

## CHAPTER 188

### EXPULSION OF UNDESIRABLES

1927-1

This Act came into operation on 10th March, 1927.

#### **Amended by:**

*1967-50*

---

#### **Guide to symbols in historical notes:**

- indicates an amendment made by an Act

/ indicates an amendment made by statutory instrument



## CHAPTER 188

### EXPULSION OF UNDESIRABLES 1927-1

#### *Arrangement of Sections*

1. Short title

#### PART I

#### EXPULSION ORDERS

2. Power of Governor-General to make expulsion orders
3. Contravention of expulsion order
4. Power of Governor-General to order arrest and deportation
5. Detention of person ordered to be deported
6. Procedure where excuse or reason alleged for delay in complying with expulsion order
7. Persons expelled or deported not to return without permission
8. Power of Governor-General to make expulsion order in anticipation of arrival in the Island of undesirable
9. Revocation or suspension of order
10. Liability of person expelled for expenses of expulsion

## PART II

## OFFENCES AND PROCEEDINGS

11. Offences and penalties
12. Expulsion order conclusive as to validity
13. Saving effect of revocation or suspension of order
14. No action to be brought by person against whom order made

**BARBADOS****EXPULSION OF UNDESIRABLES  
1927-1**

*An Act to make provision for the expulsion of undesirable persons.*

[Commencement: 10th March, 1927]

**Short title**

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

**PART I****EXPULSION ORDERS****Power of Governor-General to make expulsion orders**

2.(1) Where it appears to the Governor-General that it is expedient for the preservation of the peace and good order of the Island that any person should be required to leave the Island, the Governor-General may, if he thinks fit, make an order (in this Act referred to as an “expulsion order”) requiring such person to leave the Island within the time fixed by the order and thereafter to remain out of the Island.

(2) This section shall not apply to a citizen of Barbados.

[1967-50]

### **Contravention of expulsion order**

3.(1) Any person against whom an expulsion order has been made who is found within the Island after the expiration of the time fixed by the order shall be guilty of an offence against this Act.

(2) Where a person has been convicted of an offence under subsection (1), the Governor-General may, if he thinks fit, order such person to comply with the expulsion order within such extended time as the Governor-General may fix, and if such person is found within the Island after the expiration of the time so extended, he shall be guilty of a further offence against this Act.

(3) The Governor-General may, if he thinks fit, order that any person who has been convicted of an offence under subsection (1) or (2) shall, within six weeks after the expiration of his sentence, be deported from the Island in such manner as the Governor-General may direct and, in the meantime, be detained in custody.

(4) Where such person is not deported from the Island within six weeks after the expiration of his sentence, he shall be released from custody, and the Governor-General's order shall cease to be valid.

### **Power of Governor-General to order arrest and deportation**

4. It shall be lawful for the Governor-General, if he thinks fit, in an expulsion order, instead of requiring the person against whom it is made to leave the Island within a fixed time, to order that the person be arrested and deported from the Island in such manner as the Governor-General may direct.

### **Detention of person ordered to be deported**

5.(1) Any person arrested under an expulsion order shall, pending his deportation from the Island, be detained in custody in such manner and place as the Governor-General shall direct and, if not deported from the Island within six

weeks after his arrest, shall, on the expiration of that period, be released from custody, and the expulsion order shall cease to be valid.

(2) No person in custody under an expulsion order shall be admitted to bail, except with the consent of the Governor-General.

(3) An expulsion order whereby the arrest of any person is ordered shall be deemed to authorise any member of the Police Force to arrest such person in any part of the Island and to detain him in custody.

#### **Procedure where excuse or reason alleged for delay in complying with expulsion order**

6.(1) Where any person against whom an expulsion order (not being an order made under section 8) has been made alleges any excuse for not complying with such order or any reason why the same should not be enforced or why further time should be allowed to him, he may submit the same to the Governor-General and, where such person is in custody under an expulsion order, the officer having the custody of such person, on its being signified to him that any such excuse or reason is alleged by such person, shall forthwith make known the same to the Governor-General.

(2) Where the Governor-General is informed that any such excuse or reason is alleged by any such person, the Governor-General shall suspend the further execution of the expulsion order until the matter can be enquired into and determined by the Governor-General.

(3) Such person, if in custody under an expulsion order, shall remain in custody and, if not in custody, may be arrested and detained in custody until the matter is determined.

#### **Persons expelled or deported not to return without permission**

7. Any person who has left the Island in compliance with an expulsion order or who has been lawfully deported from the Island under this Act, and who returns to the Island without the written permission of the Governor-General or

of some person authorised by the Governor-General shall be guilty of an offence against this Act.

**Power of Governor-General to make expulsion order in anticipation of arrival in the Island of undesirable**

**8.(1)** Where it appears to the Governor-General that it is expedient for the preservation of the peace and good order of the Island that any person, coming within section 2 who the Governor-General has reason to believe is about to arrive or may arrive in the Island, should be prohibited from landing in the Island, the Governor-General may, if he thinks fit, make an expulsion order against such person.

(2) No person against whom such an order has been made shall be permitted to land in the Island, and if, after service upon him of such order, any person does so land, he may be arrested and deported from the Island in such manner as the Governor-General may direct and pending his deportation, he may be detained in custody.

**Revocation or suspension of order**

**9.** It shall be lawful for the Governor-General to revoke or suspend an expulsion order, either absolutely or subject to such conditions as he may think fit.

**Liability of person expelled for expenses of expulsion**

**10.** Where any person is ordered to be deported from the Island under this Act, the Governor-General may, if he thinks fit, apply any money or property of such person in payment of the whole or any part of the expenses of or incidental to such deportation, and to the maintenance of such person while awaiting deportation.

---

PART II  
OFFENCES AND PROCEEDINGS

**Offences and penalties**

**11.(1)** Any person who is guilty of an offence against this Act shall be liable, on summary conviction, to a penalty of two hundred and forty dollars or to imprisonment for six months, or to both such penalty and imprisonment.

(2) Any person who aids or abets any other person in any contravention of this Act or who harbours any other person whom he knows or has reasonable grounds for believing to have acted in contravention of this Act shall be guilty of an offence against this Act.

**Expulsion order conclusive as to validity**

**12.** In any prosecution for an offence against this Act, the production of an expulsion order signed by or by direction of the Governor-General shall be conclusive evidence that the same is valid and was lawfully made.

**Saving effect of revocation or suspension of order**

**13.** The revocation or suspension of an expulsion order by the Governor-General shall not affect the validity of anything already done thereunder or in respect thereof and shall not affect any liability to conviction or punishment previously incurred under this Act.

**No action to be brought by person against whom order made**

**14.** No action shall be brought by any person against whom an expulsion order has been made with reference to anything done or omitted in the execution or purported execution of that order or of this Act.