

# IMMIGRATION AND PASSPORT ACT

## CHAPTER 18:01

### Act

#### 5 of 1941

Amended by

2 of 1947

11 of 1953

4 of 1960

37 of 1967

1 of 1973

11 of 1973

8 of 1975

5 of 1979

22 of 1985

12 of 1990

32 of 1995

### Current Authorised Pages

<i>Pages (inclusive)</i>	<i>Authorised by L.R.O.</i>
1-2	1/1995
3-42	1/1991
43-49	1/1995

**Index  
of  
Subsidiary Legislation**

	<b>Page</b>
Immigration (Passport Exemption) Regulations	20
Immigration (Restrictions) Regulations	22
Passport Regulations	43
Aliens (Visa Exemption) Regulations	49

**Note  
on  
Revision Date**

The Revision Date for this Chapter is 1st January, 1994.

## CHAPTER 18:01

## IMMIGRATION AND PASSPORT ACT

## ARRANGEMENT OF SECTIONS

## SECTION

1. Short title.
2. Interpretation.

PART I  
IMMIGRATION

3. Powers of search.
4. Minister may prohibit entry.
5. Enumeration of prohibited immigrants.
6. Passports.
7. Who are not prohibited immigrants.
8. No prohibited immigrant to enter State.
9. Permits for prohibited immigrants to reside in the State.
10. Temporary permits for sick persons.
11. Duties of immigrants on entering the State.
12. Master to furnish list of passengers.
13. Certificate that a person is not a prohibited immigrant.
14. Power to postpone decision.
15. Appeal against detention or restriction of prohibited immigrant.
16. Mistaken decision that a person is not a prohibited immigrant.
17. Orders for prohibited immigrants to leave the State.
18. Temporary permits pending appeal, etc.
19. Visitors and passengers in transit.
20. Finger-prints and photographs may be taken.
21. Offences in relation to permits and certificates.
22. ~~Offences in relation to permits and certificates.~~
23. Removal orders.
24. Liability of ship to repatriate a prohibited immigrant.
25. Recovery of expenses.
26. Place of detention
27. ~~Penalty for false statements~~

## SECTION

PART II  
PASSPORTS

28. Passports required.

PART III  
MISCELLANEOUS

29. Power to make Regulations.  
30. Power to exempt.  
31. Master and owners of ships liable for expenses.  
32. Master may prevent landing.  
33. Expense of return.  
34. Persons claiming to be Commonwealth citizens.  
35. Offences.  
36. Penalty.
-

## CHAPTER 18:01

## IMMIGRATION AND PASSPORT ACT

**AN ACT to impose restrictions on immigration and to govern the issue and production of passports.**

1961 Ed.  
Cap. 157.  
5 of 1941.

[15th December 1941]

Commencement.

1. This Act may be cited as the –

Short title.

**IMMIGRATION AND PASSPORT ACT.**

2. (1) In this Act –

Interpretation.  
[37 of 1967  
5 of 1979  
12 of 1990].

“alien” means a person who is not a Commonwealth citizen;

“Commonwealth passport” and “Commonwealth protected person” means a passport or a protected person, as the case may be, of a Commonwealth country;

“dependant” in relation to another person means –

- (a) the wife of such person provided 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 recognised by law.

“immigrant” means a person who enters the State from a place outside the State whether for the first or at any subsequent time;

“immigration officer” means the Commissioner of Police and any visiting officer, police officer or any constable or other person duly authorised by the Commissioner of Police to execute the provisions of this Act;

“passport” means a passport issued or renewed not more than five years previously by or on behalf of the Government of the country of which the person to whom it relates is a subject or citizen or some other recognised travel document satisfactorily establishing the national status and identity of the person to whom

it relates, which passport or document is still in force and has attached to it a photograph of the person to whom it relates;

“vessel” means any steamship, ship, vessel, sloop, boat or other floating craft and any description of aircraft;

“visiting officer” means the Commissioner of Police and any officer of customs or police officer or other person duly authorised by the Minister to execute the provisions of this Act.

(2) For the purposes of this Act –

(a) a person enters the State if he arrives by sea or by air with the intention of disembarking in the State or if he disembarks in the State;

(b) a person shall be deemed to belong to the State if he is a Commonwealth citizen and –

(i) was born in the State or of parents who at the time of his birth were ordinarily resident in the State; or

(ii) has been ordinarily resident in the State 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 Commonwealth territory continuously for a period of seven years or more; or

(iii) obtained the status of a Commonwealth citizen by reason of the grant of a certificate of naturalisation under the British Nationality Acts, or had obtained a certificate of naturalisation granted under the Naturalisation Ordinance or the Commonwealth of Dominica Citizenship Act; or

(iv) is the wife of a person to whom any of the foregoing paragraphs applies not living apart from such person under a decree of a competent court or a deed of separation, or

(v) is a child, step-child or adopted child having been adopted in a manner recognised by law, under the age of eighteen years, of a person to whom any of the foregoing paragraphs applies

PART I  
IMMIGRATION

3. For the purpose of performing his duties under this Act an immigration officer shall have the powers of a police officer and may board and search any vessel arriving in the State. Powers of search.

4. Notwithstanding anything contained in this or any other Act, the Minister may, in his absolute discretion, prohibit the entry into the State of any person, or class of persons, not belonging to the State. Minister may prohibit entry.

5. (1) The following persons, not belonging to the State, are prohibited immigrants: Enumeration of prohibited immigrants.

- (a) any person who is likely if he entered the State to become a public charge by reason of infirmity of body or mind or who is not in possession of sufficient means to support himself and such of his dependants as he brings with him to the State;
- (b) any idiot or epileptic or any person who is insane or mentally deficient or any person who is deaf and dumb or deaf and blind or dumb and blind, unless in any such case he or a person accompanying him or some other person gives security to the satisfaction of the Commissioner of Police, for his permanent support in the State or for his removal therefrom whenever required by the Commissioner of Police;
- (c) any person certified by a medical officer to be suffering from a contagious or infectious disease which makes his entry into the State dangerous to the community;
- (d) any person who, not having received a free pardon, has been in any country convicted of an offence for which a sentence of imprisonment has been passed and who for this reason appears to be an undesirable immigrant;
- (e) any prostitute or any person who may be living on or receiving or may have lived on or received the proceeds of prostitution;
- (f) any person who from information or advice received from any Government, whether Commonwealth or foreign, through official or diplomatic channels is

deemed by the Minister to be an undesirable inhabitant of, or visitor to, the State;

- (g) any person or class of persons deemed by the Minister on economic grounds or on account of standard or habits of life to be undesirable inhabitants;
- (h) any person or class of persons prohibited from entering the State under the provisions of section 4;
- (i) the dependents of a prohibited immigrant, provided, in the case of his children, step-children and adopted children, that they are under the age of sixteen years.

(2) No appeal shall lie against the decision of the Minister in regard to any of the persons mentioned in subsection (1)(f), (g) and (h) unless the appeal is directed to identify only of the person affected by the decision.

#### Passports.

6. (1) A person entering the State without a passport shall be deemed to be a prohibited immigrant unless and until he explains why he has no passport and establishes his identity and nationality to the satisfaction of the immigration officer.

(2) In this section the expression "passport" means a passport furnished with a photograph and duly issued to the person named therein by or on behalf of the Government of the country of which he is a subject or citizen, 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 an immigration officer.

(3) The passport of a national of a foreign country shall not be accepted unless it bears a Dominican consular visa.

(4) The Minister may by Regulations exempt any class of persons entering the State from the provisions of this section either unconditionally or subject to such conditions as may by such Regulations be imposed.

#### Who are not prohibited immigrants.

7. The following persons or classes of persons shall not be prohibited immigrants for the purpose of this Act:

- (a) persons belonging to the State;
- (b) members of Her Majesty's naval, military or air forces;

(c) persons in the service of the Government;



- (d) persons who are duly accredited to the State by or under the authority of the Government of any Commonwealth country or of any foreign state, or the wife, family, staff or servants of any such persons;
- (e) any other persons or class of persons to whom this section may be applied by Regulations.

