

Government Circular No. 121/72.
G.O. Reference No. I. 1810/7

ISLE OF MAN
TO WHOM.

By His Excellency Sir Peter Hyla Gawne Stallard,
K.C.M.G., C.V.O., M.B.E., Lieutenant Governor of
the said Isle, &c., &c., &c.

IMMIGRATION

THE IMMIGRATION (REGISTRATION WITH POLICE)
(ISLE OF MAN) REGULATIONS 1972

I, the said Lieutenant Governor, in exercise of the powers conferred upon me by section 4(3) of the Immigration Act 1971 (an Act of Parliament), as extended to the Isle of Man by Order in Council, DO hereby make the following Regulations -

Citation and commencement

1. These Regulations may be cited as the Immigration (Registration with Police) (Isle of Man) Regulations 1972 and shall come into operation on 1st January 1973.

Interpretation and transitional provisions

2. (1) In these Regulations, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them that is to say -

"the Act" means the Immigration Act 1971 (an Act of Parliament), as extended to the Isle of Man by Order in Council;

"alien" has the same meaning as in the British Nationality Act 1948 (an Act of Parliament);

"Aliens Regulations" means the Aliens Regulations 1959, as amended;

"certificate of registration" means a certificate issued in pursuance of Regulation 10(1) to the alien concerned;

"register" means a register kept in pursuance of Regulation 4;

"nationality" includes the status of a stateless alien;

"registration officer" has the meaning assigned thereto by Regulation 4;

"a residence" means a person's private dwelling-house or other premises in which he is ordinarily resident but does not include any premises in which he is not ordinarily resident.

(2) In these Regulations any reference to a Regulation is a reference to a Regulation contained therein and any reference in a Regulation to a paragraph is a reference to a paragraph of that Regulation.

(3) Where an alien has failed to comply with any requirement made by a provision of these Regulations within a period specified in that provision he shall, without prejudice to any liability in respect of that failure under section 26(1)(f) of the Act, continue to be subject to that requirement notwithstanding the expiry of that period.

(4) The Interpretation Act 1889 (an Act of Parliament) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

(5) Anything done, or having effect as if done, under or for the purposes of, any provision of the Aliens Regulations corresponding to a provision of these Regulations shall have effect as if done under, or for the purposes of, that corresponding provision and, in particular -

(a) any register kept under regulation 13 of the Aliens Regulations shall be treated as part of the register kept under Regulation 4(2);

(b) particulars furnished under regulation 14(2) of the Aliens Regulations shall be treated as furnished under Regulation 5;

(c) a certificate of registration supplied in pursuance of regulation 13(2)(b) of the Aliens Regulations shall be treated as a certificate of registration issued in pursuance of Regulation 10(1).

Application of Regulations

3. These Regulations shall apply in the case of an alien who has a limited leave to enter or remain in the Isle of Man which is for the time being subject to a condition requiring him to register with the police and in the case of an alien who, by virtue of section 34 of the Act or paragraph 1 of Schedule 4 thereto, is treated as having such a limited leave.

Registration Officers etc.

4. (1) For the purposes of these Regulations the Chief Constable shall be the registration officer and any reference to the registration officer is a reference to him.

(2) The registration officer shall keep a register of aliens containing the particulars specified in the Schedule hereto:

Provided that if the registration officer is not satisfied as to the nationality of an alien he may describe that alien in the register as being of uncertain nationality or may describe him as having such nationality as appears to him to be the probable nationality of the alien.

(3) Anything required or authorised by these Regulations to be done by or to the registration officer may be done by or to any constable or other person who is authorised by that officer to act for the purposes of these Regulations.

Duty to register etc.

5. (1) Within 7 days of these Regulations becoming applicable to him, an alien shall, subject to Regulation 6, attend at the office of the registration officer and furnish to that officer such information, documents and other particulars (including a recent photograph) relating to him as are required by that officer for the purposes of the register kept by him or the issue of a certificate of registration to the alien.

