

Rodrigues Immigration (Control) Regulations, 1940

GN No. 193 of 1940

21st September.

Regulations made by the Governor in Executive Council under Ordinances No. 3 of 1881 and No. 3 of 1883 to provide for the control of Immigration into Rodrigues.

1. These Regulations may be cited as the Rodrigues Immigration (Control) Regulations, 1940.

2. In these Regulations

"Immigration officer" shall mean the Chief Officer of Police in Rodrigues.

"Magistrate" shall mean the Magistrate of Rodrigues.

3.—(1) No person shall land in Rodrigues unless he satisfies the immigration Officer that he or she—

- (a) is a native of Rodrigues, or the husband or wife, or child, stepchild or lawfully adopted child of a native of Rodrigues; or
- (b) is a person in the service of Government, or the husband or wife, or child, stepchild, or lawfully adopted child of such a person; or
- (c) is a person in the employment of the Cable and Wireless Company, or the husband or wife, or child, stepchild, or lawfully adopted child of such a person; or
- (d) is a trader holding a certificate in the form of Schedule A to these Regulations granted by the Magistrate, or the Comptroller of Customs in Mauritius; or
- (e) is a *bona fide* visitor to Rodrigues and intends leaving Rodrigues within one year of his or her arrival there, or is the husband or wife, or child, stepchild, or lawfully adopted child of such a person; or
- (f) is a person in transit and intends remaining in Rodrigues only for such period of the as the ship in which he or she arrived remains in port, or is the husband or wife, or child, stepchild, or lawfully adopted child of such a person; or
- (g) is a person holding a return ticket entitling him or her to return by any ship to the port or place whence he or she came within one year of his or her arrival in Rodrigues, or is the husband or wife, or child, stepchild, or lawfully adopted child of such a person; or
- (h) is the holder of a permit in the form of Schedule B to these Regulations granted by the Governor.

(2) Any person to whom any of the subparagraphs (a) to (g) of the foregoing paragraph applies shall, upon landing in Rodrigues, obtain from the Immigration Officer a landing permit in the form of Schedule D to these Regulations.

4.—(1) Any person landing in Rodrigues contrary to the provisions of these Regulations shall be guilty of an offence under these

Regulations, and the Magistrate may, by a warrant under his hand, require a Police Officer to apprehend such person and convey him aboard the ship on which he arrived, if that ship is still in harbour, or, if the ship is not in harbour, to bring such person before him to be dealt with under these Regulations.

(2) The Master of a ship aboard which a person shall be conveyed under the provisions of the foregoing paragraph shall receive such person on board that ship, failing which he shall be guilty of an offence under these Regulations.

5.—(1) If any passenger ship from which any person shall have landed contrary to the provisions of these Regulations shall leave Rodrigues without such person, and such ship or any other ship belonging to the same owner, or line, shall call at Rodrigues within six months of the date on which such person shall have so landed, the Magistrate may order the master of the ship so calling to receive such person on board and to carry him away in such ship when she leaves Rodrigues.

(2) If the master of such ship refuses or fails to comply with an order of the Magistrate made under this article he shall be guilty of an offence against these Regulations.

6. The Immigration Officer may require any person who wishes to land in Rodrigues to produce to him such document as the Immigration Officer may deem necessary to satisfy himself that such person is a person who may be permitted to land in Rodrigues.

7.—(1) Any person to whom sub-paragraph (e) or (g) of paragraph (1) of Article 3 of these Regulations applies who shall not leave Rodrigues within one year of his or her arrival there shall be guilty of an offence under these Regulations unless he or she is in possession of a permit in the form of Schedule C to these Regulations granted by the Governor.

(2) Any person to whom subparagraph (h) of paragraph (I) of Article 3 of these Regulations applies, or who is the holder of a permit to remain in Rodrigues issued under the foregoing paragraph, who shall reside in Rodrigues for a longer period than that specified in such permit shall be guilty of an offence under these Regulations.

8. Any person who is guilty of an offence under these Regulations, and any person aiding and abetting such person in the commission of such offence, shall be liable to imprisonment for a term not exceeding three months or to a fine not exceeding Rs. 500, or to both such imprisonment and such fine.

Approved by the Governor in Executive Council at a meeting held on the twentieth day of September one thousand nine hundred and forty.