

CHAPTER 90.**ALIENS (EXPULSION).**

ARRANGEMENT OF SECTIONS.

SECTION.

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CHAPTER 90.**ALIENS (EXPULSION).**

12 of 1939.
34 of 1939.
27 of 1952.
23 of 1956.

An Ordinance to Provide for the Expulsion of Aliens.

[15TH JUNE, 1939.]

Short title
and
application.

1. This Ordinance may be cited as the Aliens (Expulsion) Ordinance, and shall apply to the Colony and Protectorate.

Interpreta-
tion.
27 of 1952.

2. In this Ordinance the expression "alien" means any person who is not—

- (a) a British subject;
- (b) a citizen of the Republic of Ireland; or
- (c) a British protected person by virtue of his connection with the Protectorate of Sierra Leone.

Expulsion of
aliens.

3. (1) It shall be lawful for the Governor to make an order (hereinafter called an expulsion order) requiring any alien to leave Sierra Leone within a time fixed by such order, and thereafter to remain out of Sierra Leone—

- (a) if he deems it conducive to the public good to make an expulsion order against the alien, or
- (b) if it is certified to him by a Judge or Magistrate that the alien has been convicted by the Court of any felony, misdemeanour, or other offence for which the Court has power to

impose imprisonment without the option of a fine, and that the Court recommends that an expulsion order should be made in his case either in addition to or in lieu of the sentence:

Provided that nothing contained in paragraph (b) above shall prejudice the power of the Governor in his absolute discretion to make an expulsion order under the provisions of paragraph (a) of this sub-section.

(2) An expulsion order may be made subject to any condition which the Governor may think proper.

(3) An expulsion order may be made in respect of one or more aliens as the Governor may think proper. 23 of 1956.

4. (1) When any alien in whose case a Court has made a recommendation for expulsion has appealed against his conviction and the Appeal Court certifies to the Governor that it does not concur in the recommendation, such recommendation shall be of no effect. Cases in which recommendation for expulsion shall not have effect.

(2) Where a Magistrate has made a recommendation for the expulsion of any alien, and such alien has not appealed against the conviction, the Magistrate shall, at the expiration of the time limited for appeal, forward to the Chief Justice the minutes and notes of evidence taken in the case, and such recommendation shall be of no effect unless the Chief Justice certifies to the Governor that he concurs in the recommendation.

(3) Nothing in this section contained shall prejudice the power of the Governor to make an order of expulsion under the provisions of section 3 (1) (a).

5. An alien in respect of whom an expulsion order is made shall leave Sierra Leone in accordance with the Order, and shall thereafter as long as the Order is in force remain out of Sierra Leone. Effect of expulsion order.

6. An alien in respect of whom an expulsion order is made, or a certificate is given by a Court with a view to the making of an expulsion order, may be detained in such manner as may be directed by the Governor, and Detention of aliens. 23 of 1956.

(a) may be placed on a ship about to leave Sierra Leone, or

(b) may be escorted to and placed across any part of the boundaries of Sierra Leone,

and shall be deemed to be in legal custody whilst so detained, until he finally leaves Sierra Leone.

Duty of master of ship with regard to alien expelled.

7. The master of a ship about to call at any port outside Sierra Leone shall, if so required by the Governor, the Commissioner of Police or a District Commissioner, receive an alien against whom an expulsion order has been made and his dependants, if any, on board the ship, and afford him and them a passage to that port and proper accommodation and maintenance during the passage.

Expenses of expulsion.

8. Where an expulsion order is made in the case of an alien, the Governor may, if he thinks fit, apply any money or property of the alien in payment of the whole or any part of the expenses which may be incurred by the Government in connection with the expulsion of such alien and the maintenance of the alien and his dependants, if any, before departure.

Penalty for contravention of expulsion order.

9. If any alien in whose case an expulsion order has been made is at any time found within the limits of Sierra Leone in contravention of the order, he shall on summary conviction be liable to imprisonment, with or without hard labour for a term not exceeding three years.

Penalty for aiding and harbouring.

10. Any person, aiding or attempting to aid any person, in whose case an expulsion order has been made, to return to Sierra Leone and any person unlawfully harbouring such person, shall on summary conviction be liable to imprisonment with or without hard labour for a term not exceeding two years.

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