(2) Without prejudice to the generality of paragraph (1), an alien attending as aforesaid shall either -

- (a) produce to the registration officer a passport furnished with a photograph of himself or some other document satisfactorily establishing his identity and nationality; or
- (b) give to that officer a satisfactory explanation of the circumstances which prevent him from producing such a passport or document.

Exemption from registration in certain cases

6. (1) An alien shall not be required to attend and furnish particulars under Regulation 5 if -

- (a) immediately before these Regulations becoming applicable to him, he was ordinarily resident in the Isle of Man, and
- (b) he had previously, during that period of ordinary residence, attended and furnished particulars under Regulation 5.

(2) Without prejudice to paragraph (1) or the provisions of Regulation 2(5), an alien shall not be required to attend and furnish particulars under Regulation 5 if -

- (a) on the coming into operation of these Regulations they become applicable to him,
- (b) immediately before their coming into operation he was resident in the Isle of Man, and
- (c) he had previously, during that period of residence, attended and furnished particulars under regulation 14(2) of the Aliens Regulations.

Duty to notify changes of residence or address etc.

7. (1) Every alien to whom these Regulations apply who has furnished particulars under Regulation 5 shall be under a duty to notify any change therein in accordance with this Regulation.

(2) Such an alien who for the time being has a residence in the Isle of Man shall, if he adopts a new residence within the Isle of Man, report his arrival at his new residence to the registration officer before the expiration of the period of 7 days beginning with the day of his arrival.

(3) Such an alien who for the time being has a residence in the Isle of Man, if he is absent from his residence for a continuous period exceeding 2 months (without adopting a new residence) -

- (a) shall forthwith notify the registration officer of his address for the time being (whether within or outside the Isle of Man);
- (b) subject to paragraph (5), shall notify the registration officer of any subsequent change of address within the Isle of Man before the expiration of 8 days beginning with the day of his arrival at the new address; and
- (c) shall, on returning to his residence, notify the registration officer of his return (whether or not he has throughout the period of absence remained in the Isle of Man).

(4) Subject to paragraph (5) and (6), such an alien who for the time being has not a residence in the Isle of Man shall, if he moves from one address to another in the Isle of Man, notify the registration officer of his arrival thereat before the expiration of 8 days beginning with the day of his arrival.

(5) Such an alien need not, under paragraph (3)(b) or (4), notify the registration officer of his address unless he remains or intends to remain at that address for a longer period than 7 days beginning with the day of his arrival thereat.

(6) If such an alien who for the time being has not a residence in the Isle of Man supplies to the registration officer the name and address of a referee, being a person resident within the Isle of Man who is willing to act, and in the opinion of that officer is a suitable person to act, as a referee under this paragraph, the officer shall include the referee's name and address among the entries relating to the alien in the register kept by him; and in such case, the following provisions shall apply in substitution for those of paragraph (4), that is to say -

- (a) the alien shall keep the referee informed as to his address from time to time and shall notify the registration officer of any change in the referee's address; and

- (b) the referee shall, if so required by the registration officer, furnish to that officer any information in his possession as to the alien which is required by that officer for the purposes of his duties under these Regulations.

Duty to notify other changes in particulars etc.

8. Every alien to whom these Regulations apply who has furnished particulars under Regulation 5 -

- (a) shall notify the registration officer of any change in his case in the particulars specified as items 1, 3, 5, 6, 7, and 14 in the Schedule hereto, before the expiration of 8 days beginning with that on which the change, or the event occasioning the change, occurs; and
- (b) if so required by the appropriate registration officer, shall furnish to that officer by such date as he may specify such information, documents and other particulars (including, where so required, a recent photograph) relating to him which are required for the purposes of his duties under these Regulations.

