



## CHAPTER 18

An Act to provide for the employment of aliens and British protected persons in civil service under the Crown. [21st December, 1955]

**B**E it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) Notwithstanding anything in section three of the Act of Settlement, or in section six of the Aliens Restriction (Amendment) Act, 1919, an alien may be employed in any civil capacity under the Crown—

Provision for civil employment of aliens.  
12 & 13 Will. 3. c. 2.  
9 & 10 Geo. 5. c. 92.

- (a) if he is appointed in any country or territory outside the United Kingdom, the Channel Islands and the Isle of Man and employed in any such country or territory in service of a class or description which appears to the responsible Minister to be appropriate for the employment of aliens; or
- (b) if a certificate in respect of his employment, issued by the responsible Minister with the consent of the Treasury, is for the time being in force under this section;

and so much of the said section three as imposes disability for employment in any such capacity shall cease to have effect in relation to British protected persons.

(2) A certificate may be issued under this section either in respect of the employment of a specified alien in specified service, or in respect of the employment of aliens generally in specified service or in service of any specified class or description; but no such certificate shall be issued unless it appears to the responsible Minister, at the time of the issue of the certificate,—

- (a) in the case of a certificate in respect of the employment of a specified alien in specified service, either that no

suitably qualified person being a British subject is available for employment in that service or that the alien possesses exceptional qualifications or experience fitting him for such employment;

- (b) in the case of any other certificate, that suitably qualified persons being British subjects are not readily available, or available in sufficient numbers, for employment in the service, or class or description of service, specified in the certificate.

(3) A certificate under this section shall cease to have effect, unless previously revoked, at the expiration of a period of five years from the date on which it is issued, but without prejudice to the power of the responsible Minister to issue a fresh certificate.

(4) The Treasury shall lay before each House of Parliament in every financial year a list containing particulars of all certificates in force under this section during the previous financial year, including the numbers of aliens employed during that year in pursuance of such certificates.

Supplemen-  
tary provisions.  
11 & 12 Geo. 6.  
c. 56.

2.—(1) In this Act “alien” and “British protected person” have the same meaning as in the British Nationality Act, 1948; “Minister” includes the Treasury, the Admiralty and the Board of Trade; and “responsible Minister”, in relation to any service, means the Minister concerned with the administration of that service.

(2) Any question arising under this section what Minister is the responsible Minister in relation to any service shall be referred to and determined by the Treasury.

10 & 11 Geo. 5.  
c. 67.

(3) No limitation on the powers of the Parliament of Northern Ireland imposed by the Government of Ireland Act, 1920, shall preclude that Parliament from making laws for purposes similar to the purposes of this Act.

(4) Regulation sixty D of the Defence (General) Regulations, 1939 is hereby revoked: but any alien who, immediately before the commencement of this Act, is employed under the Crown by virtue of that Regulation (not being a person appointed and employed in any country or territory outside the United Kingdom, the Channel Islands and the Isle of Man) shall be treated for the purposes of this Act as if a certificate in respect of his employment had been issued under section one of this Act by the responsible Minister immediately after the commencement of this Act.

Short title.

3. This Act may be cited as the Aliens' Employment Act, 1955.

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