

TRINIDAD AND TOBAGO.

No. 24—1922.

I ASSENT,

[L.S.]

S. H. WILSON,
Governor.

13th November, 1922.

AN ORDINANCE to make provision for the expulsion of
undesirable persons.

[By Proclamation.]

BE it enacted by the Governor of Trinidad and Tobago
with the advice and consent of the Legislative Council
thereof as follows:—

1. This Ordinance may be cited as the Expulsion of Short title.
Undesirables Ordinance, 1922.

2. If it appears to the Governor in Executive Council Power of
Governor
to make
expulsion
orders.
that it is expedient for the preservation of the peace and
good order of the Colony that any person should be required
to leave the Colony, the Governor may, if he thinks fit,
make an order (in this Ordinance referred to as an expulsion
order) requiring such person to leave the Colony within the
time fixed by the order, and thereafter to remain out of
the Colony.

[Price 3d.]

Provided that this section shall not apply to a British subject who is domiciled in the Colony or who throughout the preceding two years has been resident in the Colony.

Contravention
of expulsion
order.

3.—(1) If any person against whom an expulsion order has been made is found within the Colony after the expiration of the time fixed by the order he shall be guilty of an offence against this Ordinance.

(2) Where a person has been convicted of an offence under sub-section (1) of this section the Governor may, if he thinks fit, order such person to comply with the expulsion order within such extended time as the Governor may fix, and if such person is found within the Colony after the expiration of the time so extended, he shall be guilty of a further offence against this Ordinance.

(3) The Governor may, if he thinks fit, order that any person who has been convicted of an offence under either of the preceding sub-sections of this section shall, within six weeks after the expiration of his sentence be deported from the Colony in such manner as the Governor may direct and in the meantime be detained in custody. Should such person not be deported from the Colony within six weeks after the expiration of his sentence he shall be released from custody and the Governor's order shall cease to be valid.

Power of
Governor to
authorise
arrest and
deportation.

4. It shall be lawful for the Governor if he thinks fit, in an expulsion order, instead of requiring the person against whom it is made to leave the Colony within a fixed time, to order that the person be arrested and deported from the Colony in such manner as the Governor may direct.

Detention of
person ordered
to be deported.

5.—(1) Any person arrested under an expulsion order shall, pending his deportation from the Colony, be detained in custody in such manner and place as the Governor shall direct, and, if not deported from the Colony within six weeks after his arrest, shall, on the expiration of that period, be released from custody, and the expulsion order shall cease to be valid.

(2) No person in custody under an expulsion order shall be admitted to bail except with the consent of the Governor.

(3) An expulsion order whereby the arrest of any person is ordered shall be deemed to authorise any member of the Constabulary Force to arrest such person in any part of the Colony and to detain him in custody.

6.—(1) Where any person against whom an expulsion order (not being an order made under section 8 of this Ordinance) has been made alleges any excuse for not complying with such order or any reason why the same should not be enforced or why further time should be allowed to him, he may submit the same to the Governor, and, where such person is in custody under an expulsion order, the officer having the custody of such person, on its being signified to him that any such excuse or reason is alleged by such person, shall forthwith make known the same to the Governor.

Procedure where excuse or reason alleged for delay in complying with expulsion order.

(2) Where the Governor is informed that any such excuse or reason is alleged by any such person, the Governor shall suspend the further execution of the expulsion order until the matter can be enquired into and determined by the Governor.

(3) Such person, if in custody under an expulsion order, shall remain in custody, and, if not in custody, may be arrested and detained in custody until the matter is determined.

7. If any person who has left the Colony in compliance with an expulsion order, or who has been lawfully deported from the Colony, under the provisions of this Ordinance, returns to the Colony without the written permission of the Governor or of some person authorised by the Governor he shall be guilty of an offence against this Ordinance.

Persons expelled or deported not to return without permission.

8. If it appears to the Governor in Executive Council that it is expedient for the preservation of the peace and good order of the Colony that any person coming within section 2 of this Ordinance who the Governor has reason to believe is about to arrive or may arrive in the Colony should be prohibited from landing in the Colony, the Governor may, if he thinks fit, make an expulsion order against such person. No person against whom such an

Power of Governor to make an expulsion order in anticipation of the arrival in the Colony of an undesirable person.

order has been made shall be permitted to land in the Colony, and if after service upon him of such order any person does so land he may be arrested and deported from the Colony in such manner as the Governor may direct, and pending his deportation he may be detained in custody.

Revocation or suspension of order.

9. It shall be lawful for the Governor to revoke or suspend an expulsion order, either absolutely or subject to such conditions as he may think fit.

Liability of person expelled for expenses of expulsion.

10. Where any person is ordered to be deported from the Colony under the provisions of this Ordinance the Governor may, if he thinks fit, apply any money or property of such person in payment of the whole or any part of the expenses of or incidental to such deportation and to the maintenance of such person while awaiting deportation.

Offences and penalties.

11.—(1) Any person who is guilty of an offence against this Ordinance shall be liable upon summary conviction before a magistrate to a fine not exceeding Fifty Pounds, or to imprisonment with or without hard labour for any period not exceeding six months, or to both such fine and imprisonment.

Aiding or abetting.

(2) Any person who aids or abets any other person in any contravention of this Ordinance, or who harbours any other person whom he knows or has reasonable grounds for believing to have acted in contravention of this Ordinance, shall be guilty of an offence against this Ordinance.

Evidence.

12. In any prosecution for an offence against this Ordinance the production of an expulsion order signed by or by direction of the Governor shall be conclusive evidence that the same is valid and was lawfully made.

Revocation of expulsion order not to have retrospective effect.

13. The revocation or suspension of an expulsion order by the Governor shall not affect the validity of anything already done thereunder or in respect thereof, and shall not affect any liability to conviction or punishment previously incurred under the provisions of this Ordinance.

Indemnity.

14. No action shall be brought by any person against whom an expulsion order has been made with reference to anything done or omitted in the execution or purported execution of that order or of the provisions of this Ordinance.

15. Nothing in this Ordinance shall affect any Foreign Consul or Vice-Consul. Foreign Consuls and Vice-Consuls.

16. The Aliens Ordinance, 1912 (No. 15 of 1912) and the Returned Deportees (Punishment) Ordinance, 1920 (No. 29 of 1920) are hereby repealed. Repeal.

17. This Ordinance shall commence on a day to be fixed by the Governor by Proclamation. Commencement.

Passed in Council this third day of November, in the year of Our Lord one thousand nine hundred and twenty-two.

JOHN DE NOBRIGA,
Acting Clerk of the Council.