THE LAWS

OF

THE CAYMAN ISLANDS

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REVISED EDITION

CHAPTER 3

THE ALIENS LAW-

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CHAPTER 3

THE ALIENS LAW

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CHAPTER 3

THE ALIENS LAW

Law 8 of 1961 Jamaica. Cap. 10.

[Parts I-IV 11th September, 1961] [Part V 28th September, 1871]

PART I. Preliminary

1. This Law may be cited as the Aliens Law.

Short title.

2. In this Law-

Interpretation.

- "embark" includes departure by any form of conveyance;
- "Health Officer" means the Government Medical Officer in the Islands or any registered medical practitioner appointed by the Administrator to be a Health Officer for the purposes of this Law;
- "keeper", where used in relation to premises where accommodation is provided for reward, includes any person who for reward, receives any other person to lodge in the premises either on his own behalf or as a manager or otherwise on behalf of any other person;
- "lands" includes arrival or entry by any form of conveyance, and references to landing shall, unless the context otherwise implies, be deemed to include references to attempting to land;
- "member of a crew" means any person employed in the working or service of a vessel;
- "passenger" means any person, other than a seaman, travelling or seeking to travel on board a vessel;
- "port" includes any place where a person lands in or embarks from the Islands;
- "residence" means ordinary dwelling-place and, where an alien has more than one dwelling-place, each of such dwellingplaces; and "resident" has a corresponding meaning;

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"seaman" means an officer or member of the crew of a vessel;

"vessel" includes aircraft and "master of a vessel" includes the pilot of an aircraft.

Retention of nationality.

- 3. For the purposes of this Law-
- (a) where an alien is recognized as a national by the law of more than one foreign State, or where for any reason it is uncertain what nationality (if any) is to be ascribed to an alien, that alien may be treated as the national of the State with which he appears to be most closely connected for the time being in interest or sympathy, or as being of uncertain nationality or of no nationality;
- (b) where a deportation order under this Law is in force against any person, that person shall, unless the Administrator otherwise directs, be deemed to retain his nationality as at the date of the order, notwithstanding any intervening naturalization, registration or any other event.

Appointment of immigration officers.

- 4. (1) The Administrator may appoint a Chief Immigration Officer and also immigration officers for all or any specified parts of the Islands for the purpose of carrying out the provisions of this Law and of any other Law relating to immigration or deportation.
- (2) Subject to any special or general instructions issued by the Administrator, officers appointed under this Law shall have power to enter or board any vessel and to detain and examine any person arriving at or leaving any port in the Islands who is reasonably supposed to be an alien, and to require the production of any documents by such person, and shall have such other powers and duties as are conferred upon them by or under this Law or as may be prescribed for giving effect to this Law.

PART II. Admission of Aliens

Restriction on landing of aliens.

5. (1) Subject to such exemptions as may be made by the Administrator under section 17, an alien coming from outside the Islands shall not land in the Islands except with the leave of an immigration officer.

- (2) The Administra of aliens from landing so to do.
- 6. Leave shall not unless—
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- (b) if desirous of Islands, he prissued to the
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made by the Adg from outside the ith the leave of an

- (2) The Administrator may by order prohibit any alien or class of aliens from landing if he deems it conducive to the public good so to do.
- 6. Leave shall not be given to an alien to land in the Islands Eligibility to unless-
 - (a) he is in a position to support himself and his dependants;
- Unganga barra if desirous of entering the service of an employer in the Islands, he produces a permit in writing for his engagement issued to the employer by the Administrator;
 - he is not a person of unsound mind or a mentally defective
 - (d) he is not the subject of a certificate given to the immigration officer by a Health Officer that for medical reasons it is undesirable that the alien should be permitted to land;
 - (e) he has not been sentenced in a foreign country for any extradition crime within the meaning of the Extradition Acts, 1870 to 1906;
 - (f) he is not the subject of a deportation order in force under this Law;
 - (g) he has not been prohibited from landing by the Adminis-
 - (h) he is in possession of a visa (unless he is a national of a country with which an agreement for the mutual abolition of visas is in force); and
 - he fulfils such other requirements as may be prescribed.
 - 7. (1) An immigration officer, in accordance with general or Power to special directions of the Administrator, may attach such conditions and vary as he may think fit to the grant of leave to an alien to land in the conditions. Islands, and the Administrator or the Chief Immigration Officer acting under the directions of the Administrator may at any time vary such conditions in such manner as he thinks fit and the alien shall comply with the conditions so attached or varied.

(2) An immigration officer may require an alien, as a condition of granting him leave to land, to give the prescribed security and the Chief Immigration Officer may require an alien, as a condition

of granting a variation of a condition attached to the leave to land, to give the prescribed security.

(3) An alien who fails to comply with any condition attached to the grant of leave to land or imposed by way of variation of any condition so attached, or an alien who is found in the Islands at any time after the expiration of the period limited by any such condition, shall for the purposes of this Law be deemed to be an alien to whom leave to land has been refused.

Furnishing of security.

- 8. (1) Whenever security has to be furnished by an alien under this Law such security shall be in the form of a deposit made with the Treasurer or with Barclays Bank D.C.O. George Town, Grand Cayman and the amount thereof shall, according to the case, be—
 - (a) fifty pounds if he belongs to Colombia or Venezuela or a country forming part of the continent of America to the north of those countries or to any of the islands of the North Atlantic Ocean;
 - (b) seventy pounds if he belongs to a country forming part of the continent of America to the south of Colombia or Venezuela, or to a country forming part of the continent of Europe or of Africa;
 - (c) one hundred pounds if he belongs to any other country:

Provided that in special cases, to be approved by the Administrator, the alien may give a security bond with one or more sureties acceptable to the Chief Immigration Officer.

