



Statutory Document No. 175/08

IMMIGRATION AND ASYLUM ACT 1999

IMMIGRATION (REMOVAL DIRECTIONS) REGULATIONS 2008

Laid before Tynwald

15th April 2008

Coming into operation

1st May 2008

In exercise of the powers conferred on the Governor by sections 10, 166(3) and 167 of the Immigration and Asylum Act 1999 (an Act of Parliament)¹, as it has effect in the Isle of Man², the following Regulations are hereby made:—

1. Citation and commencement

These Regulations may be cited as the Immigration (Removal Directions) Regulations 2008 and shall come into operation on the 1st May 2008.

2. Interpretation

In these Regulations —

"the Act" means the Immigration and Asylum Act 1999 (an Act of Parliament), as it has effect in the Isle of Man;

"aircraft" includes hovercraft;

"captain" means master (of a ship) or commander (of an aircraft); and

"ship" includes every description of vessel used in navigation.

3. Persons to whom directions may be given

For the purposes of section 10(6)(a) of the Act (classes of person to whom directions may be given), the following classes of person are prescribed —

- (a) owners of ships;
- (b) owners of aircraft;
- (c) agents of ships;
- (d) agents of aircraft;
- (e) captains of ships about to leave the Isle of Man; and

¹ 1999 c.33

² SI 2008/680

Price £0.50

(f) captains of aircraft about to leave the Isle of Man.

4. Requirements that may be imposed by directions

(1) For the purposes of section 10(6)(b) of the Act (requirements that may be imposed by directions), the following kinds of requirements are prescribed —

- (a) in the case where directions are given to a captain of a ship or aircraft about to leave the Isle of Man, a requirement to remove the relevant person from the Isle of Man in that ship or aircraft;
- (b) in the case where directions are given to any other person who falls within a class prescribed in regulation 3, a requirement to make arrangements for the removal of the relevant person in a ship or aircraft specified or indicated in the directions; and
- (c) in all cases, a requirement to remove the relevant person in accordance with arrangements to be made by an immigration officer.

(2) Paragraph (1) only applies if the directions specify that the relevant person is to be removed to a country or territory being —

- (a) a country of which he is a national or citizen; or
- (b) a country or territory to which there is reason to believe that he will be admitted.

(3) In this regulation "relevant person" means a person who may be removed from the Isle of Man in accordance with section 10(1) of the Act.

MADE ^{19th} March 2008



Lieutenant Governor

EXPLANATORY NOTE

(This note is not part of the Regulations.)

Section 10 of the Immigration and Asylum Act 1999 enables directions to be given for the removal of persons who are not British citizens and have stayed beyond the time for which they were given leave to enter or remain, have breached a condition of their leave to enter or remain or have obtained leave to remain by deception. These Regulations state to whom removal directions may be given and what they may be required to do.