
 STATUTORY INSTRUMENTS

1968 No. 1649

ALIENS

The Aliens Order 1968

<i>Made</i>	- - -	16th October 1968
<i>Laid before Parliament</i>		22nd October 1968
<i>Coming into Operation</i>		1st November 1968

At the Court at Buckingham Palace, the 16th day of October 1968
Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of section 1 of the Aliens Restriction Act 1914(a), as amended by the Aliens Restriction (Amendment) Act 1919(b), and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows :—

Citation, date of operation and interpretation

1.—(1) This Order may be cited as the Aliens Order 1968.

(2) This Order shall come into operation on 1st November 1968.

(3) In this Order “the principal Order” means the Aliens Order 1953(c) as amended by the Aliens Order 1957(d), the Aliens Order 1960(e), the Aliens Order 1964(f), and the Aliens Order 1967(g).

Refusal of leave to land on account of mental disorder or for medical reasons

2. For paragraphs (b) and (c) of Article 4(2) of the principal Order (which provide that, except with the authority of the Secretary of State, leave to land in the United Kingdom shall not be granted to an alien if the alien is a person of unsound mind or a mentally defective person, or if it is certified by a medical inspector that it is undesirable for medical reasons that the alien should be permitted to land) there shall be substituted the following paragraph :—

“(b) if it appears to the immigration officer on the advice of a medical inspector or, if no such inspector is available, of any other duly qualified medical practitioner (within the meaning of section 52(1) of the Medical Act 1956(h)), that the alien is a person suffering from mental disorder, or that it is otherwise undesirable for medical reasons that he should be admitted.”.

Functions exercisable by ministries of the government of Northern Ireland

3.—(1) In Article 4(3) of the principal Order (which includes provision that, except with the authority of the Secretary of State, an alien proposing to enter the employment of a particular employer in Northern Ireland shall not be

(a) 1914 c. 12.

(c) S.I. 1953/1671 (1953 I, p. 94).

(e) S.I. 1960/2214 (1960 I, p. 291).

(g) S.I. 1967/1282 (1967 II, p. 3712).

(b) 1919 c. 92.

(d) S.I. 1957/597 (1957 I, p. 142).

(f) S.I. 1964/2034 (1964 III, p. 5116).

(h) 1956 c. 76.

granted leave to land in the United Kingdom unless he produces a permit for his engagement issued to that employer by the Ministry of Labour and National Insurance for Northern Ireland) for the words "Ministry of Labour and National Insurance for Northern Ireland" there shall be substituted the words "Ministry of Health and Social Services for Northern Ireland".

(2) In Article 33(e) of the principal Order (which provides that the functions of the Minister of Health in relation to medical inspectors for the purposes of the Order shall, in Northern Ireland, be exercised by the Ministry of Health and Local Government for Northern Ireland) for the words "Ministry of Health and Local Government for Northern Ireland" there shall be substituted the words "Ministry of Health and Social Services for Northern Ireland".

Deported alien ceasing to be alien

4. Article 20(5) of the principal Order (which provides that a deportation order made against an alien shall continue in force notwithstanding that he subsequently ceases to be an alien) is hereby revoked.

Hovercraft

5.—(1) In Article 31(2) of the principal Order, at the end of the definition of the word "ship", there shall be added the words "including a hovercraft as defined in section 4(1) of the Hovercraft Act 1968(a) (and any reference to the master of a ship shall be construed accordingly)".

(2) Any reference in the Aliens Order 1967 to a ship shall be construed as including a hovercraft as defined in section 4(1) of the Hovercraft Act 1968.

Aliens entering through Republic of Ireland

6. In Schedule 1 to the principal Order (provisions applicable to certain aliens entering through the Republic of Ireland), in paragraph 4(a) (which contains a list, in alphabetical order, of countries whose nationals do not require visas for the purposes of that paragraph), there shall be inserted, at the appropriate points in the list, the following additional countries, that is to say, Algeria, Israel, the Ivory Coast, the Maldivé Islands, Uruguay and Western Samoa.

W. G. Agnew.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order makes miscellaneous amendments to the Aliens Order 1953 (the principal Order).

Article 2 replaces the provisions of paragraphs (b) and (c) of Article 4(2) of the principal Order as to when an alien is to be refused leave to land in the United Kingdom on account of his mental condition or for medical reasons. The amendment assimilates the provisions of Article 4(2) to the corresponding provisions in section 2(4)(a) of the Commonwealth Immigrants Act 1962 (c.21) as to refusal of admission of Commonwealth citizens.

Article 3 amends two provisions of the principal Order relating to functions under that Order exercisable by ministries of the government of Northern Ireland. The amendments are consequential on Orders of the Privy Council of Northern Ireland transferring functions between ministries.

Article 4 revokes Article 20(5) of the principal Order, which provides that a deportation order made against an alien shall continue in force notwithstanding that he ceases to be an alien.

Article 5 provides that the definition of "ship" in the principal Order and references to a ship in the Aliens Order 1967 shall include a hovercraft.

Article 6 amends Schedule 1 to the principal Order, which places certain restrictions on aliens entering the United Kingdom, when coming from foreign countries, through the Republic of Ireland. Under paragraph 4(a) these restrictions are modified in the case of aliens who are in possession of a United Kingdom visa or are nationals of countries with which the United Kingdom has concluded visa-abolition agreements or of certain other countries. Article 6 makes additions to the list of these countries in consequence of the conclusion of other visa-abolition agreements.