

## CHAPTER 80A DEPORTEES REGISTRATION ACT

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• Act • Subsidiary Legislation •

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### ACT

Act No. 14 of 2003

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## CHAPTER 80A DEPORTEES REGISTRATION ACT

**An Act to make provision for persons who were convicted of certain serious offences in a foreign country and deported to Grenada, subject to an application to the High Court by the Commissioner of Police, to be designated as restricted persons and for a central register to be kept under the management of the Commissioner.**

[Act No. 14 of 2003.]

[31st October, 2003.]

### 1. Short title

This Act may be cited as the Deportees Registration Act.

### 2. Interpretation

In this Act—

“central register” means the register kept pursuant to section 5;

“Commissioner” means the Commissioner of Police;

“deportation order” means an order (however described) made by an authority of a foreign state which requires the person subject to the order to leave and remain out of that state, and “deportation” shall be construed accordingly;

“firearm” has the same meaning as in the Firearms Act;

“Minister” means the Minister responsible for national security;

“parish or island register” means a register kept pursuant to section 5;

“registration officer” means a person designated as such under section 5;

“restricted person” means a person in respect of whom an order is made by the Minister pursuant to section 3;

“specified offence” means an offence constituted by an act or omission which if it took place in Grenada (or in the case of an extra-territorial offence, in corresponding circumstances outside Grenada) would constitute an offence specified in the First Schedule and would be punishable under the law of Grenada with imprisonment for a term of five years or any greater punishment;

“Tribunal” means the Restricted Persons Review Tribunal established under section 7.

### **3. Designation of restricted persons**

(1) Subject to subsection (2), the Minister may, by order, upon application by the Commissioner and upon being satisfied that it is necessary to do so in the interest of public safety or public order, designate as a restricted person any citizen of Grenada—

- (a) who has been convicted of a specified offence in a foreign state;
- (b) who is the subject of a deportation order made in the foreign state or who has elected to return to Grenada from that state in lieu of deportation; and
- (c) whose conduct and activities have been of such a nature that he or she may be reasonably regarded as constituting a threat to the public safety or public order of Grenada.

(2) The Commissioner shall—

- (a) before making an application under subsection (1), notify a Judge of the Supreme Court *ex parte* of his or her intention to make the application and the reasons therefor;
- (b) attach to the application a certificate issued by the Judge pursuant to subsection (3).

(3) The Judge shall consider the matter and if the Judge is satisfied that in the circumstances the making of such application would be appropriate, he or she shall issue a certificate to that effect.

(4) An order under subsection (1) may impose on a restricted person such restrictions as to residence, reporting to the police, registration, the use or possession of firearms or other weapons, or otherwise as the Minister may deem to be necessary in the interest of public order and public safety.

(5) The restrictions referred to in subsection (4) shall be in force for such period not exceeding twelve months as the order may specify.

### **4. Restrictions on restricted persons**

(1) Every restricted person, shall during the period specified in an order under section 3 be under the supervision of the police and shall be subject to the requirements of subsection (2).

(2) The requirements referred to in subsection (1) are that the restricted person shall—

- (a) notify his or her place of residence, and such other particulars as may be prescribed, to the registration officer of the parish in which he or she resides;

- (b) once in each week or at such time as the registration officer of the parish in which he or she resides may require, report in person to such officer;
- (c) if at any time he or she is absent or likely to be absent from his or her residence for a period exceeding seven days supply to the registration officer of the parish in which he or she resides his or her current address and every subsequent change of address including his or her return to his or her residence;
- (d) forthwith supply to the registration officer of the parish in which he or she resides, particulars of any circumstances affecting or likely to affect in any manner the accuracy of the particulars previously supplied by him or her pursuant to any of the preceding paragraphs;
- (e) upon reporting to the registration officer pursuant to paragraph (b), produce to the registration officer, the registration certificate furnished to him or her under section 6.

## **5. Register**

(1) For the purposes of this Act, there shall be a central register of restricted persons which shall be kept under the management of the Commissioner or such other person as the Commissioner may designate.

(2) The central register shall be in such form and contain such particulars as may be prescribed.

(3) The Commissioner or such other officer of the Royal Grenada Police Force as he or she may designate, shall be the registration officer for the parish of Saint George and the officer in charge of each other parish, shall be the registration officer for that parish.

(4) The respective officers in charge of the islands of Carriacou and Petit Martinique shall be the registration officers for those islands.

(5) The central register shall not be open to inspection by any person except pursuant to the order of a court consequent upon an application by that person.

## **6. Duties of registration officer**

Each registration officer shall—

- (a) keep for his or her parish or island a register of the restricted persons resident therein which shall be in the form and contain such particulars as may be prescribed;
- (b) supply to the person responsible for keeping the central register returns from his or her parish register containing such particulars, at such times and in such manner as may be prescribed;
- (c) supply registration certificates to restricted persons in accordance with the provisions of this Act.

## **7. Establishment of Restricted Persons Review Tribunal**

(1) There is hereby established for the purposes of this Act, a body to be known as the Restricted Persons Review Tribunal which shall not be subject to the direction or control of any other person or authority.

(2) The provisions of the Second Schedule shall have effect with respect to the constitution of the Tribunal and otherwise in relation thereto.

## **8. Functions of the Tribunal**