

THE IMMIGRATION RESTRICTION (COMMONWEALTH
CITIZENS) ACT

ORDER

(under section 4(1) (g) and subject to section 4(2))

The Immigration Restriction (Commonwealth Citizens) Order, 1959 L.N. 215/59

ORDERS

(under section 4(1) (h))

(Omitted)

REGULATIONS

(under section 5(2))

The Commonwealth Citizens (Cruise Passengers) Regulations, 1946 L.N. 21/46

REGULATIONS

(under sections 9 and 35)

The Immigration Restriction (Commonwealth Citizens) (Passenger Information) Regulations, 2007 L.N. 24/2007

ORDERS

(under section 26 (2))

(Omitted)

REGULATIONS

(under section 35)

The Immigration Restriction (Commonwealth Citizens) Regulations *Schedule to Act*

The Commonwealth Citizens Identification (Photography and Measurement) Regulations, 1948 L.N. 98/48

The Commonwealth Citizens (Port of Entry) Regulations, 1951 L.N. 42/51
101/51

DIRECTIONS

(under section 36)

The Immigration Restriction (Airline Flight Crew) Directions, 1951 L.N. 18/51

The Recruited Workers (Exemption) Directions, 1953 L.N. 59/53
279/58

The Immigration Restriction (Canadian Visitors) (Exemption) Directions, 1980 L.N. 92A/80

The Immigration Restriction (Commonwealth Citizens) (Chartered Aircraft Passengers) (Exemption) Directions, 1990 L.N. 50'E/90

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tions, 1980 L.N. 92A/80

The Immigration Restriction (Commonwealth Citizens) (Chartered
Aircraft Passengers) (Exemption) Directions, 1990 L.N. 50¹E/90

THE IMMIGRATION RESTRICTION (COMMONWEALTH
CITIZENS) ACT

ORDER

(under section 4(1) (g) and subject to section 4(2))

THE IMMIGRATION RESTRICTION (COMMONWEALTH CITIZENS)
ORDER, 1959

*(Made by the Governor in Council on the 2nd day of
September, 1959)*

L.N. 215/59

[2nd September, 1959.]

1. This Order may be cited as the Immigration Restriction (Commonwealth Citizens) Order, 1959.

2. It is hereby declared that Commonwealth citizens (not being persons deemed to belong to Jamaica under subsection (2) of section 2 of the Act) who are members of any of the classes of persons specified in the Schedule are deemed on economic grounds to be undesirable immigrants. Schedule.

*THE IMMIGRATION RESTRICTION (COMMONWEALTH CITIZENS)
ORDER, 1959*

SCHEDULE

(Paragraph 2)

1. Welders
2. Fitters
3. Machinists and Turners
4. Pattern Makers and Moulders
5. Motor mechanics
6. Printing Trade:
 - (a) Compositors
 - (b) Linotype Operators
 - (c) Pressmen (Lithographic)
 - (d) Stereotypers
 - (e) Photo Engravers
 - (f) Bookbinders
 - (g) Cameramen (Photo-mechanic)
 - (h) Engravers (Printing)
 - (i) Makers-up
 - (j) Printers

Notice

Any person affected by the above Order may apply for exemption from the provisions of paragraphs (a)—(g) of subsection (1) of section 4 of the Act.

Such application should be made to the Permanent Secretary, Ministry of National Security and Justice.

THE IMMIGRATION RESTRICTION (COMMONWEALTH
CITIZENS) ACT

REGULATIONS
(under section 5(2))

THE COMMONWEALTH CITIZENS (CRUISE PASSENGERS) REGULATIONS,
1946

(Made by the Governor in Executive Council on the 25th day of L.N. 21/46
February, 1946)

1. These Regulations may be cited as the Commonwealth Citizens (Cruise Passengers) Regulations, 1946.

2. In these Regulations "cruise passenger" means any Commonwealth citizen arriving upon a vessel who intends to remain in the Island only during the period of the stay of such vessel in the Island and to depart from the Island upon such vessel.

