

THE IMMIGRATION RESTRICTION  
(COMMONWEALTH CITIZENS) ACT

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**SCHEDULE**

THE IMMIGRATION RESTRICTION  
(COMMONWEALTH CITIZENS) ACT.

Cap. 153.  
Acts  
8 of 1962  
S. 16.  
52 of 1968,  
26 of 1988.

[27th December, 1945.]

1. This Act may be cited as the Immigration Restriction (Commonwealth Citizens) Act. Short title.

2.—(1) In this Act— Interpreta-  
tion.

“Chief Immigration Officer” and “immigration officer” respectively mean the Chief Immigration Officer and any immigration officer appointed by the Governor-General under the Aliens Act;

“dependant” in relation to another person means—

- (a) the wife of such person if she is not living apart from him under a decree of a competent court or a deed of separation;
- (b) the child or step-child under the age of sixteen years, of such person;
- (c) an adopted child under the age of sixteen years having been adopted by such person in a manner recognized by law;

“domicile” means the place in which a person has his present home or in which he resides or to which he returns as his place of present permanent abode and not for a mere special or temporary purpose; and a Commonwealth citizen shall not be deemed to have a domicile within the Island for the purposes of this Act unless he has resided therein for at least two years otherwise than under terms of conditional or temporary residence permitted by this Act or any other enactment in force in the Island or as a person under detention

in a prison, reformatory, orphanage, mental hospital or leper asylum; and a Commonwealth citizen shall be deemed for the purposes of this Act to have lost his domicile within the Island if he voluntarily go and reside outside the Island (except for a special or temporary purpose) with the intention of making his home outside the Island; and "domiciled" shall have a corresponding meaning;

**"Health Officer"** means any registered medical practitioner appointed by the Governor-General to be a Health Officer for the purposes of this Act;

**"immigrant"** means a Commonwealth citizen who enters the Island from a place outside the Island, whether for the first or at any subsequent time;

**"lands"** includes arrival or entry by any form of conveyance, and references to landing, unless the context otherwise implies, includes references to attempting to land;

**"member of a crew"** means any person employed in the working or service of a vessel;

**"passport"** means a passport furnished with a photograph and duly issued to or renewed in favour of the person named therein not more than five years before the date of his arrival, or some other document establishing the identity and nationality of the immigrant to the satisfaction of the immigration officer;

**"passenger"** means any Commonwealth citizen, other than a seaman, travelling or seeking to travel on board a vessel;

**"seaman"** means an officer or member of the crew of a vessel;

**"vessel"** includes aircraft, and **"master of a vessel"** includes the pilot of an aircraft.

(2) For the purposes of this Act a Commonwealth citizen shall be deemed to belong to the Island if he—

- (a) was born in the Island or of parents who at the time of his birth were domiciled or ordinarily resident in the Island; or
- (b) is domiciled in the Island; or
- (c) has been ordinarily resident in the Island continuously for a period of seven years or more and since the completion of such period of residence has not been ordinarily resident in any other part of Her Majesty's dominions or any territory under the protection of Her Majesty continuously for a period of seven years or more; or
- (d) became a citizen of Jamaica by registration or by naturalization; or 8/1962  
S. 16.
- (e) is a dependant of a person to whom any of the foregoing paragraphs applies.

(3) For the purposes of this Act a Commonwealth citizen shall be deemed to belong to a particular place outside the Island if he—

- (a) was born in that place or of parents who at the time of his birth were domiciled or ordinarily resident in that place; or
- (b) is domiciled in that place; or
- (c) has been ordinarily resident in that place continuously for a period of seven years or more and since the completion of such period of residence has not been ordinarily resident in any other place continuously for a period of seven years or more; or
- (d) is a dependant of a person to whom any of the foregoing paragraphs applies.

3. For the purpose of performing his duties under this Act an immigration officer shall have the powers of a constable and may board and search any vessel arriving in the Island. General  
powers of  
immigration  
officers.