(2) Any sum deposited under subsection (1) may be applied in meeting any charges incurred by public funds for the maintenance of the alien or his dependants or incurred otherwise in connection with him or them while in the Islands or for his or their deportation or repatriation and the balance, if any, or the whole, if no part is applied as aforesaid, shall be refunded only upon the fulfilment of the conditions attached to the grant of leave to land or imposed by way of variation of such conditions, and upon the alien leaving the Islands within the period limited by such conditions, or upon the cancellation of the conditions by the Administrator.

Inspection and detention of aliens.

9. (1) An immigration officer or a Health Officer may inspect any alien seeking to land in the Islands and any such inspection shall be made as soon as practicable after his arrival.

- (2) For the purpo porarily and, provi inspection, shall be may be detained in and while so detaine
- (3) An alien land seaman who, havin his vessel's stay in p of being about to a standing any interv as the Administrat section (5), or othe Law, and whilst so
- (4) Where leave with the leave of as shore and detained and whilst so detain not to have landed.
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) may be applied in for the maintenance erwise in connection or their deportation whole, if no part is pon the fulfilment of land or imposed by the alien leaving the ditions, or upon the ator.

Officer may inspect any such inspection ival.

- (2) For the purpose of such inspection an alien may land temporarily and, provided he submits himself forthwith to such inspection, shall be deemed not to have landed. Any such alien may be detained in such manner as the Administrator may direct and while so detained shall be deemed to be in legal custody.
- (3) An alien landing in contravention of this Law and an alien seaman who, having been granted temporary shore leave during his vessel's stay in port, is reasonably suspected of having acted or of being about to act in contravention of this Law may, notwith-standing any intervening prosecution, be detained in such manner as the Administrator may direct, until dealt with under subsection (5), or otherwise in accordance with the provisions of this Law, and whilst so detained shall be deemed to be in legal custody.
- (4) Where leave to land is refused to an alien, that alien may, with the leave of an immigration officer, be placed temporarily on shore and detained at some place approved by the Administrator and whilst so detained shall be deemed to be in legal custody, and not to have landed.
- (5) (a) Any alien to whom this subsection applies shall be removed from the Islands by the master of the vessel in which he arrived, or, if directions for the purpose are given by the Administrator or an immigration officer, by the owner or agents of that vessel, to the country of which he is a national or from which he embarked for the Islands, or where (if a seaman) he was engaged.
- (b) It shall be lawful (notwithstanding any intervening prosecution) for an immigration officer or any constable to place any alien to whom this subsection applies on board the vessel in which he arrived in the Islands or on board any vessel belonging to the same owners for removal from the Islands.
 - (c) This subsection shall apply to-
 - (i) any alien to whom leave to land has been refused;
 - (ii) any alien who, not having been granted leave to land, is found on shore in the Islands;
 - (iii) any alien seaman who having been granted temporary shore leave during his vessel's stay in port is reasonably suspected of having acted or of being about to act in contravention of this Law:

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Provided that this subsection shall not apply if a period exceeding nine months has elapsed since the date of the last arrival of the alien in the Islands.

- (6) The master of any vessel arriving at a port in the Islands may detain on board any alien until inspected or landed for inspection under this section, and shall on the request of an immigration officer so detain any alien arriving in that vessel, whether seaman or passenger, to whom leave to land has been refused by an immigration officer, and any alien so detained shall be deemed to be in legal custody.
- (7) Any alien landing or embarking at any place in the Islands shall, on being required to do so by an immigration officer or any constable acting under general or special directions of the Administrator, make a declaration as to whether or not he is carrying or conveying any letters, written messages or memoranda, or any written or printed matter, including plans, photographs and other pictorial representations, and, if so required, shall produce to the immigration officer or constable any such letters, messages, memoranda or written or printed matter, and the immigration officer or constable may search any such alien and any baggage belonging to him or under his control with a view to ascertaining whether the alien is carrying or conveying any such letters, messages, memoranda or written or printed matter, and may examine and detain, for such time as he may think proper for the purpose of such examination, any letters, messages, memoranda or written or printed matter produced to him or found on such search.

Master to furnish returns.

- 10. (1) The master of any vessel landing or embarking passengers coming from or bound for a destination outside the Islands at any port in the Islands shall furnish, to an immigration officer, in such manner as may be prescribed, a return giving the prescribed particulars with respect to any passengers who are aliens, and every passenger shall furnish to the master of the vessel any information required by him for the purpose of the return.
- (2) The master of any vessel arriving at any port in the Islands from a port outside the Islands shall furnish, to such person and in such manner as may be prescribed, a return giving the prescribed particulars with respect to any members of the crew who are aliens.

PART III.

- 11. (1) An alien s as to registration—
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 - (b) he shall fur any circums the particula of registratic occurred, a officer all i immigration necessary for under this I
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iny port in the Islands to such person and in giving the prescribed te crew who are aliens.

PART III. Supervision and Deportation of Aliens

- 11. (1) An alien shall comply with the following requirements Registration. as to registration-
 - (a) he shall, as soon as may be, furnish to an immigration officer particulars to the matters set out in the First Schedule, and First shall, unless he gives a satisfactory explanation of the circumstances which prevent his doing so, produce to the immigration officer either a passport furnished with a photograph and duly issued to him or some other document satisfactorily establishing his nationality and identity;
 - (b) he shall furnish to an immigration officer particulars of any circumstance affecting in any manner the accuracy of the particulars previously furnished by him for the purpose of registration within seven days after the circumstance has occurred, and generally shall supply to the immigration officer all information (including, where required by the immigration officer, a recent photograph) that may be necessary for maintaining the accuracy of the register kept under this Law;
 - (c) he shall—
 - (i) on his registration, obtain from an immigration officer a registration certificate;
 - (ii) on every subsequent alteration or addition of any entry in the register relating to his registration, produce the certificate to an immigration officer in order that, if necessary, a corresponding alteration or addition may be made in the certificate;
 - (iii) produce the certificate upon demand to any constable or immigration officer or any other person authorized by the Administrator for the purpose.
- (2) A registration certificate shall be in such form and shall contain such particulars as may be prescribed.
- (3) If an alien who is required under this section to register or report is lodging with, or living as the member of the household of, any other person, it shall be the duty of that person to take steps, either by giving notice to the immigration officer of the presence of the alien in his household or otherwise, to secure compliance with

Schedule.

the terms of this Law in respect of the registration of or reporting by the alien.

- (4) The provisions of this section shall not apply to—
- (a) any person under the age of sixteen years;
- (b) any alien not resident in the Islands who has been in the Islands for a period not longer than such period as may be prescribed;
- (c) any alien seaman not resident in the Islands whose vessel remains at a port in the Islands and does not land in the Islands for discharge.

Particulars to be furnished by hotel keepers and others.

- 12. (1) It shall be the duty of the keeper of any premises to which this section applies to keep a register of all persons staying at the premises who are aliens not being under the age of sixteen years.
- (2) The keeper of any premises to which this section applies shall, on the arrival of any alien not being under the age of sixteen years at the premises, ascertain and enter or cause to be entered in the register kept for the purpose the name and nationality of such alien, together with the date of his arrival and the address from which he last came; and on the departure of any such alien the keeper of the premises shall enter or cause to be entered in the register the date of departure and destination on departure of the alien, and if required by the Administrator in Council he shall also ascertain and enter in the register from time to time such other particulars concerning the alien as the Administrator in Council may direct.
- (3) The keeper of any premises to which this section applies shall also, if directions for the purpose are issued by the Administrator in Council, make to the immigration officer such returns concerning the persons staying at the premises, at such time or intervals and in such form, as may be specified in such directions.
 - (4) It shall be the duty-
 - (a) of every person (whether an alien or not) staying at any premises to which this section applies to sign, when so required, a statement as to his nationality and, if an alien, to furnish and sign a statement of the particulars required under this section;

- (b) of the keeper of require any pestatement and under this section any statements keeper of the date when the
- (5) Every register lasection shall at all a any constable or by authorized by the Ad
- (6) The Administration is to be kept or states
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- of the keeper of any premises to which this section applies to require any person who stays at the premises to sign the statement and furnish the particulars required from him under this section and to preserve such statements (including any statements supplied under this section to any previous keeper of the premises) for a period of two years from the date when the statements were signed.
- (5) Every register kept, and all particulars furnished, under this section shall at all reasonable hours be open for inspection by any constable or by any immigration officer or by any person authorized by the Administrator.
- (6) The Administrator may prescribe the form in which a register is to be kept or statements furnished under this section.
- (7) This section applies to any premises, whether furnished or unfurnished, where lodging or sleeping accommodation is provided for reward.

13. (1) There shall be provided and maintained by the Chief Register of Immigration Officer under the directions of the Administrator a central register of aliens in which there shall be registered particulars as to the matters set out in the First Schedule and such other par- First ticulars and in such form as may be prescribed.

Schedule.

- (2) (a) For the purposes of this Law the Chief Immigration Officer shall be the registration officer for the Islands and such other officers as may be appointed by the Administrator shall be District Registration officers for any district or other parts of the Islands.
 - (b) A registration officer shall—
 - (i) keep for his registration district a register of the aliens resident therein and required to be registered under this Law, and enter in the register particulars as to the matters set out in the First Schedule and such other particulars and in such form as may be prescribed;
 - (ii) furnish to the Chief Immigration Officer for the purposes of the central register at such times and in such manner as may be prescribed, copies of all entries in the register or such of them as may be prescribed; and

(iii) supply registration certificates to alies in accordance with the provisions of this Law and on such terms as In Dayment or otherwise as may be prescribed.

Special restrictions.

14. The Administrator may by order impose on and alien or class of aliens such restrictions (either in addition to or in substitution for the other restrictions imposed by this Law us to residence, reporting to the police, registration, the use or possession of any machine, apparatus, arms and explosives, or other zericles, or otherwise, as he may deem to be necessary in the public interest, and any alien in relation to whom any such order is made shall comply with the terms of the order.

Deportation orders.