8. Except as otherwise specifically provided by this Act no prohibited immigrant shall enter the State, and where it is brought to the notice of an immigration officer that a prohibited immigrant has entered the State after the commencement of this Act, he shall exercise, in relation to such prohibited immigrant, his powers under section 17.

No prohibited immigrant to enter State.

9. (1) The Minister or by his direction any immigration officer may grant a permit for a prohibited immigrant to enter and remain in the State subject to such conditions as to duration and place of residence, occupation, or any other matter or thing, whether similar to those before enumerated or not, as the Minister may think expedient.

Permits for prohibited immigrants to reside in the State.  
[1 of 1973  
11 of 1973  
22 of 1985].

(2) Immigration officers may grant permits for prohibited immigrants to remain in the State for temporary purposes in accordance with the provisions of this Act.

(3) Applications for permits to remain in Dominica for any period shall be accompanied by an application fee of fifty dollars.

(4) Applicants who have been granted permission to reside permanently in Dominica, or for any period in excess of one year shall pay a licence fee of five hundred dollars in addition to the application fee of fifty dollars.

(5) The Minister may in the case of religious bodies and persons belonging to Commonwealth Caribbean countries waive the fees payable under subsections (3) and (4).

10. (1) An immigration officer may, with the consent of a medical officer, grant a permit for an immigrant suffering from a contagious or infectious disease to remain in the State for the purposes of treatment, subject to such conditions as the medical officer may consider necessary for the protection of the community.

Temporary permits for sick persons.

(2) The grant of a permit under this section shall not prevent a subsequent decision that the immigrant is a prohibited immigrant on

(3) On the conclusion of his treatment or at such earlier time as may be specified in the permit or communicated to him by the immigration officer, the immigrant shall present himself in person to the immigration officer for examination.

Duties of immigrants on entering the State.

**11.** (1) No person shall enter the State except at a port of entry.

(2) A person entering the State by sea shall not disembark without the consent of the immigration officer, and the master of the ship shall not allow any such person to disembark without such consent and may use all reasonable and proper means including force if necessary to secure the detention of any such person on board the ship until such consent may be given.

(3) Every person entering the State by air shall forthwith present himself in person to the nearest immigration officer.

(4) Every person entering the State shall if required by the immigration officer –

(a) make and sign the prescribed declaration; and

(b) submit to be examined by a medical officer.

(5) An immigration officer may grant a permit for an immigrant to disembark without prejudice to the question whether he is a prohibited immigrant.

Master to furnish list of passengers.

**12.** The master of a vessel arriving from any place outside the State or departing from the State shall, if so required, furnish the immigration officer with a list in duplicate signed by himself of the names of all passengers in the vessel and such other information as may be prescribed, and every passenger shall supply the information necessary for the purpose of the list.

Certificate that a person is not a prohibited immigrant.

**13.** Where it is decided that an immigrant is not a prohibited immigrant, the immigration officer shall, if so required, give that person the prescribed certificate.

Power to postpone decision.

**14.** An immigration officer may for the purpose of making further inquiry postpone deciding whether a person is a prohibited immigrant for a period not exceeding two months.

Appeal against detention or restriction of prohibited immigrant.

**15.** (1) Whenever leave to enter the State is withheld by an immigration officer or whenever any person is detained, restricted or arrested as a prohibited immigrant, notice of that fact and the grounds of

in the prescribed form. If the notice is given within twenty-four hours of the arrival of any immigrant, the immigration officer giving the notice shall also inform the master of the vessel by which the immigrant arrived that the notice has been given, unless the vessel has already left the State.

(2) Every immigrant to whom the notice has been given may appeal to the nearest Magistrate's Court. Notice of the appeal must be given to the Magistrate's Court and to the immigration officer within seven days of the decision appealed against. An appeal shall lie from the decision of the Magistrate's Court to the Court of Appeal. No Court fee shall be charged for the hearing of any appeal.

(3) Pending the hearing of an appeal to the Magistrate's Court no warrant shall be issued or enforced for the removal as a prohibited immigrant of the person so appealing but should it be held on the hearing of any such appeal that the immigrant to whom notice has been given under subsection (1) is a prohibited immigrant and should no appeal to the Court of Appeal from the decision be noted within one week of the date of the decision the Magistrate shall issue a warrant for the removal of the prohibited immigrant. In like manner should it be held on appeal to the Court of Appeal that the appellant is a prohibited immigrant the Court shall issue a warrant for the removal of the prohibited immigrant.

16. A decision by an immigration officer that a person is not a prohibited immigrant given by mistake or in ignorance of any material facts or in consequence of any misrepresentation by the immigrant shall not affect the liability of the immigrant to be dealt with as a prohibited immigrant.

Mistaken decision that a person is not a prohibited immigrant.

17. An immigration officer who decides that a person is a prohibited immigrant may in his discretion –

Orders for prohibited immigrants to leave the State.

(a) within fifteen days after the arrival of the person in the State, order him to leave the State within a specified period, or, if the immigration officer so orders, to leave the State by a specified vessel; or

(b) cause him to be arrested and brought before a Magistrate's Court with a view to an order being made for his removal.

Temporary  
permits pending  
appeal, etc.

**18. (1) Whenever –**

- (a) a prohibited immigrant has delivered notice of appeal;
- (b) a prohibited immigrant is ordered to leave the State;
- (c) an immigration officer postpones deciding whether a person is a prohibited immigrant; or
- (d) security is required to be given in respect of an immigrant,

the immigration officer may grant a permit for the immigrant to remain in the State for so long as the immigration officer considers necessary.

(2) In lieu of granting the permit or on revocation or expiration of the permit, the immigration officer may cause the immigrant to be arrested and brought before a Magistrate who may either order the permit to be granted, restored, or renewed and the immigrant to be released, or order the immigrant to be detained in custody until the matter is disposed of or until an opportunity occurs for him to leave the State, as the case may require.

Visitors and  
passengers in  
transit.

**19. (1) Where a person desires to remain in the State as a visitor or passenger in transit for a period not exceeding twelve months, an immigration officer may, if so requested and without deciding whether that person is or is not a prohibited immigrant, grant him a permit to remain in the State for such period not exceeding twelve months as may be specified in the permit.**

(2) If the permit is for a period less than twelve months, it may be extended from time to time by the Commissioner of Police up to a maximum twelve months from the date of entry.

(3) If a visitor or passenger in transit desires to remain in the State after the expiration of his permit, he shall before the expiration present himself in person to an immigration officer and shall be dealt with as if he were an immigrant entering the State for the first time.

(4) If a visitor or passenger in transit fails to leave the State on or before the expiration of the permit without having presented himself to an immigration officer, he shall be dealt with as such.

Finger-prints and  
photographs may  
be taken.

**20. A person held to be a prohibited immigrant or to whom a permit is issued shall, if so required by the immigration officer, submit to his**

21. (1) A person to whom a permit or certificate under this Act has been granted shall at all times produce it to any immigration officer or police officer on demand and shall not lend, transfer or assign it to any other person.

Offences in relation to permits and certificates.

(2) No person shall borrow or make use of a permit or certificate which has been granted under this Act to any other person.

(3) A person having in his possession a permit or certificate appearing to have been granted under this Act shall answer all questions put to him by an immigration officer for the purpose of establishing his identity with the person named in the permit or certificate, and shall, if so required by an immigration officer, submit to his fingerprints being taken for that purpose.

22. (1) A permit granted under this Act may at any time be revoked by the Minister or by an immigration officer acting on the direction of the Minister, and may also be revoked where the terms of the permit so provide.

Revocation of permits.

(2) Where a permit is revoked, the immigrant may be arrested and brought before a Magistrate's Court which shall deal with the immigrant according to law; but the Court may, if the permit was not revoked by or by the direction of the Minister, order the permit to be restored and the immigrant to be released.

23. (1) If any person is held to be a prohibited immigrant, then subject to the provisions of this Act and the terms of any permit granted under this Act, any Magistrate's Court may on the application of an immigration officer order the immigrant to be removed from the State and in the meantime to be detained in custody; but no such order shall be made in case of a Commonwealth citizen more than six months after his arrival in the State.

Removal orders.

(2) Any immigrant ordered to be removed may be placed on board a suitable vessel by any police officer or immigration officer and may be lawfully detained in custody on board so long as the vessel is within the territorial waters of the State.

