

GUERNSEY STATUTORY INSTRUMENT

1976 No. 28

THE IMMIGRATION (CONTROL ON ENTRY)(E.E.C. AND OTHER NON-  
COMMONWEALTH NATIONALS)(AMENDMENT)(GUERNSEY) RULES 1976

Made . . . . . 18. May. 1976 .  
Laid before the States . . . . 1976 .  
Coming into operation 19. May. 1976 .

The STATES BOARD OF ADMINISTRATION, in exercise of the powers conferred upon it by subsection (2) of section three of the Immigration Act 1971, as extended to the Bailiwick by the Immigration (Guernsey) Order 1972, hereby makes the following Rules:-

Amendments to Rules of 1973

1. The Immigration (Control on Entry)(E.E.C. and Other Non-Commonwealth Nationals)(Guernsey) Rules, 1973, as amended (a), are hereby amended as follows:-

- (a) paragraphs 42, 43, 44, 53 and 62 thereof are repealed and the following new paragraphs are respectively substituted therefor:-

Husbands

42. The husband of a woman who is settled in the Bailiwick or is on the same occasion being admitted for settlement is himself to be admitted for settlement if he holds a current entry clearance granted to him for that purpose. Admission is subject to the exceptions set out in paragraph 10, provided that leave to enter should not be refused on grounds of restricted returnability or on medical grounds.

Fiances

43. A man seeking to enter for marriage to a woman settled here, and intending to settle here himself, should not be admitted unless he holds a current entry clearance issued for that purpose. The holder of such a clearance should, subject to paragraph 10, be admitted for 3 months and advised to apply to the Immigration and Nationality Department, Guernsey once the marriage has taken place for the time limit on his stay to be removed. It will normally be appropriate to impose a prohibition on employment.

44. A man seeking temporary admission to the Bailiwick for the purpose of marriage should be dealt with under paragraphs 13 and 14.

#### Dependants

53. When a person is admitted in accordance with paragraph 52, the members of the family accompanying the person should be given leave to enter for the same period. The family should be regarded as consisting of the person's spouse, their children under 21, their other children if still dependent, and their dependent parents and grandparents.

#### Medical

62. Returning residents or the spouses and children under 18 of people settled in the Bailiwick should not be refused leave to enter on medical grounds. But where a person would be refused leave to enter on medical grounds if he were not a returning resident or the spouse or child of a resident, or in any case where it is decided on compassionate grounds not to exercise the power to refuse leave to enter, or in any other case in which the Medical Inspector so recommends, the Immigration Officer should give the person a notice requiring him to report to the Medical Officer of Health with a view to further examination and any necessary treatment. ;

- (b) in paragraphs 5, 8, 14, 19, 28, 31, 32, 45 and 56 thereof the words "Immigration Office" are hereby repealed and the words "Immigration and Nationality Department" are hereby substituted therefor;
- (c) in the Appendix thereto, after the reference to Cuba, there shall be inserted a reference to Surinam.

#### Citation

2. These Rules may be cited as the Immigration (Control on Entry) (E.E.C. and Other Non-Commonwealth Nationals)(Amendment)(Guernsey) Rules 1976.

#### Commencement

3. These Rules shall come into force on **nineteenth** day of **May**, nineteen hundred and seventy-six.

Dated this **eighteenth** day of **May**,  
nineteen hundred and seventy-six.

J G DOREY (Signed)

J.G.DOREY

President of the States Board of Administration  
for and on behalf of the Board

EXPLANATORY NOTE

These Rules make provision for certain changes as to the practice to be followed in the administration of the Immigration Act 1971, as extended to the Bailiwick of Guernsey, for regulating entry into the Bailiwick of nationals of Member States of the European Economic Community, nationals of foreign States outside the Community and Stateless persons. Provision is also made regarding the change of name of the Department concerned in these matters and for the imposition of a visa requirement for citizens of Surinam. Any reference to a time factor or to a duration of stay has been included with the concurrence of the Lieutenant-Governor whose concurrence has also been given with regard to the directions contained herein attached to the imposition of any time condition, to the grant of indefinite leave to enter or to the refusal of leave to enter.