- 15. (1) The Administrator may, in any of the cases mentioned in subsection (6) make an order (in this Law referred to as "a deportation order") requiring an alien to leave and to remain thereafter out of the Islands.
- (2) A deportation order may be made subject to any condition which the Administrator may think proper.
- (3) An alien with respect to whom a deportation order is made shall leave the Islands in accordance with the order and shall thereafter so long as the order is in force remain out of the Islands.
- (4) An alien with respect to whom a deportation order is made or a certificate is given by a court with a view to the making of a deportation order may be detained in such manner as may be directed by the Administrator and may be placed on board a vessel about to leave the Islands and shall be deemed to be in legal custody whilst so detained and until the vessel finally leaves the Islands.
- (5) The master of a vessel about to call at any port outside the Islands shall, if so required by the Administrator or by an immigration officer, receive an alien against whom a deportation order has been made and his dependants, it am, on board the vessel, and afford him and them a passage to that port and proper accommodation and maintenance during the passage.
- (6) A deportation order may be made in any of the following cases-

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(a) if any court certifies to the Administrator that the alien has been convicted, either by that court or by any inferior court from which the case of the alien has been brought by way of appeal, of any of the offences specified in the Second Second Schedule and that the court recommends that a deportation order should be made in his case either in addition to or in lieu of sentence:

- (b) if a court certifies to the Administrator that an alien has been convicted by that court of an offence under this Law;
- (c) if the alien has become a charge on public funds or if the alien has been found wandering without ostensible means of subsistence or has been living in insanitary conditions due to overcrowding;
- (d) if the Administrator deems it to be conducive to the public good to make a deportation order against the alien.
- (7) Where any case in which a court has made a recommendation for deportation is brought by way of appeal against conviction or sentence before a higher court and that court certifies to the Administrator that it does not concur in the recommendation, such recommendation shall be of no effect but without prejudice to the power of the Administrator to make an order of deportation under paragraph (d) of subsection (6).
- 16. Where a deportation order is made in the case of any alien Expenses of the Administrator may, if he thinks fit, apply any money or property of the alien in payment of the whole or any part of the expenses of or incidental to the voyage from the Islands and of the maintenance until departure of the alien and his dependants (if any).

PART IV. General

17. The Administrator may direct that any person or class of Power to persons shall be exempt either unconditionally or subject to such exemptions. conditions as the Administrator may impose from all or any of the provisions of this Law.

18. (1) Every person landing in the Islands shall be in possession Documents of of a passport furnished with a photograph and duly issued to him furnishing of or some other document establishing his nationality and identity information. to the satisfaction of an immigration officer.

(2) Every person landing or embarking in the Islands shall furnish to an immigration officer such information in such manner as may be prescribed.

Revocation and variation of orders, etc. 19. Any order made, directions or instructions given, or conditions imposed by the Administrator or by an immigration officer or other person under this Law may be revoked or varied either wholly or in part by any subsequent order, direction, instruction or condition.

Offences and penalties.

- 20. (1) Any person who-
- (a) contravenes any provisions of this Law or any order or regulations made or conditions imposed or directions given thereunder; or
- (b) being an alien, has landed in the Islands in contravention of section 5 and is at any time found within the Islands, shall be guilty of an offence against this Law.
- (2) If any person aids or abets any person in any contravention of this Law, or knowingly harbours any person whom he knows or has reasonable ground for believing to have acted in contravention of this Law, he shall be guilty of an offence against this Law.
- (3) Where a person lands in contravention of this Law the master of the vessel from which he lands shall, unless he proves the contrary, be deemed to have aided and abetted the offence.
- (4) Any person shall be guilty of an offence against this Law if he—
 - (a) makes or causes to be made any false return, false statement or false representation; or
 - (b) alters any certificate or copy of a certificate or any entry made in pursuance of this Law; or
 - (c) obstructs or impedes any immigration officer or other person lawfully acting in the execution of the provisions of this Law in the exercise of his powers or duties under this Law; or

- (d) without lawful forged, altered document or a or endorsemen
- (5) Any person wh be liable on summary exceeding one hund not exceeding six most to or in lieu of any s into recognizances v provisions of this L direct.
- (6) If any person requiring him to enthim to be imprisone
- (7) Proceedings for making or of causing presentation, false r causing to be furn at any time within return, information were discovered to
- (8) For the purp this Law, the offeeither at the place any place in which
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- (d) without lawful authority uses or has in his possession any forged, altered, or irregular certificate, passport or other document or any passport or document on which any visa or endorsement has been altered or forged.
- (5) Any person who is guilty of an offence against this Law shall be liable on summary conviction before the Magistrate to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding six months, and the Magistrate may either in addition to or in lieu of any such punishment require such person to enter into recognizances with or without sureties to comply with the provisions of this Law or such provisions as the Magistrate may direct.
- (6) If any person fails to comply with an order of the Magistrate requiring him to enter into recognizances, the Magistrate may order him to be imprisoned for any term not exceeding six months.
- (7) Proceedings for an offence under this Law which consists of making or of causing to be made any false statement, false representation, false return or false information, or of furnishing or of causing to be furnished any false particulars, may be instituted at any time within six months after the statement, representation, return, information or particulars, as the case may be, was or were discovered to be false.
- (8) For the purpose of the trial of a person for any offence under this Law, the offence shall be deemed to have been committed either at the place in which the same actually was committed or at any place in which the offender may be.
- (9) Where any offence under this Law consists of failure to comply with any of the provisions of this Law requiring any particulars to be furnished, or any report or return to be made, or any notice to be given, the offence shall, for the purposes of this Law, be deemed to have continued so long as such failure continues, whether or not any time is specified at or within which the particulars, report, return or statement are to be furnished, made or given.
- 21. Any person who acts in contravention of this Law or is Powers of reasonably suspected of having so acted or being about so to act, arrest.

may be taken into custody without warrant by an immigration officer or by any constable.

Regulations.

- 22. (1) The Administrator in Council may make regulations for prescribing anything which is by this Law to be prescribed and generally for carrying the purposes or provisions of this Law into effect.
- (2) Without prejudice to the generality of the power conferred by subsection (1), regulations may be made under this section authorizing the taking in relation to any alien who is in custody of all such steps as may be necessary for photographing, measuring, taking the fingerprints of, or otherwise identifying, that person in such manner as may be provided by the regulations.