(3) Where an immigrant who is ordered to be removed is serving a sentence of imprisonment, the Minister may give directions as to whether the whole or what part of the sentence is to be served before removal. In default of such directions, the immigrant shall be removed after completion of the sentence.

Liability of ship  
to repatriate a  
prohibited  
immigrant.

24. If within one month of his arrival in the State an immigrant is ordered to be removed or to leave the State, the master of the vessel in which the immigrant arrived or of any vessel belonging to the same owner or chartered by him shall, at the request of an immigration officer and on production to him of the order, receive the immigrant and his dependents who have arrived at the same time and by the same vessel as the immigrant on board and afford them free of charge a passage to the port at which they embarked with proper accommodation and maintenance during the passage; but this section shall not apply –

- (a) where it was not discovered that the immigrant was a prohibited immigrant until more than three weeks after his arrival in the State; or
- (b) if the immigrant has sufficient means to pay his own passage.

Recovery of  
expenses.

25. (1) A Magistrate who is satisfied that any expenses have been or will be incurred by the Government in connection with the maintenance, medical treatment or removal of an immigrant, his wife, children or dependents may issue a warrant for the levy of the amount by distress and sale of any movable property belonging to the immigrant.

Ch. 4:20.

(2) The warrant may be executed in the same manner as a warrant for the levy of the amount of a fine under the Magistrate's Code of Procedure Act.

(3) The partial recovery of expenses under this section shall not prejudice the liability of any surety for the balance, nor shall the issue or execution of a warrant under this section be a condition precedent to the liability of a surety.

Place of  
detention.

26. A person detained in custody under this Act but not serving a sentence of imprisonment may be so detained either in the goal or in any place appointed for the purpose by the Minister, but if detained in the goal, shall be treated as a person awaiting trial.

Master to be held  
harmless.

27. The master of any ship may, on the desertion of any seaman, or ~~the landing of any stowaway or prohibited immigrant on board his ship,~~ apply to a Magistrate, who shall grant the application unless there are special reasons for not doing so, for a warrant to arrest and convey back on board ship the seaman, stowaway or prohibited immigrant, and on so doing the master shall not be liable to any penalties at law for so ~~doing.~~

PART II  
PASSPORTS

28. (1) Every person, other than a person belonging to the State as hereinbefore defined, landing in the State from any place beyond the State shall be in possession of a passport or a travel document acceptable to the immigration officer, that is to say –

Passports  
required.  
[ 8 of 1975  
12 of 1990].

- (a) in the case of a Commonwealth citizen or a Commonwealth protected person he shall have in his possession a passport issued by or on behalf of the Government of the country of which he is a subject or citizen;
- (b) in the case of an alien (other than an alien who is a Commonwealth protected person) he shall have in his possession a passport which has been visaed by a Dominican consular officer or other person duly so authorised;

and shall produce the same to the visiting officer on demand.

(2) The Minister may in his discretion exempt any persons or class of persons either permanently or for a limited period from all or any of the provisions of this section.

PART III  
MISCELLANEOUS

29. The Minister may make Regulations prescribing –

Power to make  
Regulations.

- (a) the powers and duties of immigration officers;
- (b) the steps to be taken to prevent the entrance of prohibited immigrants to the State;
- (c) the ports of entry and the times, places and conduct of the inquiry or examination, medical or otherwise, of persons entering or desiring to enter the State, or who being found in the State are suspected of being prohibited immigrants,
- (d) the means to be taken for the identification of any person believed to be a prohibited immigrant, including the taking of photographs and finger impressions;
- (e) lists of contagious or infectious diseases, the affliction with which will render a person a prohibited immi-

- (f) the procedure for and the manner of the detention of prohibited immigrants pending their removal from the State and the procedure necessary for and the manner of such removal;
- (g) the issue of passports, and the grant of visas to aliens for the purpose of visiting Dominica; and the fees to be paid for the issue thereof;
- (h) the permits and the certificates which may be issued under this Act, the conditions upon which any such permit or certificate shall be issued, the circumstances under which they may be cancelled and the fees which may be charged for any such permit or certificate; and the amount and nature of the security to be found for the due carrying out of any conditions upon which a permit to enter and reside for a specified period may be issued to a prohibited immigrant;
- (i) the forms of warrants, permits, certificates or other documents to be issued or used or of the declarations to be made or of the books to be kept for the purposes of this Act and the particulars to be inserted in any such document, declaration or book;
- (j) generally for the better carrying out of the objects and purposes of this Act.

Power to exempt.

**30.** (1) Notwithstanding anything to the contrary contained in this Act, the Minister may exempt any person from the provisions of section 5(1)(a), (b), (c), (d), (e), (g) and (i) or may authorise the issue of a temporary permit to any prohibited immigrant to enter and reside in the State upon such conditions as may be lawfully imposed by Regulations.

(2) The Commissioner of Police may in his discretion authorise the issue of a certificate of identity to any person who belongs to the State and who desires to proceed out of the State with the intention of returning and is for any reason apprehensive that he will be unable to prove on his return that he is not a prohibited immigrant.

owners of ships  
liable for  
expenses.

**31.** The master and owner of any ship which brings a prohibited person lands in the State contrary to the provisions of this Act shall be jointly and severally liable for all expenses incurred by the Government in detaining and maintaining such person pending deportation and such expenses shall be recoverable as a debt due to the State from the master, owner and agent.



32. The master of a vessel may use all reasonable and proper means including force if necessary to prevent any person landing in the State contrary to the provisions of this Act. Master may prevent landing.

33. When a deportation order is made by the President under the provisions of this Act the master of the vessel in which the person is brought to the State and also the master of any vessel belonging to the same owners shall if required in writing by the President receive the person on board his vessel and afford him free of charge a passage to the port at which the person embarked and proper accommodation and maintenance during the voyage; but no such master shall be liable as aforesaid unless the deportation order has been made by the President within three months from the date upon which the person so landed in the State. Expense of return.

34. Any person arriving in the State from any place beyond the State and claiming to be a Commonwealth citizen or a Commonwealth protected person within the meaning of this Act but who is unable to satisfy the visiting officer that he is such shall, until the contrary is proved to the satisfaction of the visiting officer, be deemed to be an alien. Persons claiming to be Commonwealth citizen.

35. (1) Any master of a vessel who – Offences.

(a) knowingly suffers any prohibited immigrant who arrives in the vessel to land therefrom contrary to the provisions of this Act; or

(b) fails to comply with the provisions of section 33,

is guilty of an offence.

(2) Any prohibited immigrant who knowingly and wilfully lands or suffers himself to be landed and any person who knowingly lands or procures to be landed or who aids or assists in landing any prohibited immigrant contrary to the provisions of this Act is guilty of an offence.

(3) A person is guilty of an offence who –

(a) lands or wilfully assists any person to land in the State contrary to the provisions of this Act; or

(b) for the purpose of entering the State, or of remaining therein, in contravention of this Act or any other law, or of assisting any other person so to enter or so to remain, fabricates or falsifies any permit, passport,

visa, certificate or other document or utters, uses or attempts to use any permit, passport, visa, certificate or other document which has not been issued by lawful authority, or which, though issued by lawful authority, he is not entitled to use, or any fabricated or falsified permit, passport, visa, certificate or other document, knowing it to have been fabricated or falsified; or

(c) fails to comply with or contravenes the conditions under which any permit, passport, visa, certificate or other document has been issued to him under this Act; or

(d) obstructs, hinders or opposes any immigration officer or police officer in the execution of his duty under this Act; or

(e) contravenes or assists any person to contravene or fails to comply with any of the provisions of this Act or any Regulations made thereunder.

(4) Any person who being in the State secretes himself in a ship for the purpose of going to sea or secretes himself and goes to sea in a ship without the consent of either the owner, consignee or master or mate or of the person in charge of the ship or of any other person entitled to give that consent is guilty of an offence.

(5) Any person arriving in the State on board any Commonwealth or foreign ship who, by secreting himself on board the ship, or by getting or remaining on board the same without the consent of the owner, consignee, master or other person entitled to give that consent has obtained a passage on the ship without having paid for the same, is guilty of an offence.

