penalty for Omission or Declaration.

Names, Rank, Occupation, and Description, as far as he shall be informed thereof; and if the Master of any such Vessel shall refuse or neglect to make such Declaration, or shall wilfully make a false Declaration, he shall for every such Offence forfeit the Sum of Twenty Pounds, and the further Sum of Ten Pounds for each Alien who shall have been on board at the Time of the Arrival of such Vessel, or who shall have, to his Knowledge, landed therefrom within this Realm, whom such Master shall wilfully have refused or neglected to declare; and in case such Master shall neglect or refuse forthwith to pay such Penalty, it shall be lawful for any Officer of the Customs, and he is hereby required, to detain such Vessel until the same shall be paid: Provided always, that nothing herein before contained shall extend to any Mariner actually employed in the Navigation of such Vessel during the Time that such Mariner shall remain so actually employed.

Not to extend to Foreign Mariners navigating the Vessel.

Alien on Arrival from Abroad to declare his Name, Description, &c. and produce his Passport.

III. And be it further enacted, That every Alien who shall after the Commencement of this Act arrive in any Part of the United Kingdom from Foreign Parts shall immediately after such Arrival present and show to the Chief Officer of the Customs at the Port of Debarkation, for his Inspection, any Passport which may be in his or her Possession, and declare in Writing to such Chief Officer, or verbally make to him a Declaration, to be by him reduced into Writing, of the Day and Place of his or her landing, and of his or her Name, and shall also declare to what Country he or she belongs and is subject, and the Country and Place from whence he or she shall then have come; which Declaration shall be made in or reduced into such Form as shall be approved by One of His Majesty's Principal Secretaries of State; and if any such Alien coming into this Realm shall neglect or refuse to present and show any Passport which may be in his or her Possession, or if he or she shall neglect or refuse to make such Declaration, he or she shall forfeit the Sum of Two Pounds.

Officer of Customs to register the Declaration, and deliver a Certificate to the Alien.

IV. And be it further enacted, That the Officer of the Customs to whom such Passport shall be shown and Declaration made shall immediately register such Declaration in a Book to be kept by him for that Purpose (in which Book Certificates shall be printed in Blank, and Counterparts thereof, in such Form as shall be approved by One of His Majesty's Principal Secretaries of State), and shall insert therein the several Particulars by this Act required in proper Columns, in both Parts thereof, and shall deliver one Part thereof to the Alien who shall have made such Declaration.

Officer of Customs to transmit Declaration, &c. to Secretary of State.

V. And be it further enacted, That the Chief Officer of the Customs in every Port shall within Two Days transmit a true Copy of the Declaration of every Master of a Vessel, and a true Copy of every such Certificate, if in *Great Britain*, to One of His Majesty's Principal Secretaries of State, and if such Alien shall have arrived from any Foreign Country in *Ireland* he shall transmit a true Copy of such Declaration and of such Certificate to the Chief Secretary for *Ireland*.

VI. And

Certificate of Alien departing the Realm to be transmitted to Secretary of State.

VI. And be it further enacted, That any Alien about to depart from this Realm shall before his or her Embarkation deliver any Certificate which he or she shall have received under the Provisions of this Act to the Chief Officer of the Customs at the Port of Departure, who shall insert therein that such Alien hath departed this Realm, and shall forthwith transmit the same to One of His Majesty's Principal Secretaries of State, or to the Chief Secretary for *Ireland*, as the Case may be, in like Manner as herein-before is directed in respect to the Certificate given to an Alien on his or her Arrival in this Realm.

New Certificates to be issued in lieu of such as are lost.

VII. And be it further enacted, That if any Certificate issued to any Alien by virtue of this Act shall be lost, mislaid, or destroyed, and such Alien shall produce to One of His Majesty's Justices of the Peace Proof thereof, and shall make it appear to the Satisfaction of such Justice that he or she hath duly conformed with this Act, it shall be lawful for such Justice and he is hereby required to testify the same under his Hand, and such Alien shall thereupon be entitled to receive from One of His Majesty's Principal Secretaries of State, or from the Chief Secretary for *Ireland*, as the Case may be, a fresh Certificate, which shall be of the like Force and Effect as the Certificate so lost, mislaid, or destroyed.