3. The provisions of subsection (1) of section 5 of the Act shall not apply to any cruise passenger.

THE IMMIGRATION RESTRICTION (COMMONWEALTH
CITIZENS) ACTREGULATIONS
(under sections 9 and 35)THE IMMIGRATION RESTRICTION (COMMONWEALTH CITIZENS)
(PASSENGER INFORMATION) REGULATIONS, 2007

(Made by the Minister on the 31st day of January, 2007)

L.N. 24/2007

1. These Regulations may be cited as the Immigration Restriction (Commonwealth Citizens) (Passenger Information) Regulations, 2007.

2.—(1) The information referred to in section 9 (1), and the particulars referred to in section 9 (2), of the Act shall—

- (a) specify the information listed in Part I of the Schedule; and
- (b) be submitted to the Chief Immigration Officer—
 - (i) electronically or in such other form and manner as he may approve in writing; and
 - (ii) in respect of the vessels specified in paragraphs (2) and (3), within the time specified in relation thereto.

(2) The information required under paragraph (1) shall be submitted in relation to—

- (a) a commercial aircraft arriving in Jamaica, not later than fifteen minutes before the aircraft departs from its last port of call destined for Jamaica;
- (b) a private aircraft arriving in Jamaica, not later than thirty minutes before the aircraft departs from its last port of call destined for Jamaica;
- (c) any vessel, other than an aircraft, arriving from outside of the domestic space, no later than twenty-four hours before the vessel's arrival in Jamaica;
- (d) any vessel, other than an aircraft, arriving from within the domestic space, no later than sixty minutes before the vessel's arrival in Jamaica; and
- (e) any vessel departing from Jamaica and destined to a place outside of the domestic space, no later than fifteen minutes before the vessel's departure from Jamaica.

(3) With effect from the 16th day of May, 2007, the information required under paragraph (1) shall be submitted in relation to—

- (a) a commercial aircraft departing from Jamaica and destined to another place within the domestic space, not later than fifteen minutes after aircraft's departure from Jamaica;
- (b) a private aircraft departing from Jamaica and destined to another place within the domestic space, not later than thirty minutes after the aircraft's departure from Jamaica; and
- (c) any vessel, other than an aircraft, departing from Jamaica and destined to another place within the domestic space, not later than sixty minutes before the vessel's arrival at its next port of call within the domestic space.

(4) The master of a vessel referred to in paragraph (2) or (3) shall submit, along with the information required under paragraph (1), the information set out in Part II of the Schedule.

(5) For the purposes of this regulation—

“commercial aircraft” means an aircraft used for the carriage of passengers, mail or cargo, for hire or reward;

“domestic space” means any area comprised within the territory (including airspace or territorial waters) of—

- (a) Antigua and Barbuda;
- (b) Barbados;
- (c) Dominica;
- (d) Grenada;
- (e) Guyana;
- (f) Jamaica;
- (g) St. Kitts and Nevis;
- (h) St. Lucia;
- (i) St. Vincent and the Grenadines; or
- (j) Trinidad and Tobago;

“private aircraft” means any aircraft other than a commercial or state aircraft;

“state aircraft” means aircraft used exclusively for military, customs or police services.

3. The Chief Immigration Officer may waive all or any of the provisions of regulation 2 either generally or for a particular case or Class of cases.

4.—(1) The Chief Immigration Officer—

- (a) may, subject to sub-paragraph (b), use the information provided under regulation 2, only for the purpose of discharging his duties under the Act;
- (b) shall disclose the information to the Minister for the purposes of regulation 5;
- (c) may disclose the information to the Commissioner of Customs for the purpose of the discharge of the Commissioner's duties under the Customs Act; and
- (d) shall ensure that the information is destroyed within two years after he receives it, unless the information is reasonably required for the administration or enforcement of any law.

(2) The Commissioner of Customs—

- (a) may use information disclosed to him pursuant to paragraph (1) (b) only for the purpose of the discharge of the Commissioner's duties under the Customs Act; and
- (b) shall ensure that the information is destroyed within two years after he receives it, unless the information is reasonably required for the administration or enforcement of any law.

5. For the purpose of verifying any information submitted pursuant to regulation 2, the Minister may share that information with any State, association of States, or inter-governmental body, with which Jamaica has an arrangement for the sharing of information relating to security.