(6) Any person who for the purpose of procuring a passport makes any statement which he knows to be false in a material particular, or recklessly makes any statement which is false in a material particular,

Penalty.

**36.** (1) Any person guilty of an offence under this Act is liable on summary conviction to a fine of three thousand dollars or to imprisonment for six months

(2) Any person guilty of the offence of landing in the State contrary to the provisions of this Act shall in addition to any such penalty be liable pursuant to an order of the President to be deported from the State; but no Commonwealth citizen shall be liable to deportation except within thirty days after his arrival in the State.

---

## SUBSIDIARY LEGISLATION

6/1949.

**IMMIGRATION (PASSPORT EXEMPTION)  
REGULATIONS**

*made under section 29*

Commencement.

[14th February 1949]

Short title.

1. These Regulations may be cited as the –

**IMMIGRATION (PASSPORT EXEMPTION)  
REGULATIONS.**

Passport  
exemption.

2. The following persons are exempted from the provisions of section 6 of the Act:

- (a) a person under the age of sixteen years;
- (b) a Commonwealth citizen coming into the State from any other State within the Eastern Caribbean;
- (c) a *bona fide* visitor to the State for a period not exceeding six months being either a Commonwealth citizen who does not belong to the Eastern Caribbean or a citizen of the United States of America provided that the visitor started a journey either in the part of the Commonwealth to which he belongs or in the United States of America, as the case may be, and that the identity of the visitor as a Commonwealth citizen or a citizen of the United States of America, as the case may be, is established to the satisfaction of an immigration officer; subject always to the following conditions:
  - (i) the visitor has during the whole period of his stay in the State a valid ticket entitling him to a return passage to the part of the Commonwealth to which he belongs or the United States of America;
  - (ii) the visitor makes a declaration in the form set out in the Schedule;
  - (iii) the visitor retains for purposes of identification and produces when so required by any immigration or police officer the landing card handed to him on his arrival in the State, which he shall deliver up to an

immigration or police officer on his departure from the State;

- (d) a passenger in transit by air or sea who is in possession of a ticket to some other country and does not intend to remain in the State for a longer period than fourteen days from the date of arrival.

**SCHEDULE**

Regulation 2

**DECLARATION UNDER THE IMMIGRATION  
(PASSPORT EXEMPTION) REGULATIONS**

Surname .....

Given Names .....

Nationality .....

Age..... Sex .....

Permanent Address

Proposed Address in Dominica .....

.....

Port of Embarkation .....

Particulars of Return Ticket .....

.....

I hereby declare that the above particulars are correct and that I do not intend to remain in the State of Dominica longer than six months and that I will not accept employment in the State.

.....

Vessel.....

Date.....

**SUBSIDIARY LEGISLATION**

---

**IMMIGRATION (RESTRICTIONS) REGULATIONS****ARRANGEMENT OF REGULATIONS**

## REGULATION

1. Short title.
2. Return of passengers.
3. Examination of immigrants and declaration to be made.
4. Evidence of identity, etc., of a wife or child.
5. Evidence of means and security to be furnished.
6. Medical examination.
7. Certificate of identity.  
Application.
8. Permits in respect of sick persons.
9. Permits in respect of temporary immigrants.
10. Conditions of temporary permits.
11. Provisional restriction.
12. Arrest of suspected prohibited immigrants.
13. Records of prohibited immigrants.
14. Procedure on appeal by prohibited immigrant.
15. Order of removal of prohibited immigrant.
16. Detention of prohibited immigrants or suspected immigrants.
17. Duties of person in charge of prohibited immigrant.
18. Authority to board vessels.
19. Penalties.

SCHEDULE.

---

## SUBSIDIARY LEGISLATION

### IMMIGRATION (RESTRICTIONS) REGULATIONS

4/1942  
[8/1953  
36/1958  
45/1959  
7/1970  
12 of 1990].

*made under section 29*

[26th January 1942]

Commencement.

1. These Regulations may be cited as the –

Short title.

#### IMMIGRATION (RESTRICTIONS) REGULATIONS.

2. The master of every ship, whether a Commonwealth or a foreign ship, carrying any passenger to a port in the State from any place out of the State, shall furnish to an immigration officer, at the time of his visiting the ship on arrival, a correct return in Form A in the Schedule.

Return of passengers.

Form A.

3. The examination of persons in accordance with section 11 of the Act shall be conducted by an immigration officer on the vessel by which such persons arrived, or at any other place convenient for the purpose as the immigration officer may direct. Every person before being permitted to enter or remain in the State shall, if so required to do by the immigration officer, complete a declaration in the Form B in the Schedule, and the immigration officer may require every person to declare thereto before himself, and shall satisfy himself where he has any doubt that the signatory thereto is sufficiently educated to understand the declaration; or, if the person is unable to fill in the Form, the officer shall question him, through an interpreter if necessary, and shall himself fill in or cause to be filled in the Form of declaration, and shall thereupon require the person to sign the declaration.

Examination of immigrants and declaration to be made.

Form B.

4. The immigration officer may require, for the purpose of an application of a wife or child of an immigrant to enter the State, a properly authenticated copy of the marriage certificate or of the birth certificate, as the case may be; or, if no copy of the marriage certificate or birth certificate can be produced, the immigration officer may require evidence to satisfy him that that person is the wife or child as alleged and of the identity of the person and that the wife or child is exempted from being considered a prohibited immigrant.

Evidence of identity, etc., of a wife or child.

Evidence of means and security to be furnished.

5. (1) Whenever an immigrant is unable to satisfy the immigration officer that he is not likely to become a public charge he shall not, except by permission of the Commissioner of Police, land or remain in the State unless he deposits with the Permanent Secretary to the Ministry responsible for immigration the following amount respectively as is applicable to his case, namely –

- (a) one thousand dollars if he belongs to one of the Commonwealth Caribbean territories or to Guyana;
- (b) four thousand dollars if he belongs to a country forming part of the continent of America, Europe, or Africa or to any of the islands in the North Atlantic Ocean other than those specified in paragraph (a);
- (c) ten thousand dollars if he belongs to any other country;

but in special cases to be approved by the Commissioner of Police the immigrant may give a security bond in the appropriate amount with one or more sureties acceptable to the Permanent Secretary to the Ministry responsible for immigration. The amount of the deposit or bond shall be applied in indemnifying public funds for all costs, charges and expenses incurred in regard to the immigrant within two years of his arrival in the State (the balance, if any, or the whole if no part is applied as aforesaid being repaid to the immigrant).

(2) A person on a temporary visit to the State shall, if required by an immigration officer, produce evidence to his satisfaction –

- (a) of being in employment elsewhere and of his intention to return thereto; or
- (b) of possession of a ticket for a return passage; or
- (c) of the possession of a sum of money sufficient to enable him to maintain himself during the period of his visit and to provide for his return fare or of its immediate availability.

(3) The immigration officer may accept as sufficient evidence that the immigrant is not likely to become a public charge if (not being a person suffering from infirmity of mind or body or ill health) he is satisfied that *bona fide* employment is awaiting the immigrant in the State, the evidence to support such contention must show the nature and period of the employment and the proposed wage, and be supported as to the ability of the prospective employer to carry out his undertaking and include an undertaking by the employer to repatriate the immigrant



if the engagement is terminated within two years from the time he landed in the State.

(4) The security bond required for the purposes hereof may be given in the Form C in the Schedule with such modifications as the circumstances require. Form C.

6. (1) The medical officer appointed by the Minister for the purpose shall, when necessary and required, be present at the examination of persons entering or seeking to enter the State, and shall indicate to the immigration officer any person who ought, in the opinion of the medical officer, to be medically examined. The immigration officer may require the medical officer to make a medical examination of any such person, and of any other person entering or found within the State who is required to submit to such medical examination. Medical examination.

(2) The medical examination of any person entering or seeking to enter or found in the State shall take place at such place as may be convenient, and as soon as possible after the arrival of the person, or after the person is found, and a report as to the result of the examination shall be rendered to the immigration officer, and shall accompany that officer's record of proceedings furnished to the Commissioner of Police if the person is found to be a prohibited immigrant.

