

LAWS OF GUYANA

ALIENS (IMMIGRATION AND REGISTRATION) ACT

CHAPTER 14:03

Act

37 of 1947

Amended by

13	of	1961	0.80/ 1980
2	of	1969	
4	of	1972	
6	of	1997	

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LAWS OF GUYANA

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CHAPTER 14:03

ALIENS (IMMIGRATION AND REGISTRATION) ACT

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1953 Ed.
c. 101

37 of 1947

An Act to regulate entry of Aliens into Guyana to make provision for the registration of Aliens and for purposes connected with the matters aforesaid.

[31st December, 1947]

Short title.

1. This Act may be cited as the Aliens (Immigration and Registration) Act.

Interpretation.
[2 of 1969
O. 80/80]

c. 1:01

2. (1) In this Act—

“alien” has the meaning assigned to it in article 232 of the Constitution;

“registration officer” includes the Chief Registration Officer, the Deputy Chief Registration Officer, and any officer of the police force authorised under section 3(4) to exercise and perform the powers, functions and duties of a

registration officer;

“residence” means ordinary dwelling-place, and where an alien has more than one dwelling-place, each of such dwelling-places; and “resident” and “resides” shall have corresponding meanings.

(2) For the purposes of this Act any alien who—

- (a) crosses a land frontier of Guyana; or
- (b) arrives in Guyana by sea or air and disembarks in Guyana; or
- (c) arrives in Guyana by sea or air with the intention of disembarking in Guyana, shall be deemed to have entered Guyana.

Registration officers.

3. (1) The Commissioner of Police shall be the Chief Registration Officer for the purposes of this Act.

(2) The Minister may, from time to time, designate a public officer to be a Deputy Chief Registration Officer, and such officer shall have and may exercise all the powers, functions and duties vested in the Chief Registration Officer under this Act.

(3) The Minister may, for the purposes of this Act, designate public officers to be registration officers for Guyana or any specified part thereof.

(4) The Chief Registration Officer may, by writing under his hand, authorise any officer of the police force, subject to such directions as he may give to him from time to time, to exercise and perform in a specified part of Guyana, and any such authorised officer shall have and may exercise

and perform subject to such directions, all the powers, functions and duties of a registration officer; and the Chief Registration Officer may at any time, by writing under his hand, cancel such authorisation.

(5) Every appointment or authorisation under this section shall be published in the *Gazette*.

(6) Every registration officer shall have, and may exercise and perform, all the powers, functions and duties of a member of the police force.

Entry of aliens
into Guyana.
[13 of 1961]

4. (1) The Minister may in his absolute discretion prohibit the entry of any alien into Guyana.

(2) Subject to this Act, no alien shall enter Guyana except with the leave of an immigration officer and such leave shall not be given where the Minister has prohibited the entry therein of the alien.

(3) An immigration officer, acting in accordance with general or special directions given by the Minister, may attach such conditions as he may think fit to the grant of leave to an alien to enter Guyana, and the Chief Registration Officer acting in accordance with special directions given by the Minister may at any time vary such conditions in such manner as he thinks fit and the alien shall comply with the conditions so attached or varied.

(4) An immigration officer may, as a condition of granting him leave to enter Guyana, require an alien to give the security prescribed in pursuance of section 37 of the Immigration Act and the Chief Registration Officer may require an alien, as a condition of granting a variation of a condition attached to the leave to enter, to give the prescribed security.

(5) An alien who fails to comply with any condition attached to the grant of leave to enter Guyana or imposed by way of variation of any condition so attached, or

an alien who is found in Guyana at any time after the expiration of the period limited by any such condition, shall be deemed to be an alien who entered Guyana without the leave of an immigration officer.

(6) Every person who is a registration officer for the purposes of this Act shall, for the purposes of this section, be an immigration officer for Guyana or for a specified part thereof, as the case may be.

(7) Nothing in this section shall be construed as affecting the operation of the Expulsion of Undesirables Act, or of any Act for the time being in force relating to immigration.

Duty of aliens to register.

