

CHAPTER 14:05

EXPULSION OF UNDESIRABLES ACT

ARRANGEMENT OF SECTIONS

SECTION

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An Act to make provision for preventing the entry of undesirable persons into Guyana and for the expulsion of undesirable persons from Guyana.

1953 Ed.
c. 99

30 of 1930

[1ST NOVEMBER 1930]

1. This Act may be cited as the Expulsion of Undesirables Act. Short title.

2. In this Act— Interpretation.
[10 of 1967]

“expulsion order” means an order made by the President—

- (a) prohibiting an undesirable person from entering Guyana; or

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- (b) requiring an undesirable person to leave Guyana within the time fixed by the order and thereafter to remain out of Guyana; or
- (c) directing that an undesirable person be apprehended and deported from Guyana;

“undesirable person” means any person, other than a citizen of Guyana, in respect of whom the President deems it conducive to the public good to make an expulsion order.

Undesirable person may be prohibited from entering Guyana.

3. Should the President have reason to believe that an undesirable person is about to arrive or may arrive in Guyana he may make an order against such person prohibiting him from entering Guyana. Thereupon such person shall not be permitted to enter Guyana, but if, after service upon him of the order, he does so enter, he may be apprehended without warrant by any member of the police force and shall be deported from Guyana.

Undesirable person may be ordered to leave Guyana.

4. The President may at any time make an order against an undesirable person requiring him to leave Guyana within a time fixed by the order and thereafter to remain out of Guyana, or directing that such person be apprehended by any member of the police force and be deported from Guyana. The President may extend the time fixed by any such order.

Representations against expulsion order.
[10 of 1967]

5. (1) Any person against whom an expulsion order has been made may make representations in writing to the President setting forth reasons for non-compliance with such order or for non-enforcement thereof or for allowance of further time to comply therewith, and on any such person signifying his desire so to make representations the person in whose custody he shall be shall give him all reasonable assistance for their preparation and forward the writing to the President.

(2) On receipt of any such representations the President shall with all due despatch inquire into them and decide upon them.

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6. (1) Any person required to leave Guyana by an expulsion order who shall be within Guyana after the expiration of the time fixed by the order or of any extension thereof allowed by the President shall be guilty of an offence.

Contravention of expulsion order requiring person to leave Guyana.

(2) Any such person may be apprehended without warrant by any member of the police force and shall be deported from Guyana forthwith or after he shall have served any term of imprisonment imposed on him for his offence.

7. (1) Any person who, having left Guyana in compliance with an expulsion order or having been deported therefrom under or for disobedience to any such order, returns to Guyana shall be guilty of an offence, unless previous to his return such order shall have been revoked or suspended or the President shall have authorised such person to return.

Return to Guyana after expulsion.

(2) Any such person may be apprehended without warrant by any member of the police force and shall be deported from Guyana forthwith or after he shall have served any term of imprisonment imposed on him for his offence.

8. (1) Any person apprehended under or for disobedience to an expulsion order shall, pending deportation from Guyana, be detained in custody in such place and manner as the President may direct.

Custody pending deportation.

(2) No person so detained shall be admitted to bail except with the consent of the President.

9. (1) Any person liable to be deported under this Act shall be deported in such manner as the President may direct.

Deportation.

(2) The President may seize and apply any money or property of any such person in payment of the whole or any part of the expenses of or incidental to his deportation and to his maintenance in custody pending deportation.

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Harbouring
persons
contravening
this Act.

10. Any person who harbours any other person whom he knows or has reasonable grounds for believing to be acting in contravention of this Act shall be guilty of an offence.

Prosecution
and punish-
ment of
offences.
[6 of 1997]

11. (1) Every offence against this Act shall be prosecuted under the Summary Jurisdiction Acts.

(2) Every person who is convicted of an offence against this Act shall be liable to a fine of forty-eight thousand seven hundred and fifty dollars and to imprisonment for six months.

Lapsing
revocation and
suspension of
expulsion
orders.

12. (1) Should any person apprehended under or for disobedience to an expulsion order not be deported from Guyana within six weeks after his apprehension or after the expiration of any term of imprisonment imposed on him for an offence against this Act he shall be released from custody and the order shall lapse and cease to have force.

(2) The President may at any time revoke an expulsion order absolutely or suspend its operation simply or subject to such conditions as he may think fit.

This Act to
prevail over
Immigration
Act.
[10 of 1967]
c. 14:02

13. This Act shall have effect notwithstanding anything provided by the Immigration Act. .