Certificate to be granted without Fee.

Penalty.

VIII. And be it further enacted, That all Certificates herein-before required to be given shall be given without Fee or Reward whatsoever; and every Person who shall take any Fee or Reward of any Alien or other Person, for any Certificate, or any other Matter or Thing done under this Act, shall forfeit for every such Offence the Sum of Twenty Pounds; and every Officer of the Customs who shall refuse or neglect to make such Entry as aforesaid, or grant any Certificate thereon, in pursuance of the Provisions of this Act, or shall knowingly make any false Entry, or neglect to transmit the Copy thereof, or to transmit any Declaration of the Master of a Vessel, or any Declaration of Departure, in manner directed by this Act, shall forfeit for every such Offence the Sum of Twenty Pounds.

Penalty for forging Certificates, &c.

IX. And be it further enacted, That if any Person shall wilfully make or transmit any false Declaration, or shall wilfully forge, counterfeit, or alter, or cause to be forged, counterfeited, or altered, or shall utter, knowing the same to be forged, counterfeited, or altered, any Declaration or Certificate hereby directed, or shall obtain any such Certificate under any other Name or Description than the true Name and Description of the Alien intended to be named and described, without disclosing to the Person granting such Certificate the true Name and Description of such Alien, or shall falsely pretend to be the Person intended to be named and described in any such Certificate, every Person so offending shall, upon Conviction thereof before Two Justices, either forfeit any Sum not exceeding One hundred Pounds, or be imprisoned for any Time not exceeding Three Calendar Months, at the Discretion of such Justices.

X. And

Prosecution of Offences.

X. And be it further enacted, That all Offences against this Act shall be prosecuted within Six Calendar Months after the Offence committed; and all such Offences shall be prosecuted before Two or more Justices of the Peace of the Place where the Offence shall be committed, who are required, in default of Payment of any pecuniary Penalty, to commit the Offender to the Common Gaol for any Time not exceeding One Calendar Month, unless the Penalty shall be sooner paid, where such Penalty shall not exceed the Sum of Twenty Pounds, and forthwith to report to One of His Majesty's Principal Secretaries of State, or to Chief Secretary for *Ireland*, as the Case may require, the Conviction of every Offender under this Act, and the Punishment to which he is adjudged; and no Writ of Certiorari or of Advocation or Suspension shall be allowed to remove the Proceedings of any Justices touching the Cases aforesaid, or to supersede or suspend Execution or other Proceeding thereupon.

Not to affect Foreign Ministers or their Servants;

nor Aliens who have been resident Three Years, and obtained Certificate thereof;

nor Aliens under Fourteen Years of Age.

XI. Provided always, and be it further enacted, That nothing in this Act contained shall affect any Foreign Ambassador or other Public Minister duly authorized, nor any Domestic Servant of any such Foreign Ambassador or Public Minister, registered as such according to Law, or being actually attendant upon such Ambassador or Minister; nor any Alien who shall have been continually residing within this Realm for Three Years next before the passing of this Act, or who shall hereafter at any Time complete such Residence of Three Years, and who shall have obtained from One of His Majesty's Principal Secretaries of State, or from the Chief Secretary for *Ireland*, a Certificate thereof; nor any Alien, in respect of any Act done or omitted to be done, who shall be under the Age of Fourteen Years at the Time when such Act was so done or omitted to be done: Provided always, that if any Question shall arise whether any Person alleged to be an Alien, and to be subject to the Provisions of this Act, is an Alien or not, or is or is not subject to the said Provisions or any of them, the Proof that such Person is, or by Law is to be deemed to be, a natural-born Subject of His Majesty, or a Denizen of this Kingdom, or a naturalized Subject, or that such Person, if an Alien, is not subject to the Provisions of this Act or any of them, by reason of any Exception contained in this Act or otherwise, shall lie on the Person so alleged to be an Alien and to be subject to the Provisions of this Act.

Commencement of Act.

XII. And be it further enacted, That this Act shall commence and take effect from and after the First Day of *July* in the present Year.

Act may be altered this Session.

XIII. And be it further enacted, That this Act may be amended, altered, or repealed by any Act to be passed in this present Session of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE, Printers to the King's most Excellent Majesty. 1836.