5. (1) Subject to and save as otherwise provided in this Act, every alien in Guyana shall register with a registration officer under this Act as an alien.

(2) Where an alien who has attained the age of sixteen years enters Guyana, such alien shall register under this Act within three days, or such further time as may be allowed by a registration officer, after such alien enters Guyana; and where an alien while in Guyana attains the age of sixteen years, such alien shall register under this Act within fourteen days, or such further time as may be allowed by a registration officer, after such alien attains the age of sixteen years.

Registration.

6. (1) Every alien who is required under this Act to register as an alien shall, within the time limited by section 5(2)—

- (a) attend at the office of the registration officer for the place in which the alien has his residence, and at the office of any registration officer where the

Schedule.

- alien has no residence in Guyana; and
- (b) furnish to the registration officer particulars as to the matters set out in the Schedule; and
 - (c) produce to the registration officer a passport containing a photograph of himself or some other document establishing to the satisfaction of the registration officer the identity and nationality of the alien; or
 - (d) explain why he has no passport or other document as aforesaid, and establish to the satisfaction of the registration officer his identity and nationality; and
 - (e) furnish all particulars concerning his family and himself that the registration officer may require; and
 - (f) if required by the registration officer so to do, furnish a recent photograph of himself and submit to his finger-prints being taken.

(2) Where an alien complies with subsection (1) to the satisfaction of the registering officer, the registering officer shall issue to the alien a certificate of registration.

(3) A certificate of registration under subsection (2) shall be in the form from time to time approved by the Chief Registration Officer, and shall contain such particulars and marks together with any finger-prints, as may be deemed by the registration officer to be necessary for the purpose of identification.

(4) Where the Chief Registration Officer considers that the fingerprints of an alien to whom a certificate of registration is issued under this Act should be taken or taken again, he shall require the alien to produce to him his certificate of registration and to submit to his finger-prints being taken or taken again, and the finger-prints so taken shall be included in the certificate of registration.

(5) Every identification certificate issued to an alien under the Defence (Aliens) Regulations, 1941, (which Regulations are published in the *Gazette* of the 25th day of June, 1941, at page 1171) and in force at the commencement of this Act shall have effect as if it were, and shall be deemed to be, a certificate of registration issued under this Act, and the alien to whom any such identification certificate relates shall be deemed to be registered under this Act.

(6) Any such identification certificate shall be produced by the alien to the Chief Registration Officer whenever he is required by the said officer so to do, and the Chief Registration Officer shall issue to the alien, in place of the identification certificate, a certificate of registration under this Act:

Provided that before the issue of such certificate of registration the Chief Registration Officer may, if he thinks fit, require the alien to submit to his finger-prints being taken.

Change of
Residence.

7. (1) Where an alien who has attained the age of sixteen years proposes to change his place of residence he shall—

- (a) Inform the registration officer of the place in which he has his residence, of his intention to change the place of his residence;

- (b) state the date of the proposed change; and
- (c) state the address at which he proposes to reside after such change.

(2) Where an alien who has attained the age of sixteen years changes his place of residence he shall, within three days after such change, report the change and produce his certificate of registration as an alien, at the office of the registration officer of the place in which he has his place of residence as aforesaid, and if required so to do by such registration officer, he shall report in person to such registration officer.

Conditions and restrictions relating to certificates of registration.

8. (1) Every alien to whom a certificate of registration is issued, or is deemed to be issued, under section 6 shall at all times, if required so to do, produce the certificate to any registration officer or to any member of the police force; and if an alien fails so to produce such certificate he may be detained pending the making of inquiries concerning him, and, while so detained, he shall be deemed to be in legal custody.

(2) No person to whom a certificate of registration is issued or is deemed to be issued, under section 6 shall lend, transfer, assign, or part with the possession of, such certificate to any other person.

(3) Where a person has in his possession a certificate of registration which appears to be a certificate issued, or deemed to be issued, under section 6, he shall answer all questions put to him by a registration officer or a member of the police force for the purpose of establishing his identity with the person named in the certificate, and shall, if required by a registration officer or member of the police force so to do, submit to his finger-prints being taken for that purpose.

