

Serial Number 1949/7

**THE BRITISH NATIONALITY AND NEW ZEALAND
CITIZENSHIP REGULATIONS 1949**

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 16th day of
February, 1949

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the British Nationality and New Zealand Citizenship Act, 1948, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS

1. These regulations may be cited as the British Nationality and New Zealand Citizenship Regulations 1949.

2. In these regulations, unless the context otherwise requires,—
“The Act” means the British Nationality and New Zealand
Citizenship Act, 1948 :

Expressions defined in the Act have the meanings so defined.

REGISTRATION OF NEW ZEALAND CITIZENS

3. (1) An application by a person of full age for registration as a New Zealand citizen under section 8 or section 9 of the Act shall include the particulars in the form numbered 1 in the First Schedule hereto.

(2) An application for the registration of a minor as a New Zealand citizen under section 9 of the Act shall include the particulars in the form numbered 2 or 4 in the First Schedule hereto, whichever is applicable.

4. (1) For the purposes of the Act a register of persons becoming New Zealand citizens by registration shall be kept in the Department of Internal Affairs at Wellington.

(2) The Minister shall cause proper indexes to be made of the names of persons registered as aforesaid, and shall permit every person desirous of so doing to inspect the same and make copies thereof.

CITIZENSHIP BY NATURALIZATION

5. (1) Notice of intention to apply for naturalization as a New Zealand citizen shall be lodged with the Minister and shall also be published for public information in such form as the Minister may direct.

(2) The notice of intention to be lodged with the Minister shall be in the form numbered 3 in the First Schedule hereto.

(3) The notice of intention for public information shall be published by and at the expense of the declarant in two newspapers circulating in the district where he resides and in such other newspapers as the Minister may direct.

6. An application for a certificate of naturalization under section 12 or section 13 of the Act shall include the particulars in the form numbered 4 in the First Schedule hereto.

7. A certificate of naturalization granted under the Act shall be in the form numbered 5 in the First Schedule hereto.

8. (1) The Minister shall enrol for safe custody as of record a duplicate of all certificates of naturalization issued under the Act.

(2) The Minister shall cause proper indexes to be made of certificates enrolled by him as aforesaid, and shall permit every person desirous of so doing to inspect the same and make copies thereof.

(3) A copy of a certificate of naturalization certified to be a true copy by the Under-Secretary of Internal Affairs shall be *prima facie* evidence of that certificate.

RENUNCIATION AND DEPRIVATION OF CITIZENSHIP

9. A declaration of renunciation of New Zealand citizenship under section 21 of the Act shall be subscribed in duplicate on a printed form supplied by the Under-Secretary of Internal Affairs. This declaration shall include the particulars in the form numbered 6 in the First Schedule hereto.

10. A declaration of renunciation of New Zealand citizenship may be made—

- (a) In New Zealand (excluding the Cook Islands and the Tokelau Islands), before a Magistrate :
- (b) In the Cook Islands, before a Judge or Commissioner of the High Court of the Cook Islands :
- (c) In Western Samoa or the Tokelau Islands, before a Judge or Commissioner of the High Court of Western Samoa :
- (d) In any other place, before a New Zealand overseas representative authorized in that behalf by the Minister. Any such authority may be given to a specified person or to the holder for the time being of a specified office.

11. (1) Both copies of a declaration of renunciation of New Zealand citizenship shall be transmitted to the Department of Internal Affairs at Wellington.

(2) One copy shall be officially noted as having been registered and shall be returned to the declarant, and the other copy shall be filed in the Department.

12. Where the Minister deprives a person of New Zealand citizenship, the order of deprivation shall have effect from such date as the Minister may direct, and thereupon it shall be the duty of that person and of any other person having the certificate in his possession or control to deliver up the certificate of registration or certificate of naturalization for cancellation.

13. (1) Any notice by the Minister under section 23 (6) of the Act shall be given to the holder of the certificate of registration or naturalization or sent to him at his last known address.

(2) Any application for the reference of a case for inquiry and report under section 23 (7) of the Act shall be addressed to the Minister of Internal Affairs at Wellington and shall include an address for service in New Zealand where any document relating to the inquiry can be served upon him.

OATHS OF ALLEGIANCE

14. Every oath of allegiance taken under or for the purposes of the Act shall be sworn and subscribed in the form numbered 7 in the First Schedule hereto.

15. An oath of allegiance may be taken—

- (a) In New Zealand (excluding the Cook Islands and the Tokelau Islands), before a Magistrate or a Justice of the Peace :
- (b) In the Cook Islands, before a Judge or Commissioner of the High Court of the Cook Islands :
- (c) In Western Samoa or the Tokelau Islands, before a Judge or Commissioner of the High Court of Western Samoa :
- (d) In any other place, before a New Zealand overseas representative authorized in that behalf by the Minister. Any such authority may be given to a specified person or to the holder for the time being of a specified office.

16. If an oath of allegiance is not duly taken within one month after the date on which a certificate of naturalization is granted or, in the case of a certificate granted outside New Zealand, within three months after the date on which it is granted, or within such further time as the Minister may in either case allow, the certificate of naturalization shall not take effect.

17. Every oath of allegiance relating to a certificate of naturalization shall be registered in the Department of Internal Affairs at Wellington.

MISCELLANEOUS

18. The forms prescribed by these regulations shall, in their application to persons resident in the Cook Islands, the Tokelau Islands, Western Samoa, and every other New Zealand trust territory, be modified to such extent as may be necessary to comply with the provisions of section 33 of the Act.