7. (1) A certificate of identity issued in terms of section 29 of the Act to persons who belong to the State may be in the Form D in the Schedule, and subject to the conditions therein set out, or to any modifications required in the particular circumstances; and every such certificate shall contain such particulars as may be considered necessary for the purposes of identification. Certificate of identity. Form D.

(2) No certificate of identity shall be issued unless there is lodged with the immigration officer satisfactory documentary evidence as to the identity of the applicant and of his claim that he belongs to the State, and of the particulars required.

(3) The applicant for a certificate of identity may be required by the immigration officer to submit his application in the Form E in the Schedule, and the applicant shall pay to the Commissioner of Police the sum of five dollars in respect of the application and certificate. Application. Form E.

8. The temporary permit which may be issued to a sick person under section 10 of the Act shall be in the Form F in the Schedule and under the conditions set out in regulation 10. Every such permit shall, Permits in respect of sick persons. Form F.

further, be issued subject to such of the special conditions set out in the Form F as may be prescribed in any case, and the conditions shall be accepted in writing by the holder of the permit before the permit is issued to him.

Permits in respect of temporary immigrants. Form G.

9. The temporary permit which may be issued to an immigrant under sections 9, 18 and 19 of the Act shall be in the Form G in the Schedule and subject to the conditions set out in the said Form and in regulation 10, and shall entitle the person to enter or pass through the State to some destination beyond or to reside temporarily in the State for some approved purpose. Every permit shall contain such particulars and marks together with any finger-prints as may be deemed necessary for purposes of identification.

Conditions of temporary permits.

10. (1) Unless in any individual case the giving of security is considered unnecessary by the Minister or the Commissioner of Police, the immigrant who applies for a temporary permit shall be required to deposit the amount appropriate to his case or give a security bond for the amount as provided by regulation 5(1) as a security for the observance by him of the conditions imposed under the permit. The deposit shall only be refunded upon the fulfillment of the conditions and upon the person leaving the State within the period for which the permit was issued, or upon the cancellation of the conditions by the Minister.

(2) It shall be deemed to be a condition of every temporary permit that the holder shall report to the officers and at the periods and places specified in the permit and, if the holder gives any false or misleading address, he shall be liable to forfeiture of his permit and of the deposit made or bond given by him or on his behalf, and to be dealt with as a prohibited immigrant.

(3) No temporary permit shall be issued for a period exceeding one month without the sanction of the Commissioner of Police, nor for a period exceeding twelve months without the sanction of the Minister.

Provisional restriction.

11. The immigration officer, after commencing his examination of any person who has not satisfied him that he is not a prohibited immigrant, may provisionally restrict the admission to the State of such person, or cause his detention in custody, and may cause such inquiries to be made, or await such further information as may be necessary, before finally informing any person in accordance with section 15 of the Act that he is a prohibited immigrant, and that he may appeal to the Magistrate's Court.

12. In the event of an immigration officer becoming aware of any circumstances constituting reasonable grounds for suspecting that any person within the State is a prohibited immigrant in the State, he shall apply to a Magistrate for a warrant of arrest, in the Form H in the Schedule, or shall otherwise proceed in terms of section 17 of the Act, and shall cause the person to be brought before him, and thereupon proceed to examine him in order to ascertain whether the person is a prohibited immigrant, and the person may, if necessary, be detained pending the completion of the inquiry, and may be further detained thereafter as hereinafter provided if it is found that he is a prohibited immigrant.

Arrest of  
suspected  
prohibited  
immigrants.  
Form H.

13. The immigration officer shall, in the case of every person deemed to be a prohibited immigrant, enter on the Form I in the Schedule a full record of his examination of the person, and shall forthwith transmit the record to the Commissioner of Police together with all documents relating thereto.

Records of  
prohibited  
immigrants.  
Form I.

14. (1) It shall be the duty of an immigration officer, after having notified a person whom he has declared to be a prohibited immigrant and when he is informed by such person that it is his intention to appeal to a Court, to supply to such person for completion by him a notice of appeal in Form J in the Schedule.

Procedure on  
appeal by  
prohibited  
immigrant.  
Form J.

(2) When the notice of appeal has been received by the immigration officer in a completed form from the appellant, he shall transmit the same to the Commissioner of Police. He shall then arrange for the reception of the appellant at the detention depot, or at such other place as may be approved for his accommodation, pending the determination of his appeal; or should the appellant so request, and on his giving security in the manner provided by regulation 5(1), the immigration officer shall issue a temporary permit allowing him to remain in the State for a period not exceeding sixty days, and release him from detention pending the hearing of his appeal to the Magistrate or any subsequent appeal.

(3) It shall be the duty of the Commissioner of Police as soon as he has received information that an appeal has been entered, to inform the Magistrate having jurisdiction in the matter, and the Magistrate shall appoint a time for the hearing of the appeal. The immigration officer shall also give notice to the appellant of the time and place at which his appeal will be heard, and shall, subject to subregulation (2), inform him of the amount of the fee, if he so desires.

(4) At the hearing of an appeal to the Magistrate there shall be placed before the Magistrate a statement by the immigration officer of the grounds upon which he has deemed the appellant to be a prohibited immigrant, and the Court shall inform the appellant accordingly. The appeal shall then be heard summarily in the same manner as on a complaint made and the Magistrate shall at the conclusion thereof endorse on the notice of appeal which was completed by the appellant in accordance with subregulation (1) his decision in regard to that appeal.

(5) The Magistrate shall, in his consideration of a case brought before him, determine on the facts whether the appellant is or is not a prohibited immigrant coming within the class or classes alleged by the immigration officer or of any of the other classes described in the Act or, if he is one of such classes, shall determine whether he has or has not brought proper proof that he is a person exempted under the Act from being a prohibited immigrant, and if the Magistrate finds as a fact that the appellant comes within one of the classes of prohibited immigrants and the appellant has not brought proper proof or has otherwise failed to satisfy him that he is a person so exempted, he shall dismiss the appeal.

(6) If the appeal is dismissed, the appellant shall remain in the custody of the immigration officer who shall forthwith take such steps as may be required for his removal from the State, or for such temporary or conditional residence within the State as may be permitted under the Act, unless the appellant has notified his intention to appeal further to the Appeal Court, in which case the appellant shall remain at the detention depot or other approved place or continue under the terms of his temporary permit until the further appeal has been heard; and if the further appeal has been dismissed, the immigration officer shall then arrange for the removal of the appellant from the State. If the appeal to the Magistrate's Court or to the Appeal Court is allowed, the appellant shall be discharged from custody or shall be relieved from the conditions of any temporary permit issued to him.

(7) The appellant shall prosecute any appeal to the Appeal Court within a period of sixty days of his first giving notice of appeal, but should he be unable to do so the Appeal Court may extend the period for any time sufficient to prosecute his appeal on the appellant showing reasonable cause for the extension.

15. Any order which may be issued under the Act for the removal of a prohibited immigrant from the State shall be in Form K in the Schedule.

Order of removal  
of prohibited  
immigrant.  
Form K.

16. (1) Save as is otherwise provided in the Act, any person detained in custody thereunder may be detained at any place at which persons under arrest awaiting trial are liable to be detained, or in any part of the quarantine station specially provided for the detention of prohibited immigrants, or at any place which may be convenient, regard being had to the circumstances.

Detention of  
prohibited  
immigrants or  
suspected  
immigrants.

(2) Any gaoler or immigration guard shall accept custody of any person on the order of the immigration officer, or on the order of a Magistrate issued at the request of an immigration officer, but no person shall be so detained in custody for any longer period than is necessary for the purpose of any prescribed inquiry or for the completion by the immigration officer of arrangements for the removal of the person from the State at the first reasonable opportunity.

(3) The production of an order of removal shall be sufficient authority to any gaoler or other officer to deliver the person named therein to the escort appointed to bring the person to any place for the purpose of removal in terms of the order.

17. Any person employed by the Government to have custody and control of any person detained as a prohibited immigrant shall carry out such duties as are assigned to him by an immigration officer.

Duties of person  
in charge of  
prohibited  
immigrant.

18. For the purpose of administering the Act and these Regulations, all officers appointed hereunder are hereby authorised and empowered to board any vessel at any time and at all places in the State.

Authority to  
board vessels.