SCHEDULE

(Regulation 2)

PART I *Information to be included in returns
under section 9 of the Act*

A. *Vessel Data*

- (1) Vessel identification (for aircraft, IATA airline code and flight number, and for other vessels, vessel name and voyage number)
- (2) Vessel registration number
- (3) Country of registration
- (4) Name of—
 - (a) agent for the vessel:
 - (b) owner of vessel:

SCHEDULE, *contd.*

- (5) Scheduled departure date (date of scheduled departure of vessel, based on local time of departure location)
- (6) Scheduled departure time (time of scheduled departure of vessel, based on local time of departure location)
- (7) Scheduled arrival date (date of scheduled arrival of vessel, based on local time of arrival location)
- (8) Scheduled arrival time (time of scheduled arrival of vessel based on local time of arrival location)
- (9) Last place or port of call of vessel (last place or port of call from which the vessel departed to go to the place or port of initial arrival in Jamaica)
- (10) Place or port of vessel's initial arrival (first place or port of arrival in Jamaica)
- (11) Subsequent place or port of call in Jamaica
- (12) Number of passengers (total number of passengers, including crew, on board)
- (13) Next place of destination after departure from Jamaica
- (14) Name of—
 - (a) vessel:
 - (b) master of vessel:

B. *Data regarding passengers and crew*

- (1) Traveller's status (passenger, crew, in-transit)
- (2) Place of birth (city and country)
- (3) Date of birth
- (4) Official travel document number (passport or other official travel document number)
- (5) Issuing State or other organization (name of the State or organization responsible for the issuance of the official travel document)
- (6) Official travel document type (indicator to identify type of official travel document)
- (7) Expiration date of official travel document
- (8) Surname and given names (family name and given names of the holder as they appear on the official travel document)
- (9) Nationality (nationality of the holder)
- (10) Gender (gender of the holder)

PART II. *Data relating to cargo*

- (1) Cargo for discharge within Jamaica
- (2) Cargo not intended for discharge within Jamaica
- (3) Mode of transport (manner in which the cargo is imported or exported)
- (4) Total—

SCHEDULE, *contd.*

- (a) Bills:
- (b) Packages:
- (c) Containers:
- (d) Gross Mass:
- (5) Tonnage—
 - (a) Gross:
 - (b) Net:
- (6) Date of last discharge (date vessel last discharged cargo at any port)
- (7) Manifest line number (number indicating the order of bills of lading on a manifest)
- (8) Transport document type (type of document issued by vessel, including bills of airway, bill of lading and waybill)
- (9) Transport document reference number
- (10) Purpose of shipment (whether for import, export, in-transit or transshipment)
- (11) Unique consignment reference
- (12) Place of loading
- (13) Place of discharge
- (14) Exporter
- (15) Exporter address
- (16) Consignee
- (17) Contact information (consignee or representative)
- (18) Total containers (total number of containers for each transport document)
- (19) Packages—
 - (a) Kind:
 - (b) Marks and numbers:
- (20) Quantity—
 - (a) packages:
 - (b) gross mass:
- (21) Volume (cubic measurement (cbm))
- (22) Description of goods
- (23) Freight indicator—
 - (a) payment status—whether prepaid or payment on collection:
 - (b) amount and currency:
- (24) Additional seals.

THE IMMIGRATION RESTRICTION (COMMONWEALTH
CITIZENS) ACTREGULATIONS
(under section 35)THE COMMONWEALTH CITIZENS IDENTIFICATION (PHOTOGRAPHY AND
MEASUREMENT) REGULATIONS, 1948

*(Made by the Governor in Executive Council on the 18th day of
October, 1948 and approved by the Legislative Council and the
House of Representatives on the 16th day of November, 1948)*

L.N. 98/48

1.—(1) These Regulations may be cited as the Commonwealth
Citizens Identification (Photography and Measurement) Regulations,
1948.

(2) These Regulations shall apply to every Commonwealth
citizen in custody whom an Immigration Officer has reasonable ground
for believing to be a prohibited immigrant.

2. Subject to the provisions of these Regulations every Common-
wealth citizen to whom these Regulations apply may be photographed
and measured by any Constable or Prison Officer.

3. The photographs to be taken may include a photograph of the
full face, a photograph of the true profile and a full length photograph.

4. The measurements to be taken may include—

- (a) his height when standing;
- (b) the size and relative positions of every scar and distinctive
mark upon any part of his body; and
- (c) the external filament of the fingers and thumbs of each
hand which shall be taken by pressing them first upon an ink
plate or pad and then upon paper or cardboard so as to leave
a clear print thereon of the skin surface.

5. A photograph of a person taken pursuant to these Regulations
shall not be published except for the purpose of tracing such person
nor shall any such photograph be shown to any person other than
a Constable or servant of the Crown acting in the course of his duty
or a person authorized by the Constable or servant of the Crown
so acting to see it.

THE IMMIGRATION RESTRICTION (COMMONWEALTH
CITIZENS) ACT

REGULATIONS
(under section 35)

THE COMMONWEALTH CITIZENS (PORTS OF ENTRY) REGULATIONS, 1951

*(Made by the Governor in Executive Council on the 15th day of
January, 1951 and approved by the Legislature)*

L.N. 42/51
Amd:
L.N. 101/51

1. These Regulations may be cited as the Commonwealth Citizens (Ports of Entry) Regulations, 1951.

2. The ports of entry and places at which the enquiry or examination, medical or otherwise, of Commonwealth citizens entering or desiring to enter the Island, or who being found in the Island are suspected of being prohibited immigrants, shall be the ports specified in the Schedule:

Schedule.

Provided that the Chief Immigration Officer may in his absolute discretion appoint any other port as a port of entry for or as the place at which the enquiry or examination (medical or otherwise) of any particular Commonwealth citizen who enters or desires to enter the Island may be conducted if—

- (a) such Commonwealth citizen arrives in Jamaica upon a ship whose first port of call in Jamaica is some port other than one of the ports specified in the Schedule; and
- (b) the master of such ship notifies the Chief Immigration Officer not less than forty-eight hours before such ship enters the territorial waters of Jamaica of—
 - (i) the port which is intended to be the first port of call in Jamaica of such ship; and
 - (ii) the day and time at which he anticipates that such ship will arrive at such port; and
 - (iii) the name, the nationality, the occupation, the place of permanent residence and the port of embarkation of the Commonwealth citizen; and
 - (iv) the nature, identification number, if any, date and place of issue and authority by whom was issued any passport or other travel document or certificate of identity in the possession of the Commonwealth citizen.

*THE COMMONWEALTH CITIZENS (PORTS OF ENTRY) REGULATIONS,
1951*

SCHEDULE

(Regulation 2)

The Port of Kingston
Port Royal
The Norman Manley International Airport
The Port of Montego Bay
The Sangster International Airport
Port Antonio.

THE IMMIGRATION RESTRICTION (COMMONWEALTH
CITIZENS) ACT

DIRECTIONS
(under section 36)

THE IMMIGRATION RESTRICTION (AIRLINE FLIGHT CREW) DIRECTIONS,
1951

(Made by the Governor in Executive Council on the 15th day of L.N. 18/51
January, 1951)

1. These Directions may be cited as the Immigration Restriction (Airline Flight Crew) Directions, 1951.

2. In these Directions "member of an airline flight crew" means any person appointed by the owners or operators of an aircraft being operated on a scheduled international air service to perform duties on such aircraft during the flight thereof.

3. The provisions of subsection (1) of section 5 of the Act shall not apply to any Commonwealth citizen being a member of an airline flight crew who—

- (a) has in his possession a certificate in the form annexed (to which has been affixed a photograph of himself) issued to him by a competent authority of the State where the aircraft of the crew of which he is a member has been registered; and
- (b) satisfies the immigration officer that he intends to remain at the airport where such aircraft has stopped or within the limits of any city adjacent thereto, and to depart by such aircraft on its next outward flight or by some other aircraft on his next regularly scheduled flight.

