

GUERNSEY STATUTORY INSTRUMENT

1976 No. 29

THE IMMIGRATION (CONTROL ON ENTRY)(COMMONWEALTH
CITIZENS)(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)(Commonwealth Citizens)(Guernsey) Rules, 1973 (a), are hereby amended as follows:-

(a) paragraphs 47, 48, 49 and 60 thereof are repealed and the following new paragraphs are respectively substituted therefor:-

Husbands

47. 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 12, provided that leave to enter should not be refused on grounds of restricted returnability or on medical grounds.

Fiances

48. A man seeking to enter for marriage to a woman settled here, and intending to settle 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 12, 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. If such a person holds a clearance issued upon proof that one of his grandparents was born in the United Kingdom and Islands he should, subject to paragraph 12, be admitted for settlement.

49. A man seeking temporary admission to the Bailiwick for the purpose of marriage should be dealt with under paragraphs 15 and 16.

Medical

60. 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 7, 16, 21, 32, 35, 36 and 50 thereof the words "Immigration Office" are hereby repealed and the words "Immigration and Nationality Department" are hereby substituted therefor.

Citation

2. These Rules may be cited as the Immigration (Control on Entry) (Commonwealth Citizens)(Amendment)(Guernsey) Rules 1976.

Commencement

3. These Rules shall come into force on the 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 Commonwealth citizens and British protected persons. Provision is also made regarding the change of name of the Department concerned in these matters. 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.