Saving for consuls, etc.

23. Nothing in this Law shall be construed as imposing any restriction or disability on any duly accredited foreign consul or vice-consul and the wife and child of any such consul or vice-consul or any member of his official staff.

Directions may be amended, varied or repealed.

24. Any directions or regulations made under the provisions of this Law may be subsequently amended, varied or repealed by directions or regulations issued by the Administrator in Council.

Third and Fourth Schedules.

25. Until such time as directions and regulations are made under the provisions of this Law the several directions and regulations contained in the Third and Fourth Schedules shall be deemed to be the directions and regulations issued under this Law, and may be amended, varied or repealed in like manner as directions and regulations may be amended, varied or repealed under this Law.

Cap. 10.

PART V. Aliens' Property

Capacity of an alien as to property. 26. Real and personal property of every description may be taken, acquired, held and disposed of by an alien in the same manner in all respects as by a natural born British subject, and a title to real and personal property of any description may be derived through, from or in succession to an alien in the same manner in all respects as through, from or in succession to a natural born British subject:

Provided that the

- (a) entitle an alien except such reare hereby ex
- (b) affect any esta which any mediately or pursuance of Law 16 of 187 by Law, on the of June, 1871

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- 4. Profession or oc
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y description may be an alien in the same British subject, and a ription may be derived the same manner in on to a natural born

Provided that this section shall not-

- (a) entitle an alien to any right or privilege as a British subject, except such rights and privileges in respect of property as are hereby expressly given to him;
- (b) affect any estate or interest in real or personal property to which any person has or may become entitled either mediately or immediately in possession or expectancy, in pursuance of any disposition made before the passing of Law 16 of 1871 of Jamaica, or in pursuance of any devolution by Law, on the death of any person dying before the 2nd day of June, 1871.

27. Nothing in this Part shall qualify an alien to be the owner Saving as to British ships. of a British ship.

FIRST SCHEDULE

(Sections 11 and 13)

Particulars of Registration to be furnished

- 1. Name in full and sex.
- 2. Present nationality and how and when acquired and previous nationality (if any).
- 3. Date and country of birth.
- 4. Profession or occupation.
- 5. Date, place and mode of arrival in the Cayman Islands.
- 6. Address of residence in the Cayman Islands.
- 7. Address of last residence outside the Cayman Islands.
- 8. Photograph (which, if not furnished by the alien, may be taken by the immigration officer).
- 9. Government services, name of country served, nature and duration of service, and rank or appointments held.
- 10. Particulars of passport or other document establishing nationality and identity.
- 11. Signature (which, if required, shall be in the characters of the alien's nationality) and finger-prints if required.
- 12. Any other matters of which particulars are required by the immigration officer.

SECOND SCHEDULE

(Section 15)

Offences in respect of which a Court may recommend a Deportation Order

- 1. Any offence for which the Court has power to impose imprisonment without the option of a fine.
- 2. Any offence under-
- Cap. 155.
- (a) the Seditious Meetings Law;
- Cap. 151.
- (b) the Riot Act;
- (c) any Law for the time being in force relating to sedition or to seditious publications.
- Cap. 35.
- 3. Any offence under Part I of the Defamation Law.
- Cap. 7.
- 4. Any offence under, or any breach of, the provisions of the Bankruptcy Law.
- Cap. 22.
- 5. Any offence of the nature referred to in section 169 of the Companies Law.
- Cap. 60.
- 6. Any offence under section 4 or 20 of the Gambling Law.
- Cap. 180.
- 7. Any offence under the Vagrancy Law on conviction whereof the person convicted is deemed to be a vagrant, an idle or disorderly person, a rogue and vagabond or an incorrigible rogue.
- Cap. 32.
- 8. Any offence under any Law for the time being in force relating to the sale of drugs and poisons or relating to ganja or other dangerous drugs.

THIRD SCHEDULE

(Section 25)

DIRECTIONS

PART I

The Aliens (General) Directions

(Section 7 (1))

Short title.

1. These Directions may be cited as the Aliens (General) Directions, and shall apply to every alien landing in the Islands except a cruise passenger within the meaning of the Aliens (Cruise Passengers) Directions.

Unconditional leave to land.

- 2. An immigration officer may grant unconditional leave to land to-
- (a) any duly accredited foreign Consul or Vice-Consul and the wife and child or any such Consul or Vice-Consul or any member of his official staff;

- (b) a resident alivate not exceeding paragraph an of two years—
 - (i) otherw
 - (ii) who has grant of shall be regard
- (c) an alien in 1 that his stay
- 3. (1) Where an shall endorse on the of a passport of such has been granted stamp.
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CAP. 3

(Section 15)

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(Section 25)

(Section 7 (1))

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leave to land toinsul and the wife or any member of

- (b) a resident alien returning to the Islands after a visit abroad not exceeding two years in duration. For the purposes of this paragraph an alien who has lived in the Islands for a period of two years-
 - (i) otherwise than under a conditional leave to land; or
 - (ii) who has been released from the condition attached to the grant of leave to land,

shall be regarded as a resident alien:

- an alien in respect of whom an Immigration Officer is satisfied that his stay in the Islands will be of short duration.
- 3. (1) Where an alien is granted leave to land an immigration officer Condition shall endorse on the passport or other document of identification in lieu which leave of a passport of such alien the condition subject to which leave to land to land has been granted and shall impress below such endorsement his date has been stamp.

