

ACT NO. III OF 1915.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 17th March, 1915.)

An Act to amend the Foreigners Act, 1864.

III of 1864. **W**HEREAS it is expedient to amend the Foreigners Act, 1864; It is hereby enacted as follows:—

1. This Act may be called the Foreigners Short title.
(Amendment) Act, 1915.

III of 1864. 2. In section 1 of the Foreigners Act, 1864, for the words "not being either a natural born subject of Her Majesty within the meaning of the Statute 3 and 4 William IV, Chapter 85, section 81, or a native of British India" the following words shall be substituted, namely:—

Amendment of section 1 of Act III of 1864.

"(a) who is not a natural born British subject as defined in sub-sections (1) and (2) of section 1 of the British Nationality and Status of Aliens Act, 1914, or

(b) who has not been granted a certificate of naturalisation as a British subject under any law for the time being in force in British India:

Provided that any British subject who, under any law for the time being in force in British India, ceases to be a British subject, shall thereupon be deemed to be a foreigner."

III of 1864. 3. After section 3 of the Foreigners Act, 1864, the following section shall be inserted, namely:—

"3A. (1) Whenever in a Presidency town the Commissioner of Police, or elsewhere the Magistrate Insertion of new section 3A, Act III of 1864. Foreigner may be apprehended of

4 and 5 Geo. V, c. 17.

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of the District, considers that the Local Government should be moved to issue an order under section 3 in respect of any foreigner who is within the limits of such Presidency town or of the jurisdiction of such Magistrate, he may report the case to the Local Government and at the same time issue a warrant for the apprehension of such foreigner.

(2) Any officer issuing a warrant under sub-section (1) may, in his discretion, direct by endorsement on the warrant that if such foreigner executes a bond with or without sureties for his attendance at a specified place and time, the person to whom the warrant is directed shall take such security and release such foreigner from custody.

(3) Any person executing a warrant under sub-section (1) may search for and apprehend the foreigner named in such warrant; and, subject to any direction issued under sub-section (2), shall forthwith cause such foreigner when apprehended to be produced before the officer issuing the warrant.

(4) When a foreigner for whose apprehension a warrant has been issued under sub-section (1) is produced or appears before the officer issuing such warrant, such officer may direct him to be detained in custody pending the orders of the Local Government, or may release him on his executing a bond with or without sureties to appear at a specified place and time and thereafter if and when required until such orders are obtained.

(5) Any officer who has, in accordance with the provisions of sub-section (4), ordered a foreigner to be detained or released on his executing a bond shall forthwith report the fact to the Local Government. On the receipt of a report under this sub-section the Local Government shall without delay either direct that the foreigner be discharged or make an order for the removal of such foreigner in accordance with the provisions of section 3."