Offences.
[6 of 1997]

9. Any person who—

- (a) being an alien prohibited from entry into Guyana, enters Guyana; or
- (b) an alien, enters Guyana except with the leave of an immigration officer; or
- (c) being an alien who has attained the age of sixteen years is not registered under this Act; or
- (d) being an alien, fails to comply with any of the provisions of section 6 (4) or (6);
- (e) without lawful authority or excuse, alters any certificate of registration issued, or deemed to be issued, under section 6; or
- (f) without lawful authority or excuse, has in his possession any altered certificate of registration issued, or deemed to be issued under section 6, or any forged certificate of registration purporting to be issued, or to have been deemed to be issued, under section 6; or
- (g) fails to comply with any of the provisions of section 7; or
- (h) contravenes or fails to comply with any of the provisions of section 8; or

- (i) aids, assists or procures an alien to commit an offence under paragraphs (a) or (b); or
- (j) assaults, resists, obstructs, or hinders any registration officer or immigration officer or member of the police force in the execution of his duty under this Act,

shall be liable on summary conviction to a fine of thirty-two thousand five hundred dollars and to imprisonment for six months.

Power of Minister to vary Schedule.

10. The Minister may at any time from time to time, by order published in the *Gazette*, revoke, vary or add to the Schedule, or substitute a new Schedule therefore.

Power to exempt aliens from the provisions of this Act.

11. The Minister may by order exempt, from all or any of the provisions of this Act, any alien, or any class of aliens, and such exemption may be general or subject to such conditions, restrictions, limitations or exceptions as are specified in the order.

When Act does not apply. [2 of 1969 4 of 1972]

12. This Act shall not apply to the following aliens:

- (a) persons not resident in Guyana who are officers, or members of the crew, of a ship and who do not land in Guyana for discharge;
- (b) persons in the service of the Government of Guyana or the Government of any Commonwealth territory;
- (c) members of the staff of the mission in Guyana of a foreign

sovereign Power, consular officers and consular employees in Guyana of a foreign sovereign Power, and members of their families forming part of their households;

- (d) such classes of persons specified by order of the Minister for the purpose of giving effect to any agreement between Guyana and any other country;
- (e) the wife, and any child who has not attained the age of sixteen years, of any person referred to in any of the preceding paragraphs of this subsection.

SCHEDULE

s. 6 (1)(b)
s. 10

(Particulars to be supplied where application is made for registration of an alien.)

1. Name in full and sex.
2. (a) Present nationality and how and when acquired.
(b) Previous nationality (if such be the case).
3. Date, and country, of birth.
4. Profession or occupation.
5. Date, place, and mode of arrival in Guyana.
6. Address of place of residence in Guyana.
7. Address of last place of residence out of Guyana.
8. Particulars of passport or other document establishing nationality and identity.

SUBSIDIARY LEGISLATION

O. in C.
36/1948

**ALIENS (REGISTRATION) (EXEMPTION)
ORDER**

made under section 11

Citation.

1. This order may be cited as the Aliens (Registration) (Exemption) Order.

Exemptions from
section 5(2).

2. The provisions of section 5(2) of the Aliens Act, which require an alien who enters Guyana to register under the said Act, shall apply to –

- (a) any alien who is a citizen of the United States of America and who intends to remain in Guyana for a period not exceeding three months from the date of the his entry into Guyana; and
 - (b) any alien who crosses a land frontier of Guyana and who intends to remain in Guyana for a period not exceeding 14 days from his entry into Guyana.
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O. 47/1961

**ALIENS (IMMIGRATION AND REGISTRATION)
(EXEMPTION) ORDER**

made under section 11

Citation.

1. This Order may be cited as the Aliens

LAWS OF GUYANA

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[Subsidiary] *Aliens (Immigration and Registration) (Exemption) Order*

(Immigration and Registration) (Exemption) Order.

Exemption from
Act.

2. The governors, executive directors, alternates, officers and employees of the International Bank for Reconstruction and Development shall be exempt from all the provisions of the Aliens (Immigration and Registration) Act.