- (2) One or other of the following forms of condition of leave to land shall, where applicable, be used—
- (a) Time Condition Permitted to land in the Cayman Islands on condition that the holder remains not longer than.....
 - Time and No Employment Condition Permitted to land in the Cayman Islands on condition that the holder remains not longer than......and does not engage in any form of employment in the Cayman Islands.
- (c) In Transit Condition Landed on condition of direct transit through the Cayman Islands to.....
- 4. (1) The Time Condition specified in paragraph (2) (a) of direction 3 Alien shall be used in the case of an alien who has permission to enter into entering ememployment in the Islands and the period in respect of which leave to the Islands. land is granted shall not exceed twelve months. For example, a concert artist who has been granted permission to give a performance might be given leave to land for one month, while a mechanic who has permission to install imported machinery might be granted leave to land for a few months. In the case of persons coming to the Islands to work for an indefinite time, such as a teacher for a Mission School or a specialist taking employment in a local firm leave to land for twelve months should be granted.

- (2) At the expiration of such period an alien wishing to remain longer would be required to apply to the Chief Immigration Officer for an extension of the period and the Chief Immigration Officer would require to be satisfied that the alien is still engaged upon the work for which he came and that it is in the interest of the public that he should remain longer in the Islands.
- (3) No extension shall be granted for more than twelve months at any one time and at the end of such further period the Chief Immigration Officer shall, in accordance with the special directions of the Administrator, either grant or refuse a further extension of the period or revoke the condition.

The Time and No Employment Condition.

- 5. (1) The Time and No Employment Condition shall be used in the case of aliens not covered by paragraph (1) of direction 4 who—
 - (i) are not in transit; and
 - (ii) are not entitled to be granted unconditional leave to land.
- (2) The following are examples of aliens who should be landed upon this condition—
 - (a) the representative of a firm on a short visit in connection with the business of such firm;
 - (b) a holiday-maker coming for a visit of not more than a few months;
 - (c) a person coming on a short visit to a relative;
 - (d) a student coming to enter an educational institution in the Islands;
 - (e) a person coming to reside permanently in the Islands.

Aliens coming within paragraphs (2) (a), (2) (b) or (2) (c) of direction 5.

6. (1) In the case of an alien coming within the categories specified in paragraphs (2) (a), (2) (b) or (2) (c) of direction 5 when an immigration officer is satisfied that such alien has sufficient means to provide for his maintenance and return passage he may land such alien for the period of his proposed visit or for a period of six months, whichever is the shorter.

Any such alien may apply to the Chief Immigration Officer for an extension of such period and the Chief Immigration Officer in his discretion may from time to time extend the period to a maximum of twelve months if he is satisfied—

- (a) that the grounds of the application are reasonable;
- (b) that the alien is not likely to become a charge on public funds;
- (c) that the alien has not entered into any employment;

- (d) that no adve
 - e) that no ques
- 7. (1) An alien before the expiration the Islands maremain permanents shall refer the all by the Administration.
 - (2) The Admir
- 8. (1) In the land such studer satisfies the imm to enter an ed maintenance and
- (2) An alien has made arrar not given any st
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- (4) At the e (1) or (2) the such student is himself in, an of any such pe
- (5) At the Chief Immigr has entered a himself in, an of such period
- 9. Notwith made or con to any partipart by any

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able; on public funds; ment:

(d) that no adverse reports about him have been received;

- that no question as the permanent residence in the Islands by the alien is involved.
- 7. (1) An alien wishing to reside permanently in the Islands shall Aliens before the expiration of the time granted to him to land and remain within parain the Islands make an application to the Chief Immigration Officer to graph (2) (e) remain permanently in the Islands and the Chief Immigration Officer of direction 5. shall refer the application to the Administrator for the consideration by the Administrator in Council.

- (2) The Administrator in Council may grant or refuse such application.
- 8. (1) In the case of an alien student an immigration officer may Alien land such student for the period of twelve months if the alien student students. satisfies the immigration officer that he has made definite arrangements to enter an educational institution which has given bond for the maintenance and removal of all alien students entering such institution.

- (2) An alien student who satisfies the immigration officer that he has made arrangements to enter an educational institution which has not given any such bond may be landed for a period of six months.
- (3) Where an alien student arrives in the Islands without having made arrangements to enter an educational institution the immigration officer may land such student for a period not exceeding two months.
- (4) At the expiration of either of the periods specified in paragraph (1) or (2) the Chief Immigration Officer may, if he is satisfied that any such student is still attending such institution and will be able to maintain himself in, and to pay his passage from, the Islands, grant extensions of any such period not exceeding twelve months at any one time.
- (5) At the expiration of the period specified in paragraph (3) the Chief Immigration Officer may, if he is satisfied that any such student has entered an educational institution and will be able to maintain himself in, and to pay his passage from, the Islands, grant an extension of such period not exceeding twelve months at any one time.
- 9. Notwithstanding the provisions of these Directions any direction Revocation made or condition imposed in relation to aliens generally or in relation or variation to any particular alien may be revoked or varied either wholly or in part by any subsequent direction or condition.

Directions may be superseded. 10. The provisions of these Directions may, in relation to any particular alien or class of aliens, be superseded by any special directions given by the Administrator and notified to the Chief Immigration Officer by letter.

PART II

(Section 7 (1))

The Aliens (United States Tourists) Directions

Short title.

1. These Directions may be cited as the Aliens (United States Tourists) Directions.

Interpretation.