19. Any person who fails to comply with the provisions of these Regulations, with which it is his duty to comply, or who otherwise contravenes these Regulations, is liable on summary conviction to a fine of five hundred dollars or, in default of payment, to imprisonment for three months.

Penalties.

## SCHEDULE

## FORM A

## COMMONWEALTH OF DOMINICA

## THE IMMIGRATION RESTRICTIONS REGULATIONS

## RETURN OF PASSENGERS

List of passengers who have arrived in the Commonwealth of Dominica by the \_\_\_\_\_ on \_\_\_\_\_ 19 \_\_\_\_\_

No.	Cabin or Steerage	Port of Embarkation	Surname	Given Name	Age	Sex	Married or single	Can you read and write English	Calling or occupation	Number and particulars of passport or police permit	Birthplace, nationality and race	Amount of money in your possession	Have you been to Dominica before? If so, state date of departure	For what purpose are you coming to Dominica	How long do you intend to stay in Dominica	Address in Dominica	Signature

Master .....

Dated ..... 19 .....

FORM B

COMMONWEALTH OF DOMINICA  
THE IMMIGRATION (RESTRICTIONS) REGULATIONS  
(Reg. 3).

INTERNATIONAL E/D CARD  
TARJETA INTERNACIONAL E/D

1. Sex M F Mr. Mrs. Miss.....  
Name in full (please print) Nombre y apellido  
(En letras de molde)  
  
Sexo
2. Date of Birth.....  
Fecha de Macimiento Day(Dia) Month(Mes) Year(Ano)
3. Place of birth..... 4. Nationality.....  
Lugar de Nacimiento Country(Pais) Nacionalida
5. Profession or Occupation.....  
Profesion o Occupation (see below (a))
6. Home Address.....  
Direccion Habitual (see below (b))
7. Passport: (a) Number (b) Place and date of issue  
Pasaporte: Numero Lugar y fecha de expedi-  
cion  
.....
8. ARRIVING (a) Port of Embarkation.....  
PASSENGERS Puerto de Embarque  
  
LOS (b) Intended Address.....  
PASAJEROS Direccion al Destino  
  
ENTRANTES .....  
  
(c) Purpose of visit.....  
Motivo de la vista.....

(a) Specify profession or occupation or actual type of work employed in.

(b) Give country of usual residence.

9.	DEPARTING PASSENGERS LOS PASAJEROS DE SALIDA	Port of Disembarkation Puerto de Desembarque
----	---	---

.....

10. RESIDENTS ONLY

(a) Purpose of visit Abroad (Arrivals or Departures).....

(b) Length of stay abroad (Arrivals only).....

.....

*Signature of Passenger/Firma del Pasajero.*

*For Official Use Only*

*Solo Para Uso Oficial*

FORM C

COMMONWEALTH OF DOMINICA

THE IMMIGRATION (RESTRICTIONS) REGULATION  
(Reg. 5(4)).

SECURITY BOND

Dominica.

**KNOW ALL MEN BY THESE PRESENT** that I,.....  
of.....in the Commonwealth of Dominica (hereinafter referred to as the surety) am held and firmly bound unto the Commissioner of Police for the good being of the said State in the sum of.....dollars to be paid to the said Commissioner of Police for which payment well and truly to be made I hereby bind myself my heirs executors and administrators by these presents.



**WHEREAS**.....(herein referred to as the immigrant) who lately arrived in this State by the ship..... is a prohibited immigrant \* within the meaning of the Immigration and Passport Act.

**AND WHEREAS** the said surety desires to enable the said immigrant to land in the State.

**NOW THE ABOVE WRITTEN OBLIGATION** is conditioned to be void if the said surety do on demand forthwith pay to the Commissioner of Police any charges together with the expenses of repatriation (if any) which within two years from the date of these presents may be incurred by the Government of the State in respect of the said immigrant.

Signed and delivered by the above-named .....  
in the presence of .....  
Signature of witness .....  
Address .....  
Occupation .....  
Signature of surety .....

\*or as the case may be.

FORM D

COMMONWEALTH OF DOMINICA

THE IMMIGRATION (RESTRICTIONS) REGULATIONS

(Reg. 7(1)).

CERTIFICATE OF IDENTITY

~~IT IS HEREBY CERTIFIED THAT~~.....  
holding passport No..... issued by.....  
.....  
means of identification which are now specified herein, and having intimated that he/she is about to absent himself/herself from the Commonwealth of Dominica for a period of .....on a visit to .....this document is issued to the said..... and, subject to the conditions specified hereun-

be accepted by the examining immigration officer without further evidence as proof of the identity of the said.....on his/her return within a period of two years.

Date.....

.....

Immigration Officer

Place.....

*Conditions under which the Certificate is issued*

1. That on the return of the person referred to herein to the State this certificate shall be surrendered to the examining immigration officer.
2. That if the person referred to herein seeks to re-enter the State after a period of two years has elapsed from the date hereof, the protection afforded by this certificate shall be deemed to have lapsed, and he/she shall be required to satisfy the requirements of the Act.
3. This certificate may be held to be invalidated if the person named herein is shown to the immigration officer to have made a false declaration in a material particular when applying for a certificate.

*Identification Marks*

.....  
.....

FORM E

COMMONWEALTH OF DOMINICA

THE IMMIGRATION (RESTRICTIONS) REGULATIONS

(Reg. 7(3)).

APPLICATION FOR CERTIFICATE OF IDENTITY

Serial No.....

Nature of document applied for.....

Period, if any, for which required.....

Port of entry.....

(If any reply to these questions to be in the negative, this should in each case be clearly stated.)

1.Name of applicant in full.....

2.Applicant's age.....

3.Country of origin.....

4. (a) Date and place of applicant's first entry into the State  
.....

(b) Full particulars, with dates, of applicant's subsequent movements  
and places of residence.....

5.Particulars of fixed property or other vested interests of applicant in the State or  
elsewhere.....

6.Applicant's occupation and means of subsistence.....

7.Is applicant able to read and write in any European language?

If so, in what language.....

8.Has applicant ever been refused permission to enter the State or any part of the British  
Commonwealth or expelled therefrom?.....

9.Has applicant ever been convicted of any crime in any country?

If so, for what offence.....

10.Is applicant suffering from any mental or physical infirmity?  
.....

11.State whether applicant is or has been married, and place of residence of wife or  
family.....

12.References and particulars of residence and remarks. Special reference should be  
given to any permit or certificate previously  
issued.....

13.Particulars of passport issued to applicant.....

I..... having been duly cautioned, hereby  
declare that I fully understand the above questions, and that I have answered them

truthfully (and that they have been interpreted to me in ..... which I hereby declare to understand).

Signature or mark of applicant.....

Address in full.....

.....

.....

Date.....

---

FORM F

COMMONWEALTH OF DOMINICA

THE IMMIGRATION (RESTRICTIONS) REGULATIONS

(Reg. 8).

PERMIT TO PERSON SUFFERING FROM A COMMUNICABLE DISEASE TO  
ENTER THE STATE ISSUED IN TERMS OF SECTION 9 OF THE ACT.

Permission is hereby granted to ..... who is suffering from a communicable disease to enter the State subject to the conditions prescribed in regulation 8 and to the special conditions specified hereunder or endorsed hereon.\*

.....  
*Immigration Officer.*

I agree to accept this permit under the conditions herein prescribed.

.....  
*Immigrant.*

Dated.....19.....

---

\*The Immigration Officer should insert any other condition and/or strike out on this permit such as any of the restriction conditions contained herein or any and for any other purpose.

*Conditions*

- (a) That the place of residence and every change of residence of the holder of this permit and his manner of transport shall be subject to the approval of the immigration officer.
- (b) That the holder of this permit shall not at any time use or occupy any bedroom or other sleeping accommodation used by any other person.
- (c) That the holder of this permit shall observe and carry out such regulations as to the conditions of residence, disinfection, and otherwise generally for preventing spread of infection, as are laid down in the Public Health Acts or any Regulations made thereunder.
- (d) That immediately on arrival at any place the holder of this permit shall personally report himself to the district medical officer of such place and shall notify his place of residence and any subsequent change of residence.
- (e) That the holder of this permit shall present himself at such time and at such place as may be prescribed for medical examination by a Government medical officer.

