

**ORDINANCE**  
**OF THE STATES OF DELIBERATION**

ENTITLED

**The Immigration (Hotel Records)**  
**(Guernsey) Ordinance, 1972 \***

*[CONSOLIDATED TEXT]*

**NOTE**

*This consolidated version of the enactment incorporates all amendments listed in the footnote below. It has been prepared for the Guernsey Law website and is believed to be accurate and up to date, but it is not authoritative and has no legal effect. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.*

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\* Recueil d'Ordonnances Tome XVIII, p. 236; as amended by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003 (No. XXXIII of 2003, Recueil d'Ordonnances Tome XXIX, p. 406); the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016 (No. IX of 2016). See also the Police Force (Bailiwick of Guernsey) Law, 1986 (Ordres en Conseil Vol. XXIX, p. 207).

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ARRANGEMENT OF SECTIONS

1. Application of Ordinance.
2. Provision of information by visitors.
3. Records to be maintained by keeper of premises.
4. Interpretation and transitional provisions.
5. Extent.
6. Citation.
7. Commencement.

*(Made on 14th December, 1972.)*

## **The Immigration (Hotel Records) (Guernsey) Ordinance, 1972**

**THE STATES**, in exercise of the powers conferred upon them by subsection (4) of section four of the Immigration Act 1971 as extended to the Bailiwick by the Immigration (Guernsey) Order 1972, hereby order: –

### **Application of Ordinance.**

1. This Ordinance shall apply in the case of any hotel or other premises, whether furnished or unfurnished, where lodging or sleeping accommodation is provided for reward, not being premises certified by the Chief Officer of the Island Police Force to be occupied for the purposes of a school, hospital, club or other institution or association.

### **Provision of information by visitors.**

2. (1) Every person of or over the age of sixteen years who stays at any premises to which this Ordinance applies shall, on arriving at the premises, inform the keeper of the premises of his full name and nationality.

(2) Every such person who is an alien shall also –

- (a) on arriving at the premises, inform the keeper of the premises of the number and place of issue of his passport, certificate of registration or other document establishing his identity and nationality, and
- (b) on or before his departure from the premises, inform the keeper of the premises of his next destination and, if it is known to him, his full address there.

**Records to be maintained by keeper of premises.**

3. The keeper of any premises to which this Ordinance applies shall –
- (a) require all persons of or over the age of sixteen years who stay at the premises to comply with their obligations under the last foregoing section, and
  - (b) keep for a period of at least twelve months a record in writing of the date of arrival of every such person and of all information given to him by any such person in pursuance of the last foregoing section,

and every record shall at all times be open to inspection by any police officer or by any person authorised by the States [Committee for Home Affairs].

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**NOTES**

*In section 3, the words in square brackets were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 6(a), with effect from 1st May, 2016.<sup>1</sup>*

*The functions, rights and liabilities of the Home Department and its Minister arising under or by virtue of this Ordinance were transferred to and vested in, respectively, the Committee for Home Affairs and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 6(a), with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.<sup>2</sup>*

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**Interpretation and transitional provisions.**

4. (1) In this Ordinance, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say –

**"alien"** has the same meaning as in the British Nationality Act 1948,

**"certificate of registration"** means a certificate issued, or treated as issued, in pursuance of any Ordinance for the time being in force under the provisions of subsection (3) of section four of the Immigration Act 1971 as extended to the Bailiwick by the Immigration (Guernsey) Order 1972,

**"enactment"** includes any enactment of the Parliament of the United Kingdom,

**"keeper"**, in relation to any premises, includes any person who for reward receives any other person to stay in the premises, whether on his own behalf or as manager or otherwise on behalf of any other person,

**"nationality"** includes the status of a stateless alien,

**"police officer"** means –

- (a) in relation to Guernsey, Herm and Jethou, a member of the salaried police force of the Island of Guernsey and, within the limit of his jurisdiction, a member of the special constabulary of the Island of Guernsey,
- (b) in relation to Alderney, a member of the said police force and a member of any police force which may be established by the States of Alderney, and
- (c) in relation to Sark, the Constable, the Vingtenier and a member of the said police force of Guernsey,

**"stay"** means lodge or sleep, for one night or more, in accommodation

provided for reward.

(2) Except so far as the context otherwise requires, any reference in this Ordinance to any other enactment shall be construed as a reference to that enactment as amended, repealed and replaced, extended or applied by or under any other enactment including this Ordinance.

(3) The Interpretation (Guernsey) Law, 1948<sup>a</sup>, shall apply to the interpretation of this Ordinance throughout the Bailiwick.

(4) Any information required by this Ordinance to be given by or to any person may be given by or to any other person acting on his behalf.

(5) Anything done under, or for the purposes of, section eighteen of the Aliens Restriction (Guernsey) Law, 1958<sup>b</sup>, shall have effect as if done under, or for the purposes of, this Ordinance and, in particular, any information given or record maintained under or for the purposes of the said section eighteen shall be treated as if it had been given or maintained under, or for the purposes of, this Ordinance.

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**NOTES**

*In accordance with the provisions of the Police Force (Bailiwick of Guernsey) Law, 1986, section 2(2), with effect from 19th August, 1986, the reference herein to a member of the salaried police force of the Island of Guernsey shall include a reference to a member of a force present in the Island by virtue of an agreement made under section 1 of the 1986 Law.*

*The Aliens Restriction (Guernsey) Law, 1958 has since been repealed by the Aliens Restriction (Repeals) (Guernsey) Law, 1973, section 1, Schedule, with effect from 29th March, 1973.*

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**a** Ordres en Conseil Vol. XIII, p. 355.

**b** Ordres en Conseil Vol. XVIII, p. 1.

*The Interpretation (Guernsey) Law, 1948 has since been repealed by the Interpretation and Standard Provisions (Bailiwick of Guernsey) Law, 2016, section 28(a), with effect from 1st October, 2018.*

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**Extent.**

5. This Ordinance shall apply throughout the Bailiwick.

**Citation.**

6. This Ordinance may be cited as the Immigration (Hotel Records) (Guernsey) Ordinance, 1972.

**Commencement.**

7. This Ordinance shall come into force on the first day of January, nineteen hundred and seventy-three.

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<sup>1</sup> These words were previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 3(a), with effect from 6th May, 2004.

<sup>2</sup> The functions, rights and liabilities of the Home Department and its Minister arising under or by virtue of this Ordinance were previously transferred to and vested in them, respectively, from the Board of Administration and its President by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 3(a), with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance.