

Aliens

No. 9 of 1966

An Act to amend the *Aliens Act* 1947–1965.

[Assented to 6 May, 1966]

BE it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

1.—(1.) This Act may be cited as the *Aliens Act* 1966.

Short title
and citation.

(2.) The *Aliens Act* 1947–1965* is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Aliens Act* 1947–1966.

2. This Act shall come into operation on the day on which it receives the Royal Assent.

Commence-
ment.

3. Section 4 of the Principal Act is amended by adding at the end thereof the following sub-sections:—

Interpretation.

“(2.) For the purposes of this Act but subject to the next succeeding sub-section, a person who arrives in Australia on board a ship or aircraft shall be deemed to enter Australia when he first disembarks from the ship or aircraft in Australia, whether or not he intends to return to the ship or aircraft.

“(3.) For the purposes of the last preceding sub-section, where a person who arrives in Australia on board an aircraft disembarks from the aircraft at an airport that is a proclaimed airport for the purposes of the *Migration Act* 1958–1966, that person shall be deemed not to have disembarked from the aircraft at that airport unless and until he leaves that airport otherwise than in the same aircraft.”

4. Section 7 of the Principal Act is amended by omitting paragraph (b) of sub-section (2.) and inserting in its stead the following paragraph:—

Aliens to
register.

“(b) by reason of his having entered Australia—

(i) if, at the date of that entry, he was a registered alien; or

(ii) if, before the date of that entry, an application for his registration was received under the next succeeding section and the application was not cancelled.”

* Act No. 22, 1947, as amended by No. 68, 1952; No. 32, 1959; and No. 12, 1965.

Making of application for registration before entry into Australia.

5. After section 7 of the Principal Act the following section is inserted:—

“7A.—(1.) An officer may, in relation to a proposed entry into Australia of an alien, receive an application for registration of the alien under this Act, but the name of the alien shall not be entered in a Register of Aliens in pursuance of the application before the alien has entered Australia.

“(2.) An application under the last preceding sub-section shall be made in the prescribed manner by the alien or, if the alien is under the age of twenty-one years, by the alien or, on his behalf, by his parent or guardian.

“(3.) Where it appears to an officer that the proposed entry of an alien into Australia in relation to which an application has been received under this section will not, or is unlikely to, take place, or that it is desirable to do so by reason of lapse of time since the application was made, the officer may cancel the application.”.

Exemption from registration.

6. Section 8 of the Principal Act is amended—

(a) by omitting paragraph (c) and inserting in its stead the following paragraph:—

“(c) a person who enters Australia while an alien and, before the time by which he would, but for this section, be required to apply to be registered as an alien, states to an officer that he does not intend to remain in Australia for more than twelve months; and ”; and

(b) by adding at the end thereof the following sub-section:—

“(2.) Notwithstanding the last preceding sub-section, where a person referred to in paragraph (c) of that sub-section remains in Australia for more than twelve months after the day on which he entered Australia, the provisions of sections seven, nine and ten A of this Act apply to that person after the expiration of that period.”.

Settlement of cases.

7. Section 18 of the Principal Act is amended by omitting the words “Ten pounds” and inserting in their stead the words “Twenty dollars”.

8. After section 18 of the Principal Act the following section is inserted:—

Acts done outside Australia.

“18A.—(1.) A person who enters Australia after having done an act or thing outside Australia in relation to an application under section seven A of this Act that, if it had been done in Australia, would have constituted an offence against this Act is

guilty of an offence punishable upon conviction by a fine not exceeding One hundred dollars or imprisonment for a period not exceeding three months.

“(2.) Nothing in this section renders a person liable to be punished twice in connexion with the same act or thing done outside Australia.

“(3.) In relation to offences against this section, section thirty-nine of the *Judiciary Act* 1903–1965 applies as if the several jurisdictions of the courts of the States were not subject to any limits as to locality.”.

9. Section 20 of the Principal Act is repealed and the following section inserted in its stead:—

“20. A person who contravenes or fails to comply with a provision of this Act is guilty of an offence punishable upon conviction by a fine not exceeding One hundred dollars or imprisonment for a period not exceeding three months.”.

Penalties for offence.

10. Section 21 of the Principal Act is amended by omitting the words “ Fifty pounds ” and inserting in their stead the words “ One hundred dollars ”.

Regulations.