

CAYMAN ISLANDS.

LAW 3 OF 1934.

I consent.

[L.S.]

EDWARD DENHAM

Governor.

24th January, 1935.

The Regulation of Immigration Law, 3 of 1934.

[]

WHEREAS it is expedient to enact provisions to regulate the immigration of persons into the Cayman Islands:—

Be it therefore enacted by the Justices and Vestry of the Cayman Islands, in Vestry assembled as follows:—

1—This Law may be cited as the Regulation of Immigration Law, 1934. Short Title.

2—In this Law:—

“Caymanian” means a person born in the Cayman Islands or of parents born therein or of parents, British subjects and resident more than twelve months therein for more than twelve months immediately preceding the dates on which action under this Law is being taken;

Definitions.

“Immigration Officer” means the Visiting Officer, Collector of Customs or Officer acting for them.

“Vessels” include both sea and air craft of every description.

Certain persons
not affected.

3—This Law shall not apply to the following persons.—

- (a) Persons in the Service of the Cayman Islands Administration;
- (b) Officers and Members of the crews of His Majesty's Ships or of the Ships of any Power friendly to His Britannic Majesty;
- (c) Any Members of His Britannic Majesty's Naval, Military, Air, Diplomatic or Consular services;
- (d) Any duly accredited Consul, or Consular Agent;
- (e) Any person or class of persons whom the Governor or Commissioner by an Order made under this Law may exempt, wholly, or in part, and either unconditionally or subject to such condition as he may impose, from the provisions of this Law.

Exemptions.

4—The following persons are exempted from the provision of this Law :—

- (a) Persons of British nationality born within the Cayman Islands;
- (b) Persons of British nationality resident for more than twelve months within the Cayman Islands;
- (c) Persons of British nationality resident outside the Cayman Islands but owners of property within the said islands of an aggregate value exceeding £100;
- (d) Persons of British nationality born of parents born in or resident for more than twelve months within the Cayman Islands;
- (e) Tourists and visitors to the Cayman Islands who prove to the satisfaction of the Immigration Officer at their Port of landing their bona fides as tourists or visitors;

(f) Any person, being one of the officers or crew of any mercantile vessel, provided :—

(1) that he is not discharged in the Cayman Islands;

(2) that he is on board the vessel when she is cleared outwards and leaves the Cayman Islands with her;

(3) that the Immigration Officer may, by notice in writing, under his hand delivered to the master of any such vessel, prohibit the landing in these islands of its crew or any member thereof, unless and until the master shall have executed a bond with two sureties, to be approved by the Immigration Officer, in such sum as the Immigration Officer may determine provided that that sum shall not exceed fifty pounds sterling for each such person;

(g) Any person arriving in the Cayman Islands as a passenger in the course of his journey to any place beyond the Cayman Islands, if he leaves the Cayman Islands with that vessel on her first departure from the Dependency, provided that the Immigration Officer, if he think fit, may require the master or owners of the vessel bringing such intransit passengers to enter into a bond with or without sureties in such sum as the Immigration Officer may determine provided that that sum shall not exceed fifty pounds sterling for each such person.

5—No person other than a British subject born in the Cayman Islands or born outside of parents born therein shall be permitted to land in these islands who :—

Prohibited Immigrants.

(a) is a lunatic, idiot or mentally deficient; or

(b) is a prostitute; or

(c) is likely to become a pauper or a public charge; or

(d) not having received a free pardon, has been convicted in any country of murder or an offence for which a sentence of imprisonment has been passed, and, by reason of the circumstances connected therewith, is deemed by the Commissioner to be an unsuitable person for admission into the Cayman Islands; or

- (e) is deemed by the Commissioner from information received by him, to be an unsuitable person for admission into the Cayman Islands; or
- (f) is shown by evidence which the Commissioner may deem sufficient, to be likely to conduct himself so as to be dangerous to peace and good order in the Cayman Islands or to excite enmity between the people and Government of the Cayman Islands or to intrigue against the Government's authority in the Cayman Islands; or
- (g) is suffering from any disease which in the opinion of the visiting Medical Officer is such as to disqualify him from entry into the Cayman Islands; or
- (h) refuses to comply with the requirements of any Regulations which may be made under this or any other Law in the interests of public health; or
- (i) does not fulfil any other requirements which may be prescribed by Regulations made under this Law.

6—No person coming from a place without the Islands, shall land in these Islands unless and until :—

Passports
necessary.