---

FORM G

COMMONWEALTH OF DOMINICA

THE IMMIGRATION (RESTRICTIONS) REGULATIONS  
(Reg. 9).

TEMPORARY PERMIT

Sum deposited (or guaranteed).....  
Deposited (or) guaranteed by.....

*(To be refunded on production of this permit when leaving the State, and on fulfilment of the other conditions imposed hereunder.)*

Subject to the conditions specified hereunder or endorsed hereon and to the verification of the marks of identification the holder ..... of ..... is permitted to enter the Commonwealth of Dominica for the purpose .....

Dated this ..... day of ....., 19.....

.....  
Immigration Officer

Conditions

1. The holder of this permit shall leave the State within.....from the date hereof, that is to say, on or before the .....day of..... without expense to the Government.

2. The holder of this permit shall report to the..... at ..... at periods of ..... and shall keep that officer duly advised of his whereabouts.

3. The holder of this permit shall give at least one day's notice of his intended departure from the State.

I/we .....agree to the above conditions, and I/We clearly understand that any breach of these will involve the forfeiture of the above deposit and will render the holder liable to be further dealt with according to law.

Signature of holder.....

Signature of depositor or surety.....

Witness.....

Place.....

Identification Marks

.....

.....

I hereby certify that I acted as interpreter for the purpose of this application.

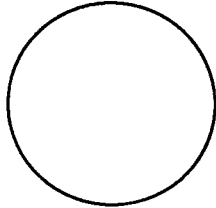
Signature.....

.....

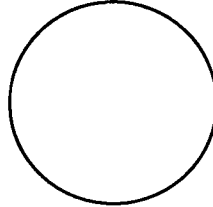
Declared before me at.....day of....., 19.....

.....  
Immigration Officer

Finger prints.  
Left.



Finger prints.  
Right.



FORM H

COMMONWEALTH OF DOMINICA

THE IMMIGRATION (RESTRICTIONS) REGULATIONS  
(Reg. 12).

WARRANT OF ARREST

On the complaint of.....Immigration Officer,

Vs.

.....

*To all Constables and others of the law, proper to the Execution of this Warrant.*

**WHEREAS**, from information taken upon oath before me there are reasonable grounds of suspicion against ..... of ..... that he/she is a prohibited immigrant and is within the State in contravention of the Immigration and Passport Act.

**THESE ARE THEREFORE**, to command you forthwith to apprehend and bring the said ..... or cause him/her to be apprehended and brought before the immigration officer at ..... to be examined and to answer to the said complaint and to be further dealt with according to law.

.....

.....  
*Magistrate District " " "*

FORM I

COMMONWEALTH OF DOMINICA

THE IMMIGRATION (RESTRICTIONS) REGULATIONS

(Reg. 13).

PARTICULARS REGARDING THE IMMIGRANT NAMED BELOW WHO HAS BEEN PROVISIONALLY PROHIBITED

1. Name in full .....

2. Age .....

3. Sex .....

4. Race .....

5. Nationality .....

6. Country of birth .....

7. If married .....

(a) Name of husband or wife .....

(b) Names of children	Age	Sex.
(i) .....	.....	.....
(ii) .....	.....	.....
(iii) .....	.....	.....

(c) Where family now resides.....

(d) Whether previously in the State.....

8. (a) Total residence (if any) in the State.....

(b) Date and place of first entry in the State.....

(c) Period of absence ... ..

(d) Reason for leaving ... ..

9. Particulars of fixed property or other vested interest in the State or elsewhere



10. Occupation and means of subsistence .....
11. Documents and references in support of application to enter into the State  
.....
12. (a) Description .....
- (b) Build .....
- (c) Height .....
- (d) Distinguishing marks and features.....
13. Whether able to write in a European language, and to what extent educated  
.....
14. Whether ever prohibited from entering the State or expelled therefrom  
.....
15. Whether ever convicted of any crime in any country .....
16. Whether suffering from any physical or mental infirmity. If so, attached medical  
report, and in any case state examining officer's views as to physical type  
.....
17. For what purpose is entry desired? .....
18. Any other particulars relevant to the case .....

.....  
*Immigration Officer.*

Port of entry.....

Date.....19.....

.....

---

Final decision and disposal of the case.....

FORM J

COMMONWEALTH OF DOMINICA

THE IMMIGRATION (RESTRICTIONS) REGULATIONS  
(Reg. 14(1))

NOTICE OF APPEAL

I,.....being a person arrested at  
.....and detained as a prohibited immigrant hereby  
notify my intention to appeal against the declaration of the immigration officer that I am  
a prohibited immigrant within the meaning of the Immigration and Passport Act.

Signature.....

Date.....

Place.....

FORM K

COMMONWEALTH OF DOMINICA

THE IMMIGRATION (RESTRICTIONS) REGULATIONS  
(Reg. 15)

ORDER FOR THE REMOVAL OF A PROHIBITED IMMIGRANT

To.....

.....

**WHEREAS** ..... has rendered himself/herself liable to removal from  
the Commonwealth of Dominica by reason that in terms of section.....  
of the Immigration and Passport Act, the said.....

**YOU ARE HEREBY** authorised to cause the said..... to be removed from  
the State under proper escort and subject to necessary detention in custody as provided  
under the Act.

Magistrate District " ."

Dated at.....this.....day of ....., 19...

To.....

**SUBSIDIARY LEGISLATION**

---

**PASSPORT REGULATIONS**

**ARRANGEMENT OF REGULATIONS**

**REGULATION**

1. Short title.
2. Interpretation.
3. Power to search for and seize passports.
4. Power to board and search ships.
5. Issue of passports.
6. Replacement of lost, stolen, destroyed or temporarily unavailable passport.
7. Emergency certificates.
8. Fees.
9. Form.

**FIRST SCHEDULE.**

**SECOND SCHEDULE.**

---

## SUBSIDIARY LEGISLATION

---

### PASSPORT REGULATIONS

33/1960.  
[ 1 of 1973  
11 of 1973  
22 of 1975  
2/1979  
39/1988  
8/1990].

*made under section 29*

Commencement.

[1st December 1960]

Short title.

1. These Regulations may be cited as the –  
PASSPORT REGULATIONS.

Interpretation.

2. In these Regulations “the Act” means the Immigration and Passport Act.

Power to search for and seize passports.

3. Any immigration officer shall have power to search for and seize passports from persons convicted of an offence against section 35(4) of the Act.

Power to board and search ships.

4. Any immigration officer may board and search ships in the State for the purpose of detecting and preventing any of the offences against section 35(4) and (5) of the Act.

Issue of passports.

5. (1) In addition to any other ground upon which the issue of a passport may be refused or withheld, the issue of a passport may be refused or withheld unless the immigration officer concerned in the issuing of the same is satisfied by such evidence as he may require that the person requiring it requires the said passport for the purpose of travelling from the State by lawful means.

(2) For the purposes of this regulation, the immigration officer issuing the passport shall be deemed to have been satisfied where the person applying for the same produces the written permit or authority to travel on any ship or aircraft given by the owner, consignee or master or mate or other person in charge of any ship or aircraft or of any other person entitled to exercise command or authority

6. (1) Subject to subregulation (2), any person whose passport is lost, stolen, destroyed or temporarily unavailable, may apply for the issuance of a replacement passport by submitting to the immigration office where the original passport was issued, the particulars of such passport including a photograph and a specimen of his signature.

Replacement of lost, stolen, destroyed or temporarily unavailable passport. [39/1988].

(2) The applicant under subregulation (1) must submit to the relevant immigration office a statutory declaration setting out the circumstances of the loss, theft, destruction or temporary unavailability of his passport.

(3) Where a person applies under this regulation for the issuance of a replacement passport, on satisfying the requirements under subregulations (1) and (2) the issuing authority may issue a replacement passport subject to the following conditions as to its period of validity, that is to say:

- (a) if the issuing authority is satisfied that the original passport has been missing for more than one year, then the replacement passport shall be valid for the normal period as set out in regulation 8(4);
- (b) if the issuing authority is satisfied that the passport has been missing for less than one year immediately preceding such application, then the replacement passport shall be valid for one year unless a longer period of validity is deemed necessary by the issuing authority;
- (c) if the original passport is temporarily unavailable, then the replacement passport shall be valid for any period less than a year as deemed necessary by the issuing authority.

