

Government Circular No. 109/72
G.C. Reference No. I. 1810/7

ISLE OF MAN
TO WIT.

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

IMMIGRATION

THE IMMIGRATION (PLACES OF DETENTION)
(ISLE OF MAN) DIRECTION 1972

I, the said Lieutenant Governor in exercise of the powers conferred upon me by paragraph 18(1) of Schedule 2 and that paragraph as applied by paragraph 2(4) of Schedule 3 to the Immigration Act 1971 (an Act of Parliament), as extended to the Isle of Man by Order in Council, DO hereby make the following Direction:-

1. This Direction may be cited as the Immigration (Places of Detention) (Isle of Man) Direction 1972 and shall come into operation on 1st January 1973.

2. (1) In this Direction -

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

"place of safety" has the same meaning as in the Children and Young Persons Act 1966.

(2) The Interpretation Act 1889 (an Act of Parliament) shall apply to the interpretation of this Direction as it applies to the interpretation of an Act of Parliament.

3. (1) The places specified in paragraph (2) of this Article shall be places in which persons may be detained under the provisions of the Act therein mentioned.

(2) The places referred to in paragraph (1) of this Article are :-

(a) in the case of a person detained under paragraph 16(1) or 16(2) of Schedule 2 to the Act (detention of persons pending examination and decision as to entry pending removal) -

- (i) any place used by an immigration officer for the purposes of his functions at the port at which that person is seeking leave to enter or has been refused leave to enter, as the case may be: or
- (ii) any police station, prison or, in the case of a person under the age of 17 years, any place of safety;
- (b) in the case of a person detained under paragraph 2(3) of the said Schedule 3 (detention of a person against whom a deportation order is in force), any such place as is mentioned in subparagraph (ii) of this paragraph.

4. A person shall not continue to be detained in accordance with Article 3 of this Direction elsewhere than in a place of safety or prison if five days have elapsed since the day on which he was first detained as aforesaid:

Provided that if, at any time after the expiry of the period referred to in this Article (whether or not the person detained has been removed in accordance with the provisions of this Article to another place of detention) it is proposed, in accordance with a direction under any of paragraphs 8 to 14 of Schedule 2 to the Act, to remove that person from the Isle of Man within a period of not more than two days, he may, notwithstanding the provisions of this Article, be detained in any place authorised by Article 3(2) of this Direction for an additional period of two days.

GIVEN under my hand this 29 day of December 72

P.H.G. STALLARD
Lieutenant Governor.