- (a) He shall have complied with the rules and regulations in accordance with the Passport Law, No. 6 of 1925; and

Deposits to be
paid.

- (b) Shall have deposited with the Immigration Officer such sum, not exceeding fifty pounds, as the Immigration Officer may deem necessary to defray the cost of transporting such person to a place outside the Cayman Islands where he will be permitted to land, or shall deposit with the Immigration Officer good and sufficient security (not exceeding £50) to the satisfaction of the Immigration Officer to indemnify the Administration of the Cayman Islands against any cost which it might be put to in transporting such person from the Cayman Islands and in maintaining him pending such transportation to a place outside the Cayman Islands where he will be permitted to land;

Or sufficient
security.

Moreover no person coming from out of the islands other than the persons mentioned in Sections 3 and 4 shall land or be landed in these islands except at the places specified in the Schedule to this Law.

Certain specified
Ports of entry.

7—The Commissioner or any Officer authorised by him, may subject to confirmation by the Governor, make an Order for the deportation from the Cayman Islands of any person who is not a Caymanian and may by such Order require the person to leave and to remain thereafter out of the Cayman Islands in any of the following cases, namely:—

Deportations
Orders may be
made.

- (a) If any Court in the Cayman Islands has convicted him of an offence and recommends that an Order for deportation be made in his case;
- (b) If any Court certifies within one year of his last entry in the Cayman Islands that he has been found wandering without visible means of subsistence or that he has been sentenced in a foreign country for a crime for which he is liable to be extradited;
- (c) If he is found in the Cayman Islands not having obtained a legal permission to enter the country;
- (d) If, being a traveller or a person holding a transit visa has received permission to remain in the Cayman Islands for a limited period, he remains after the expiration of that period, without having obtained the permission of the Immigration Officer;
- (e) If it is shown to the satisfaction of the Commissioner that he wilfully gave false information to the Immigration Officer, or to any other Officer of the Cayman Islands Government, when applying for permission to enter the Cayman Islands;
- (f) If the Commissioner deems it for any reason to be conducive to the public good to make such an Order.

8—In every case where the Commissioner makes such an Order, the Order may extend to any or all of the dependents not being Caymanian, of the person named therein, who may be found in the Cayman Islands.

To apply to
dependents.

Certain costs
recoverable from
deportee.

9—A person against whom such an Order is made may be expelled from the Cayman Islands and sent to the country of which he is a national and the Commissioner may apply any money or property of such person in payment of the expense of his and his dependents' journey and of their maintenance, until the departure of himself and his dependents.

Conditions

10—An Order made under this Section may be subject to any conditions which the Commissioner may think proper.

Duration of
Deportation
Order.

11—Any person with respect to whom a deportation order has been made shall leave the Cayman Islands in accordance with the order and shall thereafter, so long as the order is in force remain out of the Cayman Islands.

12—(1) The Commissioner may make regulations for carrying into effect the provisions of this Law.

(2) Any regulation or order made or condition imposed by the Commissioner under this Law may be revoked or varied either wholly or in part by any subsequent regulation order or condition.

Offences.

13—Any person landing or being landed in these islands in contravention of any of the provisions of this Law or regulation or order made or conditions imposed thereunder shall be guilty of an offence.

14—Any person who aids or abets any person to contravene any of the provisions of this Law or any regulation or order made or conditions imposed thereunder shall be guilty of an offence against this Law.

15—Any master of any vessel landing or assisting to land any person in contravention of this Law or any order or regulation made or condition imposed thereunder shall be guilty of an offence against this Law.

16—Any person who obstructs or impedes any person in the execution of his duty under this Law or regulation or order made or conditions imposed thereunder shall be guilty of an offence against this Law.

17—Any person guilty of an offence against this Law Penalties. or any regulation made thereunder or contravenes the provisions of any order or condition made or imposed thereunder shall be liable to a fine not exceeding £100 or imprisonment for a period not exceeding 12 months with or without hard labour.

18—Offences against this Law shall be tried summarily Where recoverable. in Petty Sessions before two Justices of the Peace.

19—This Law shall come into operation on a day to be Date of Commencement. appointed by the Commissioner by public notice.

20—Law 5 of 1916 shall be and the same is hereby Repeal. repealed.

SCHEDULE.

Stake Bay, which includes West End, and South Side of Cayman Brac.

Georgetown, which includes North Sound Pier.

A. W. CARDINALL
President.

Passed the Assembly this 30th day of November, 1934.

A. E. PANTON
Clerk of Vestry.