2. In these Directions "United States tourist" means a citizen of the United States of America who has arrived in the Islands by sea or air on a short visit.

Tourists exempted from provisions of section 18 (1).

- 3. Subsection (1) of section 18 of the Law shall not apply to any United States tourist in relation to whom the following conditions are satisfied—
 - (a) he produces on arrival in the Islands a return, round trip or through ticket, whether by air or by sea, showing to the satisfaction of the immigration officer that he is entitled to proceed or be returned to the United States of America, Puerto Rico or the American Virgin Islands at any time within six months of his arrival in the Islands;
 - (b) he satisfies the immigration officer that he is a tourist and does not intend to reside in the Islands for more than six months;
 - (c) he signs a card (in these Directions referred to as a special tourist card) presented to him on his arrival by the immigration officer and complies with the conditions endorsed thereon.

Special tourist card.

4. Every United States tourist to whom by virtue of these Directions subsection (1) of section 18 of the Law does not apply shall keep the special tourist card safely until his departure from the Islands and shall hand such card to the immigration officer on such departure; and when called upon by any immigration officer or constable he shall produce such card at any time during his stay in the Islands.

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PART III

(Section 17)

The Aliens (Exemptions) Directions

- 1. These Directions may be cited as the Aliens (Exemption) Directions. Short title.
- 2. Notwithstanding paragraph (h) of section 6 of the Law no alien—No visa

No visa required in certain cases

- (a) being a citizen of the United States of America who comes to the certain cases. Islands for a visit not exceeding six months in duration; or
- (b) being a passenger in transit and in possession of a ticket to some other country who does not intend to remain in the Islands for a period exceeding fourteen days,

shall be required to be in possession of a visa.

PART IV

(Section 17)

The Aliens (Cruise Passengers) Directions

- 1. These Directions may be cited as the Aliens (Cruise Passengers) Short title. Directions.
- 2. In these Directions "cruise passenger" means any alien arriving upon Intera vessel who intends to remain in the Islands only during the period of pretation. the stay of such vessel in the Islands and to depart from the Islands upon such vessel.
- 3. Subsection (1) of section 18 of the Law shall not apply to any Exemption. cruise passenger.

PART V

(Section 17),

The Aliens (Airline Flight Crew) Directions

Short title.

1. These Directions may be cited as the Aliens (Airline Flight Crew). Directions.

Interpretation.

2. In these Directions "member of an airline flight crew" means any person appointed by the owners or operators of an aircraft being operated on a scheduled international air service to perform duties on such aircraft. during the flight thereof.

Airline flight crew.

- 3. Subsection (1) of section 18 of the Law shall not apply to any alien. member of an airline flight crew who-
 - (a) has in his possession a certificate in the form in the appendix. to these Directions (to which has been affixed a photograph of himself) issued to him by a competent authority of the statewhere the aircraft of the crew of which he is a member has been registered; and
 - (b) satisfies the immigration officer that he intends to remain at the airport where such aircraft has stopped or within the limits of any city adjacent thereto, and to depart by such aircraft on its next outward flight or by some other aircraft on its next regularlyscheduled flight.

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(Section 17),

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FOURTH SCHEDULE

(Section 25)

REGULATIONS

PART I

The Aliens (Forms) Regulations

(Section 22)

Retur

Short title

Return of passengers. Form "A". Appendix I. 1. These Regulations may be cited as the Aliens (Forms) Regulations.

2. (1) The return of passengers landing in the Islands required by subsection (1) of section 10 of the Law shall be made to an immigration officer upon demand and shall be in the Form "A" in Appendix I to these Regulations.

(2) The return of passengers embarking in the Islands required by subsection (1) of section 10 of the Law shall be made to an immigration. officer upon demand and shall be in the Form "B" in Appendix I to these Regulations.

Form "B" Appendix I.

Return of crew. Form "C". Appendix I. Registration certificate.

3. The return of members of the crew of a vessel who are aliens required by subsection (2) of section 10 of the Law shall be in the Form "C" in Appendix I to these Regulations.

4. (1) A registration certificate for the purpose of subsection (2) of section 11 of the Law shall be a booklet upon the outside and inside of the covers and upon the first page of which shall be printed the particulars specified in Appendix II to these Regulations.

(2) There shall be paid in respect of each registration certificate a feeof one shilling.

Register to be kept by keeper of premises. Form "A" Appendix III.

Appendix II.

5. The register required to be kept by the keeper of any premises to which section 12 of the Law applies shall be in the Form "A" in Appendix III to these Regulations.

Central Register. Form "B" Appendix III.

District Register. Form "C" Appendix III.

6. The central register of aliens required to be kept by the Chief Immigration Officer under subsection (1) of section 13 of the Law shall be in the Form "B" in Appendix III to these Regulations.

Disembarkation and embarkation card. Form "D".

7. The register required to be kept in respect of each registration district by a registration officer under subsection (2) of section 13 of the Law shall be in the Form "C" in Appendix III to these Regulations.

Appendix III.

8. Every alien disembarking or embarking in the Islands shall complete and deliver to an immigration officer as required under subsection (2) of section 18 of the Law a card containing the particulars in the Form "D" in Appendix III to these Regulations.

Returns and cards to be forwarded to the Chief Immigration Officer.

9. The immigration officer shall forward the returns and cards to the Chief Immigration Officer.

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FORM "A"

(Regulation 2 (1))

Return of Passengers	Landing	in	the Cayman	Islands
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No.	Surname	Christian Name(s)	Nation- ality	Birth- place	embark- ation	Official Use

Master

FORM "B"

(Regulation 2 (2))

Return of Passengers Embarking in the Cayman Islands

No.	Surname	Christian Name(s)	Nation- ality	Birth- place	Port of embark- ation	For Official Use

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ALIENS LAW

CERTIFICATE OF REGIS-TRATION.