Provisions supplemental to Regulations 5, 7 and 8

9. (1) An alien required under Regulation 5(1) or 8(b) to furnish a photograph of himself shall furnish 2 copies of the same photograph; and, if he fails to furnish such copies, the registration officer may cause him to be photographed.

(2) An alien required under Regulation 7 or 8(a) to notify the registration officer of any change in his residence or address or of any change in his case in the particulars mentioned in Regulation 8(a) shall either attend for the purpose at the office of the registration officer or send written notice of the change to that officer by post so, however, that where written notice is given the alien shall also, subject to Regulation 11(2)(b), send to the registration officer his certificate of registration.

(3) An alien required under Regulation 8(b) to furnish information, documents or other particulars to the registration officer (whether or not in connection with a change of which written notice has

been given in pursuance of paragraph (2)) shall attend for the purpose at the office of the registration officer if that officer so requires.

Registration certificates

10. (1) The registration officer shall issue certificates of registration to aliens of whom particulars are entered in the register kept by him.

(2) A certificate of registration shall be independent of, and shall not be included in, any other document except that such a certificate issued to an alien who is -

- (a) a national of a state which is a member of the European Economic Community, and
- (b) the holder of a current residence permit issued to him by the Lieutenant Governor,

may take the form of an endorsement of that permit.

Production of registration certificates

11. (1) On the making of any alteration or addition to the register, the registration officer may require the alien concerned to produce his certificate of registration in order that any necessary amendments may be made thereto.

(2) Any immigration officer or constable may -

- (a) require an alien to whom these Regulations apply, forthwith, to either produce a certificate of registration or give to the officer or constable a satisfactory reason for his failure to produce it;
- (b) where the alien fails to produce a certificate of registration in pursuance of such a requirement (whether or not he gives a satisfactory reason for his failure), require him, within the following 48 hours, to produce a certificate of registration at a police station specified by the officer or constable,

so, however, that a requirement under sub-paragraph (b) to produce a certificate of registration at a police station shall have effect in substitution for the

requirement under sub-paragraph (a) so as to cause that previous requirement to cease to have effect.

GIVEN under my hand this 29 day of December 72

P.H.G. STALLARD

Lieutenant Governor.

SCHEDULE

PARTICULARS TO BE ENTERED IN REGISTER

1. Names in full.
2. Sex.
3. Matrimonial status (married or single).
4. (a) Date of birth
(b) Country of birth.
5. (a) Present nationality.
(b) How and when acquired.
(c) Previous nationality (if any).
6. Particulars of passport or other document establishing nationality.
7. Business, profession or occupation.
8. Residence in the Isle of Man (or address if no residence).
9. Name and address of referee (if any) supplied under Regulation 7(b).
10. Last residence outside the Isle of Man.
11. (a) Date of arrival in the Isle of Man.
(b) Place of arrival in the Isle of Man.
(c) Mode of arrival in the Isle of Man.
12. Duration of limited leave and conditions attached thereto.
13. Restrictions or conditions, if any, applicable by virtue of section 9(2) of the Act.
14. (a) If employed in the Isle of Man:-
 - (i) name and address of employer;
 - (ii) address at which employed, if different.

14. (b) If engaged in business or profession in the Isle of Man:-
 - (i) name under which business or profession is carried on;
 - (ii) address at which business or profession is carried on.
15. Signature (or fingerprints if unable to write in the characters of the English language).
16. Photograph.

EXPLANATORY NOTE

(This Note is not part of the Regulations)

These Regulations make provision as to the effect of a condition, imposed under the Immigration Act 1971 as extended to the Isle of Man, requiring an alien to register with the police.

They make provision corresponding to those contained in Regulations 13(1), (2) and (3), 14(2) and (3), 15(1)(a), 16, 17(1), (2) and (3) and 18 of the Aliens Regulations 1959 as amended which ceases to have effect on the coming into operation of the Aliens Restrictions Act 1972. Transitional provisions are contained in Regulations 2(5) and 6.

