

## SCHEDULES

### SCHEDULE 2

#### EXCLUSION ORDERS

##### *Removal directions*

- 6 (1) The Secretary of State may in accordance with the following provisions of this paragraph give directions for the removal from the relevant territory of any person subject to an exclusion order; but a person shall not be removed in pursuance of the directions until notice of the making of the order has been served on him and one of the conditions in paragraph 5(a), (b) and (c) above is fulfilled.
- (2) Directions under this paragraph above may be—
- (a) directions given to the captain of a ship or aircraft about to leave the relevant territory requiring him to remove the person in question from that territory in that ship or aircraft; or
  - (b) directions given to the owners or agents of any ship or aircraft requiring them to make arrangements for the removal from the relevant territory of the person in question in a ship or aircraft specified or indicated in the directions; or
  - (c) directions for the removal from the relevant territory of the person in question in accordance with arrangements to be made by the Secretary of State;
- and any such directions shall specify the country or territory to which the person in question is to be removed.
- (3) Directions under this paragraph may also be given for the removal of a person by land to the Republic of Ireland; and those directions may be—
- (a) directions given to the driver or owner of any vehicle (being, in the case of a private vehicle, one in which that person arrived in Northern Ireland) requiring him to remove the person in question to the Republic of Ireland in a vehicle specified in the directions; or
  - (b) directions for the removal of the person in question in accordance with arrangements to be made by the Secretary of State.
- (4) No directions under this paragraph shall be for the removal of a person to any country or territory other than one—
- (a) of which the person in question is a national or citizen;
  - (b) in which he obtained a passport or other document of identity; or
  - (c) to which there is reason to believe that he will be admitted;
- and no such directions shall be given for the removal of a British citizen, a British Dependent Territories citizen, a British Overseas citizen or a British National (Overseas) to a country or territory outside the United Kingdom unless he is also a national or citizen of, or has indicated that he is willing to be removed to, that country or territory.

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*Status: This is the original version (as it was originally enacted).*

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- (5) Where—
- (a) a person is found on examination under Schedule 5 to this Act to be subject to an exclusion order; or
  - (b) an exclusion order is made against a person following such an examination, the power to give directions for his removal under any provision of this paragraph except sub-paragraphs (2)(c) and (3)(b) shall be exercisable by an examining officer as well as by the Secretary of State; and where any such person has arrived in a ship or aircraft (including arrival as a transit passenger, member of the crew or other person not seeking to enter Great Britain or Northern Ireland) the countries or territories to which he may be directed to be removed under sub-paragraph (2) above include the country or territory in which he embarked on that ship or aircraft.
- (6) A person in respect of whom directions are given under this paragraph may be placed under the authority of the Secretary of State or an examining officer on board any ship or aircraft or, as the case may be, in or on any vehicle in which he is to be removed in accordance with the directions.
- (7) The costs of complying with any directions under this paragraph shall be defrayed by the Secretary of State.
- (8) Any person who without reasonable excuse fails to comply with directions given to him under this paragraph is guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding three months or a fine not exceeding level 4 on the standard scale or both.
- (9) In this paragraph “the relevant territory” means—
- (a) in relation to a person subject to an exclusion order made under section 5 of this Act, Great Britain;
  - (b) in relation to a person subject to an exclusion order made under section 6 of this Act, Northern Ireland; and
  - (c) in relation to a person subject to an exclusion order made under section 7 of this Act, the United Kingdom.