



## TRINIDAD AND TOBAGO.

## No. 19—1945.

[L.S.]

I ASSENT,

A. B. WRIGHT,  
*Acting Governor.*  
 3rd August, 1945

AN ORDINANCE to amend the Immigration (Restriction) Ordinance, Ch. 20. No. 2.

[9th August, 1945.]

Commence-  
ment.

Enactment.

ENACTED by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Immigration (Restriction) (Amendment) Ordinance, 1945, and shall be read as one with the Immigration (Restriction) Ordinance as from time to time amended, which Ordinance as so amended is hereinafter referred to as the Principal Ordinance.

Short title.

Ch. 20: No. 2.

2. Subsection (1) of section 2 of the Principal Ordinance is hereby amended by adding the following definition immediately after the definition of "immigrant":—

Section 2 (1)  
of Principal  
Ordinance  
amended.

"immigration officer" includes Chief Immigration Officer and Deputy Chief Immigration Officer;

Section 3 (1)  
of Principal  
Ordinance  
repealed and  
replaced.

3. Subsection (1) of section 3 of the Principal Ordinance is hereby repealed and replaced by the following subsections :—

“3. (1) The Commissioner of Police shall be the Chief Immigration Officer for the purposes of this Ordinance.

(1A) The Governor shall from time to time appoint a Deputy Chief Immigration Officer and such Officer shall have and exercise all the powers vested in the Chief Immigration Officer by this Ordinance.

(1B) The Governor may appoint immigration officers for all or any specified parts of the Colony for the purpose of carrying out the provisions of this Ordinance.”

Section 4 (1)  
of Principal  
Ordinance  
amended.

4. Paragraph (c) of subsection (1) of section 4 of the Principal Ordinance is hereby amended by inserting the words “any variety of leprosy or from” between the word “from” and the words “a communicable disease”.

Section 10 of  
Principal  
Ordinance  
repealed and  
replaced.

5. Section 10 of the Principal Ordinance is hereby repealed and replaced by the following :—

“ Immigration  
officer may  
postpone  
decision.

10. An immigration officer may for the purpose of making further inquiry and for such period as may be necessary therefor postpone deciding whether an immigrant is or is not a prohibited immigrant and, in any such case, the relevant provisions of section 19 of this Ordinance shall apply : Provided that the grant of a permit under the authority of the said section to any such immigrant shall not prejudice in any way the decision whether the immigrant is or is not a prohibited immigrant or the taking of any action under this Ordinance as a consequence of such decision : Provided further that no such action shall be taken while such permit is still in force.”

Section 11 of  
Principal  
Ordinance  
repealed and  
replaced.

6. Section 11 of the Principal Ordinance is hereby repealed and replaced by the following :—

“ Permits to  
sick persons.

11. (1) Where an immigration officer decides that an immigrant is a prohibited immigrant on the ground that such immigrant is suffering from any variety of leprosy or from a communicable disease, he may, with the consent of a Medical Officer, grant a permit to such immigrant to disembark and remain in the Colony for the purpose of treatment, subject to such conditions as the Medical Officer

may deem necessary for the protection of the community and to such further conditions as may be prescribed, and may require the immigrant to produce a certificate of a government medical officer of the country from which he has come, to the effect that the immigrant requires medical treatment in the Colony, and a letter of introduction from the immigrants' medical adviser to a medical practitioner or institution in the Colony.

(2) Any such person, on the conclusion of his treatment or at such earlier time as may be specified in the permit granted under the authority of the last preceding subsection, shall present himself in person to an immigration officer.

(3) The grant of a permit under this section shall not prejudice a subsequent decision that the immigrant is a prohibited immigrant on another ground and shall not prevent any action being taken under this Ordinance as a consequence of such decision."

7. Section 12 of the Principal Ordinance is hereby repealed and replaced by the following :—

12. An immigration officer who decides that an immigrant is a prohibited immigrant may in his discretion—

Section 12 of  
Principal  
Ordinance  
repealed and  
replaced.

"Orders for  
prohibited  
immigrants to  
leave the  
Colony."

- (a) if the immigrant arrived by sea, order him to leave the Colony and proceed immediately in the same vessel in which he arrived ; or
- (b) order him to leave the Colony within a specified period to be determined by the immigration officer and, if the immigration officer thinks fit, by a specified vessel ; or
- (c) cause him to be arrested and brought before a Magistrate's Court with a view to an order being made for his removal from the Colony :

Provided that, subject to the provisions of this Ordinance, the Governor or any immigration officer acting under the directions, general or special, of the Governor, may grant a permit to a prohibited immigrant to enter and remain in the Colony, subject

to such conditions as to duration, place of residence, occupation, furnishing of security, or any other matter or thing, whether similar to those enumerated above or not, as may be deemed expedient”.