(4) Any replacement passport issued under subregulation (3)(b) or (c) must contain the following observation on the observation page:

“This passport is being issued in replacement of passport number.....which was reported lost/stolen/destroyed/temporarily unavailable. Its validity must not be extended without prior reference to the issuing post.”

(5) The validity of a passport issued under subregulation (3)(c) may be extended in exceptional cases; such extension shall be for the minimum necessary period and must include on the observation page the following:

“The validity of this passport must not be extended again without prior reference to the Ministry of External Affairs.”.

Emergency  
certificates.  
[39/1988].

7. Regulation 6 does not apply if the applicant is voluntarily repatriating and an emergency certificate satisfies the applicant's needs.

Fees.  
[1 of 1973  
11 of 1973  
22 of 1975  
2/1979  
8/1990].  
First Schedule.

8. (1) The fees for the issue and renewal of passports are prescribed in the First Schedule.

(2) The fees shall be payable by affixing the equivalent in postage stamps upon the passport.

(3) A fee of one dollar shall be paid for each form required under these Regulations. This fee shall be paid in stamps.

(4) The period of validity of a passport shall be ten years from the date of issue.

(5) A passport shall not be renewed for a total period exceeding six months.

Form.  
Second  
Schedule.  
[32 of 1995].

9. Every application for a passport shall be made in the form set out in the Second Schedule.

(Section 8(1)).  
[8/1990].

## FIRST SCHEDULE

### (i) FEES FOR THE ISSUE OF A PASSPORT

Where the passport is issued in –

Dominica	E.C. \$20.00
The United Kingdom	£15.00
Canada	Can. \$20.00
The United States	U.S. \$20.00
Elsewhere	U.S. \$20.00

### (ii) FEE FOR THE RENEWAL OF A PASSPORT

25% of the fee for issuing a passport at the place of renewal.

SECOND SCHEDULE

DECLARATION TO BE MADE BY APPLICANT  
FOR PASSPORT††

(Section 9).  
[32 of 1995].

DESCRIPTION  
OF APPLICANT

- (a) Insert date of town where staying when filling in the form.
- (b) The whole of the declaration and marginal particulars should be in the applicant's own handwriting.
- (c) Christian names and surname of applicant in full. (Same in block capitals.)
- (d) In the case of a married woman or widow, the particulars of birth required are those of her husband or late husband, not of the applicant herself.
- (e) State exact national status, e.g., a Commonwealth citizen by birth, or a Commonwealth citizen by naturalisation, in the case of a Commonwealth citizen by naturalisation.
- (f) Wife and/or children should be included if they do not possess separate passports. Strike out the sentence in other cases.
- (g) The words in brackets to be struck out and initialled in cases where the applicant has no previous passport in his possession.
- (a) ..... 19 .....
- I, the undersigned, (b) ..... hereby declare at present residing at ..... that I am
- (For a married woman or widow (to be struck out in other cases.) Particulars of husband's birth to follow.)
- (c) the wife/widow of ..... and that my husband is/my late husband was
- (d) ..... on the ..... day of ..... 19 .....
- (For persons born abroad who derive Commonwealth citizenship from a father or paternal grandfather born within the Commonwealth.) (To be struck out in other cases.)
- My (his) paternal father/grandfather having been born within the Commonwealth at ..... on the ..... day of ..... 19 ..... and not having lost the status of Commonwealth citizenship thus acquired, I hereby apply for a passport for travelling to ..... for the purpose of .....
- (e) accompanied by my wife (and children under the age of sixteen), as indicated in the margin who do not possess separate passports.
- I declare that I have no passport already in my possession (other than that/those which I annex hereto for cancellation (f)).

- Age .....
- Profession .....
- Married/single .....
- Domicile/ordinary place of residence .....
- Maiden name of widow or married woman .....
- Place of birth .....
- Date of birth .....
- Height ..... feet ..... inches
- Colour of eyes .....
- Colour of hair .....
- Visible distinguishing marks or peculiarities .....
- CHANGE OF NAME
- In cases of change of name, either by deed poll or otherwise, the original name must be stated here.
- Where there has been no change of name the word "none" should be inserted.
- Signature of applicant .....

[Subsidiary]

## Passport Regulations

DESCRIPTION OF WIFE OF  
APPLICANT IF TO BE INCLUDED  
ON THIS PASSPORT

Name in full.....  
 Age.....  
 Profession.....  
 Date of birth.....  
 Place of birth.....  
 Maiden name.....  
 Height..... feet..... inches  
 Colour of eyes.....  
 Colour of hair.....  
 Visible distinguishing marks.....  
 Signature of wife of applicant.....

CHILDREN UNDER THE AGE OF  
SIXTEEN YEARS IF TO BE IN-  
CLUDED ON THE PASSPORT

1. Givenname.....  
 Surname.....  
 Date of birth..... Sex.....  
 2. Givenname.....  
 Surname.....  
 Date of birth..... Sex.....  
 3. Givenname.....  
 Surname.....  
 Date of birth..... Sex.....  
 4. Givenname.....  
 Surname.....  
 Date of birth..... Sex.....

I further declare that I have made no other application for a passport (since the last passport was issued to me (g)).

(h) Signed.....  
 †AND I, the undersigned, (i).....  
 of.....  
 hereby declare that to the best of my personal knowledge and belief the above-made declaration of the said  
 Mr. ....  
 Mrs. ....  
 Miss .....  
 is true, and that I can from my personal knowledge of him/her vouch him/her as a fit and proper person to receive a passport. ††  
 Signed.....

Note - (Two small unmounted duplicate photographs of the applicant (and wife if to be included) must be sent one of which must be certified on the back by the recommender.

*In the case of children under the age of sixteen years requiring separate passports, the declaration must be made by the child's parent or guardian in a form (B) to be obtained upon application to the Passport Office.)*

Specimen signature of applicant which will be detached and affixed to the Passport when issued.

\*\*.....  
 Specimen signature of wife if to be included on the passport.

## ††IMPORTANT

Applicants, and persons recommending them are warned that should any of the statements contained in their respective declarations prove to be untrue, the consequences to them may be serious.

(j) The words in brackets to be struck out if the applicant has not previously held a passport.

(k) Signature.....  
 The applicant must so write a specimen of his signature in the space below marked \*\*.

(l) Name and qualification of person verifying the declarations, viz., Magistrate, Justice of the Peace, Minister of Religion, Registrar-at-Law, Medical Officer, Notary Public, etc., giving professional or business address.

Recommendation: from members or officials of banking firms should bear the printed stamp of the bank here below.

(Stamp) of Bank)

## Certification

The attention of persons who are asked to sign this declaration is specially called to the fact that it can only be signed from personal knowledge of the applicant and not from information obtained from other persons. †



---

**SUBSIDIARY LEGISLATION**


---

**ALIENS (VISA EXEMPTION) REGULATIONS**46/1988.  
[10/1993].*made under section 28(2)*

[13th October 1988]

Commencement.

1. These Regulations may be cited as the –

Short title.

**ALIENS (VISA EXEMPTION) REGULATIONS.**

2. (1) Subject to subregulation (2), no alien may land in Dominica unless there is endorsed in his passport a visa of the Commonwealth of Dominica issued by the Commonwealth of Dominica or on its behalf by a British Consular Officer.

Exemption from  
visa requirement.  
[10/1993].

(2) Subregulation (1) does not apply to –

- (a) citizens of Argentina, Belgium, Costa Rica, Denmark, France, Germany, Greece, Ireland, Israel, Italy, Japan, Luxembourg, Malta, Mexico, Netherlands (including Netherland Antilles), Norway, Portugal, Republic of China (Taiwan), South Korea, Spain, Suriname, Sweden, United Kingdom, United States of America and Venezuela who wish to visit for a period not exceeding six months;
  - (b) any intransit passenger or *bona fide* tourist who is in possession of a return ticket and satisfies the immigration officer that he does not intend to remain in the State for a period exceeding twenty-one days; and
  - (c) passengers on tourist vessels.
-