THE IMMIGRATION RESTRICTION (AIRLINE FLIGHT CREW)
DIRECTIONS, 1951

CREW MEMBER CERTIFICATE*

<p>..... (ISSUING STATE)</p> <p>CREW MEMBER CERTIFICATE</p> <p>Number.....</p> <p>The.....certifies that (COMPETENT AUTHORITY OF ISSUING STATE)</p>	
<div style="border: 1px solid black; padding: 5px; width: 80%; margin: auto;"> <p>Affix photograph of holder of certificate</p> </div>	<p>Surname..... Other Names..... Residing at..... Born on..... (DATE)</p> <p>At..... (PLACE OF BIRTH)</p>
<p>is a national of....., is registered in (STATE OF NATIONALITY)</p> <p>.....as a person following the (ISSUING STATE) occupation of an airline crew member, and is presently employed byas a (AIRLINE)</p> <p>..... (DESCRIPTION OF DUTIES)</p> <p>Signature of holder.....</p>	
<p>The holder may, at all times re- enter..... (ISSUING STATE) upon production of this Certificate. (AFFIX STAMP OR SEAL OF COMPETENT AUTHORITY)</p>	<p>Valid for use only in connection with service as an airline crew member on aircraft of the registry of..... (ISSUING STATE) Issued at..... on..... (DATE) (Signature of issuing officer)</p>

*Size of entire document not more than 4×6 inches
(102×152 millimetres) outside.

THE IMMIGRATION RESTRICTION (COMMONWEALTH
CITIZENS) ACT

DIRECTIONS
(under section 36)

THE RECRUITED WORKERS (EXEMPTION) DIRECTIONS, 1953

(Made by the Governor in Executive Council on the 11th day of
May, 1953)

L.N. 59/53
Amd:
L.N. 279/58

1. These Directions may be cited as the Recruited Workers (Exemption) Directions, 1953.

2. Every Commonwealth citizen recruited in this Island, with the approval of the Minister, for temporary agricultural employment in the United States of America shall, upon his return to this Island from the United States of America, be exempt from the provisions of the Act, upon production by him of a document of identity in the form in the First Schedule.

First
Schedule.

3. Every Commonwealth citizen recruited in this Island, with the approval of the Minister, for work in any place outside this Island other than the United States of America shall, upon his return to this Island from such place, be exempt from the provisions of the Act, upon production by him of a document of identity in the form in the Second Schedule.

Second
Schedule.

THE RECRUITED WORKERS (EXEMPTION) DIRECTIONS, 1953

FIRST SCHEDULE

(Paragraph 2)

ORIGINAL

No. J.....

GOVERNMENT OF JAMAICA

IDENTITY CARD

I CERTIFY THAT the bearer,.....

 is a native of Jamaica and a Commonwealth citizen.

I FURTHER CERTIFY that the identifying data given below relate to the individual named hereinabove, that he has been authorized to go to the United States of America for temporary agricultural employment, and that he will be permitted to re-enter Jamaica upon his return from the U.S.A.

DESCRIPTION

Date of birth.....
 Place of birth.....
 Home Address.....
 Height.....
 Weight.....
 Identifying marks.....

.....
Signature of Immigration Officer

Date.....

Valid for a period of 6 months after bearer's departure from United States.

PHOTOGRAPH	RIGHT THUMB PRINT
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.....
Signature of bearer

DUPLICATE

No. J.....

GOVERNMENT OF JAMAICA

IDENTITY CARD

I CERTIFY THAT the bearer,.....

 is a native of Jamaica and a Commonwealth citizen.

I FURTHER CERTIFY that the identifying data given below relate to the individual named hereinabove, that he has been authorized to go to the United States of America for temporary agricultural employment, and that he will be permitted to re-enter Jamaica upon his return from the U.S.A.

DESCRIPTION

Date of birth.....
 Place of birth.....
 Home Address.....
 Height.....
 Weight.....
 Identifying marks.....

.....
Signature of Immigration Officer

Date.....

Valid for a period of 6 months after bearer's departure from United States.

PHOTOGRAPH	RIGHT THUMB PRINT
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.....
Signature of bearer

SECOND SCHEDULE

(Paragraph 3)

ORIGINAL

No.....

GOVERNMENT OF JAMAICA
RECRUITED WORKERS
IDENTITY CARD

I CERTIFY THAT the bearer.....
.....
has been recruited in Jamaica for work in.....
.....
and that he will be permitted to re-enter Jamaica upon his return.

DESCRIPTION

Date of birth.....
Place of birth.....Jamaica.....
Height.....

.....
Signature of Immigration Officer

PHOTOGRAPH	RIGHT THUMB PRINT
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.....
Signature of Worker

DUPLICATE

No.....