Section 13 of  
Principal  
Ordinance  
repealed and  
replaced.

8. Section 13 of the Principal Ordinance is hereby repealed and replaced by the following :—

“ Permits to  
remain in  
the Colony for  
a temporary  
purpose.

13. (1) Where an immigrant desires to remain in the Colony for a period not exceeding three years as a visitor, or for purposes of trade or business, or as a passenger in transit, or for medical treatment, or for any other temporary purpose, an immigration officer may, if so requested and if satisfied that such request is *bona fide*, without deciding whether such immigrant is or is not a prohibited immigrant, grant him a permit to enter and remain in the Colony for such period not exceeding three years as may be specified by the immigration officer.

(2) When a permit has been granted by an immigration officer under this section for a lesser period than three years, the Chief Immigration Officer may from time to time extend such period up to a maximum of three years from the date of entry.

(3) Whenever an immigrant desires to remain in the Colony after the expiration of the period for which a permit has been granted to or extended for him under this section, he shall before such expiration present himself in person to an immigration officer and shall be dealt with, subject to the provisions of the last preceding subsection, as if he were an immigrant entering the Colony for the first time.

(4) If an immigrant to whom a permit has been granted under this section fails to leave the Colony on or before the expiration of the period for which the permit has been granted, he shall, unless such period has been extended as provided in subsection (2) of this section, be deemed to be a prohibited immigrant and may be dealt with as such.

(5) Before granting a permit under this section or extending the period for which any such permit has been granted, an immigration officer or the

Chief Immigration Officer, as the case may be, may require the immigrant applying for such permit or extension to furnish the prescribed security."

9. Section 15 of the Principal Ordinance is hereby repealed and replaced by the following:—

Section 15 of Principal Ordinance repealed and replaced.

"No exemption or acquisition of domicile by prohibited immigrant remaining in Colony.

15. No prohibited immigrant shall be exempt from the provisions of this Ordinance or be allowed to remain in the Colony or be deemed to have acquired a domicile therein by reason only that he had not been informed that he could not enter or remain in the Colony or that he had been allowed to enter or remain through oversight or misrepresentation, or owing to the decision of an immigration officer that he is not a prohibited immigrant given by mistake or in ignorance of material facts, or owing to the fact having been undiscovered that he was a prohibited immigrant."

10. Section 16 of the Principal Ordinance is hereby amended by substituting the words "having entered after the commencement, and in contravention of any of the provisions, of this Ordinance" for the words "having entered after the commencement of this Ordinance".

Section 16 of Principal Ordinance amended.

11. Section 17 of the Principal Ordinance is hereby repealed and replaced by the following:—

Section 17 of Principal Ordinance repealed and replaced.

"Endorsement on passport, &c. of permit.

17. Any permit granted under either section 11, 12 or 13, or under section 19 of this Ordinance pending decision of an immigration officer as to whether an immigrant is or is not a prohibited immigrant, may be by endorsement on the passport or other document establishing the identity and nationality of the immigrant or in such other manner as may be prescribed."

12. Subsection (1) of section 23 of the Principal Ordinance, which was enacted by section 4 of the Immigration (Restriction) (Amendment) Ordinance, 1941, is hereby amended—

Section 23 (1) of Principal Ordinance amended.

(a) by deleting paragraph (a) ;

(b) by relettering paragraphs (b), (c) and (d) as (a), (b) and (c) respectively, and by substituting the words "two years" for the words "six months" occurring in the said paragraphs ;

(c) by adding the following paragraph as paragraph (d) :—  
“ (d) if he entered the Colony in accordance with a permit granted under section 19 pending decision of an immigration officer as to whether he is or is not a prohibited immigrant, within two years after the decision of the immigration officer that he is a prohibited immigrant ; ”

(d) by substituting the words “ two years ” for the words “ six months ” in paragraph (e).

Paragraph (g)  
of section 31  
(1) of  
Principal  
Ordinance  
amended.

**13.** Paragraph (g) of subsection (1) of section 31 of the Principal Ordinance is hereby amended by substituting the words “ an immigrant ” for the words “ a prohibited immigrant.”

Passed in Council this thirteenth day of July, in the year of Our Lord one thousand nine hundred and forty-five.

W. J. BOOS,  
*Clerk of the Council.*