TRATION.

THIS IS NOT A PASSPORT.

You must produce this certificate if required to do so by any member of the Cayman Islands Police Force or any immigration officer.

- 3. A temporary absence of less than three months need not be reported but if such absence exceeds three months you must report your temporary address and all subsequent changes of address (including your home address if you return home) to the Registration Officer where you are registered.
- 4. If you stay in an hotel, lodging house, boarding house or other place where lodging is provided for payment, you must on arrival write your name, nationality and the address from which you have come, and before leaving must write the address to which you intend to go in the register provided for the purpose.
- 5. You must report to the Registration Officer where you are registered within seven days any change in any of the personal particulars given within (including profession or occupation), also marriage, divorce, or death of husband or wife.
- 6. Your children, if not British, must have separate certificates when they reach the age of sixteen.
- 7. The Chief Immigration Officer, and such other Officer as may be appointed by the Administrator, are the Registration Officers for the Cayman Islands.

Failure to comply with any of the above requirements, making any false statement with regard to registration or with regard to this certificate, altering this certificate or any entry upon it, refusing to produce this certificate when legally required to do so, having in possession or using without lawful authority any forged, altered or irregular certificate, passport or other document concerned with registration, will render the offender liable to a fine of one hundred pounds or six months' imprisonment.

REGISTRATION CERTIFICATE

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Name (Surname first in BLOCK LETTERS) Alias	Registration Officer.		
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(Signature of Holder)	Date		
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•••••	Nature of do	cument			No		••••		
				Date of issue					
	Signature of	falien		••••	Date		••••		
•••••	Fingerprints	, when taken, to	be attached	<u> </u>	(Right Hand)	_		
							╛		
		Photog	raph	(Left Hand)					
•		1.000	,						
	Registration	Certificate No.		.Issued at					
		Confidence 140.		•••					
			. •	Signa	ure of Regist	ration Officer	:.		

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FORM	"G"

(Regulation 7)

DISTRICT	REGISTER
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Surname	
Christian name(s)	
Sex	
Present Nationality	
How and when acquired	
Previous Nationality	
Country of Birth	
Date of Birth	
Profession or occupation	
Date, place and mode of arrival in the Cayr	nan Islands
••••••	
Address of residence in the Cayman Islands	•••••
Address of last residence out-	
GOVERNMENT SERVICE:	
Name of country served	
Nature and duration of service	
Rank or appointments held	
Particulars of passport or other document establishing nationality and identity	
Nature of document	No
Issued at	Date of issue
Signature of alien	Date
Fingerprints, when taken, to be attached	(Right Hand)
Photograph	(I -G II I)
Inotograph	(Left Hand)
Registration Certificate No	
Issued at	
Date of issue	
	··············
	Signature of Registration Officer.

1. Name in fu

2. Date and p

3. Nationality

4. Occupation

5. No. and na
Issued at...

6. Names and

7. Permanen

8. Proposed

.

9. Point of

10. Purpose

11. Signature

Place

Date

Permitted to

Remarks....

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(Regulation 7)	Form "	D"	(Regulation 8
	Embarkation/Diseme	BARKATION CARD	ı
	1. Name in full and sex	(IN BLOCK LETTERS)	
		•	
	2. Date and place of Birth		
	3. Nationality	If naturalized	
	(Date)	(Pla	ce)
	4. Occupation		
	5. No. and nationality of Passport		
	Issued at		
	6. Names and ages of accompanying depende		
	7. Permanent Address		
	8. Proposed address during stay	•••••	
	[Embarkation	Date	
	9. Point of { Disembarkation	¥	
	10. Purpose of visit		
No.	11. Signature of passenger		
issue	11. dignature of passenger	***************************************	
Date	(Official use only)	Enc	lorsements
t Hand)	Place		
	Flace	•••••	
Hand)	Date	•••••	
	Permitted to enter for	•••••	
	Remarks		
			······································
		Signature of I	nmigration Officer.
gistration Officer.	/S:	c: 1 /1001 150	

(Size of entire document not more than 4 by 6 inches (102 by 152 millimetres) outside.)

PART II

The Aliens Identification (Photography and Measurement)

Regulations (Section 22)

Short title.

- 1. (1) These Regulations may be cited as the Aliens Identification (Photography and Measurement) Regulations.
- (2) These Regulations shall apply to every alien in custody for any offence against the Aliens Law.

Who may take photographs and measurements.

. 2. Subject to the provisions of these Regulations every alien to whom these Regulations apply may be photographed and measured by any constable or prison officer.

Photographs.

3. The photographs to be taken may include a photograph of the full face, a photograph of the true profile and a full length photograph.

Measurements.

- 4. The measurements to be taken may include—
- (a) his height when standing;
- (b) the size and relative position of every scar and distinctive mark upon any part of his body; and
- (c) the external filament of the fingers and thumbs of each hand which shall be taken by pressing them, first upon an ink plate or pad and then upon paper or cardboard, so as to leave a clear print thereon of the skin surface.

Photographs not to be published. 5. A photograph of a person taken pursuant to these Regulations shall not be published except for the purpose of tracing such person nor shall any photograph be shown to any person other than a constable or servant of the Crown acting in the course of his duty or a person authorized by the constable or servant of the Crown so acting to see it.