GOVERNMENT OF JAMAICA
RECRUITED WORKERS
IDENTITY CARD

I CERTIFY THAT the bearer.....
.....
has been recruited in Jamaica for work in.....
.....
and that he will be permitted to re-enter Jamaica upon his return.

*THE RECRUITED WORKERS (EXEMPTION) DIRECTIONS, 1953*SECOND SCHEDULE, *contd.*

DESCRIPTION

Date of birth.....

Place of birth..... Jamaica.....

Height.....

.....
Signature of Immigration Officer

PHOTOGRAPH	RIGHT THUMB PRINT
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.....
Signature of Worker

THE IMMIGRATION RESTRICTION (COMMONWEALTH
CITIZENS) ACTDIRECTIONS
(under section 36)THE IMMIGRATION RESTRICTION (CANADIAN VISITORS) (EXEMPTION)
DIRECTIONS, 1980

(Made by the Minister on the 2nd day of July 1980)

L.N. 92A/80

1. These Directions may be cited as the Immigration Restriction (Canadian Visitors) (Exemption) Directions, 1980.

2. In these Directions "Canadian visitor" means a Canadian citizen who has arrived in Jamaica by sea or by air to stay for any period not exceeding six months.

3. The provisions of section 5(1) of the Act (which relate to passport requirements) shall not apply to a Canadian visitor who—

(a) produces on arrival in Jamaica—

- (i) a return ticket, whether by air or sea, showing to the satisfaction of the immigration officer that he has come directly from Canada and is entitled to be returned directly to that country; or
- (ii) a round trip ticket, whether by air or by sea showing to the satisfaction of the immigration officer that he is entitled to be returned to Canada,

at any time within six months of his arrival in Jamaica;

(b) produces on arrival in Jamaica any one or more of the following documents, that is to say—

- (i) a passport which (although no longer valid) has expired for a period which does not exceed one year;
- (ii) a certificate of Canadian citizenship furnished with a photograph of the person claiming such citizenship; or
- (iii) a birth certificate, if the holder of such certificate is not over sixteen years of age, or, if he is over that age, a birth certificate together with such other docu-

*THE IMMIGRATION RESTRICTION (CANADIAN VISITORS)
(EXEMPTION) DIRECTIONS, 1980*

ment as will establish his nationality and identity to the satisfaction of the immigration officer;

- (c) satisfies the immigration officer that he is a visitor and that he does not intend to reside in Jamaica for more than six months; and
- (d) signs a card (in these Directions referred to as a special visitor card) presented to him on his arrival by the immigration officer and complies with the conditions endorsed thereon.

4. Every Canadian visitor to whom, by virtue of these Directions, the provisions of section 5(1) of the Act do not apply—

- (a) shall keep the special visitor card in a safe place;
- (b) shall, if called upon by an immigration officer or by a constable so to do, produce the special visitor card; and
- (c) shall, on his departure from the Island, return the special visitor card to the immigration officer.

THE IMMIGRATION RESTRICTION (COMMONWEALTH
CITIZENS) ACT

DIRECTIONS
(under section 36)

THE IMMIGRATION RESTRICTION (COMMONWEALTH CITIZENS)
(CHARTERED AIRCRAFT PASSENGERS) (EXEMPTION)
DIRECTIONS, 1990

L.N. 50'E/90

(Made by the Minister on the 19th day of October, 1990)

1. These Directions may be cited as the Immigration Restriction (Commonwealth Citizens) (Chartered Aircraft Passengers) (Exemption) Directions, 1990.
2. In these Directions—
“chartered aircraft” means an aircraft hired by a person or entity for the purpose of transporting a specific group of people from any place in Canada to Jamaica.
3. The provisions of sections 5 (1) and 8 of the Act shall not apply to any person who—
 - (a) arrives in Jamaica by a chartered aircraft as a member of an organized tour involving not less than fifty persons who intend to remain in Jamaica for a period not exceeding thirty days; and
 - (b) is a citizen or resident of Canada.
4. The exemption granted by paragraph 3 is subject to the following conditions—
 - (a) a manifest of the names and nationalities of all members of the tour shall be prepared by the transporting airline; and
 - (b) a Jamaica immigration card shall be completed by each person referred to in sub-paragraph (b) of paragraph 3.