19. (1) Fees in accordance with the Second Schedule hereto shall be payable into the Consolidated Fund in respect of the several matters therein mentioned.

(2) In cases of hardship, to be determined by the Minister, or in cases to which section 12 (2) (d) of the Act applies, the Minister may dispense with the fees for naturalization except that payable on lodging notice of intention to apply.

SCHEDULES

FIRST SCHEDULE

[Form No. 1

The British Nationality and New Zealand Citizenship Act, 1948

APPLICATION FOR REGISTRATION AS A NEW ZEALAND CITIZEN

To the Hon. the Minister of Internal Affairs, Wellington.

IN conformity with the provisions of the British Nationality and New Zealand Citizenship Act, 1948, I, A. B., of [Address], hereby make application to be registered as a New Zealand citizen.

The following particulars refer to me:—

Names in full :.....
 Address in full :.....
 Occupation :.....
 Nationality :.....
 *Citizenship (if a British subject) :.....
 Previous citizenships (if any) :.....
 Previous nationalities (if any) :.....
 Date of birth :.....
 Place of birth :.....
 Sex :.....
 Whether never married, married, divorced, widower, or widow :.....
 †Length of continuous residence in New Zealand immediately before
 this application :.....
 †Nature and length of Crown service under New Zealand Government

 †Associations with New Zealand :.....
 Names (in full) of wife/husband :.....
 Nationality of wife/husband :.....
 *Citizenship of wife/husband (if a British subject) :.....
 Date of marriage :.....
 Documents attached evidencing citizenship (or reasons for not attaching
 them) :.....

* State country and whether a citizen by birth, descent, registration, or naturalization, with particulars.
 † Strike out if inapplicable.

I, the above-named applicant, do solemnly and sincerely declare that I have this day signed the foregoing application and that all the above-stated facts are true as I have stated them; and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the Justices of the Peace Act, 1927.

Signature of Applicant :.....

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

.....

Justice of the Peace, or Solicitor, or Member of either House of Parliament, or Government Officer duly authorized, or New Zealand Overseas Representative duly authorized.

[Form No. 2

The British Nationality and New Zealand Citizenship Act, 1948

APPLICATION FOR REGISTRATION OF A MINOR AS A CITIZEN

To the Hon. the Minister of Internal Affairs, Wellington.

IN conformity with the provisions of the British Nationality and New Zealand Citizenship Act, 1948, I, A. B., of [Address], hereby make application for the registration as a New Zealand citizen of a minor child whose particulars are set out below.

Particulars of child:—

Names in full :.....
 Address :.....
 Date of birth :.....
 Place of birth :.....
 Sex :.....
 Nationality :.....
 Citizenship (if a British subject) :.....
 Previous citizenships (if any) :.....
 Previous nationalities (if any) :.....
 Name in full of father :.....
 Nationality of father (if a New Zealand citizen, state basis for claim) :

 Name in full of mother :.....
 Nationality of mother (if a New Zealand citizen, state basis for claim) :

I, the above-named applicant, do solemnly and sincerely declare that I have this day signed the foregoing application and that all the above-stated facts are true as I have stated them; and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the Justices of the Peace Act, 1927.

Signature of Applicant :

*Parent or Guardian.

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

.....
 Justice of the Peace, or Solicitor, or Member of either
 House of Parliament, or Government Officer duly
 authorized, or New Zealand Overseas Representative
 duly authorized.

* Delete if inapplicable.

[Form No. 3

The British Nationality and New Zealand Citizenship Act, 1948

NOTICE OF INTENTION TO APPLY FOR A CERTIFICATE OF NATURALIZATION

To the Hon. the Minister of Internal Affairs, Wellington.

IN conformity with the provisions of the British Nationality and New Zealand Citizenship Act, 1948, I, [*Full name*], hereby give notice of my intention to apply for naturalization as a New Zealand citizen.

The following particulars refer to me :—

Names in full : [*Surname to be stated first, and in block letters*].

Address in full :

Occupation :

Nationality : Length of continuous residence in New Zealand immediately before this notice of intention :

Sex : Place of birth :

Date of birth : [*Day, month, and year*].

(First time.) (Second time.) (Third time.)

Port of arrival :

Date of arrival :

Name of vessel :

State whether never married, married, divorced, widower, or widow :

Date of marriage :

Names (in full) of wife/husband :

Birthplace of wife/husband :

Date of birth of wife/husband : [*Day, month, and year*].

Names (in full) of father of applicant :

Nationality of father :

Names (in full) of mother of applicant :

Nationality of mother :

State whether resided in any other Commonwealth country or territory or in Ireland ; if so, give full particulars regarding dates and period of residence therein :

Number of permit to enter New Zealand :

State whether desire is to settle in New Zealand permanently :

Documents attached evidencing nationality (or reasons for not attaching them) :

State whether prepared to renounce present nationality :

If married, does your wife/husband reside with you ?

If not, state place of her/his residence :

If married, do your children, if any, under twenty-one years reside with you ?

If not, state place of their residence :

Names and particulars of children under twenty-one years of age :—

Full Names.	Sex.	Date of Birth. (Day, Month, Year.)	Place and Country where Born.

Do you intend to apply for the registration of these children as New Zealand citizens ?

I, the above-named applicant, do solemnly and sincerely declare that I have this day signed the foregoing notice of intention and that all the above-stated facts are true as I have stated them ; and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the Justices of the Peace Act, 1927.

Signature of Applicant :

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

.....
Justice of the Peace, or Solicitor, or Member of either House of Parliament, or Government Officer duly authorized, or New Zealand Overseas Representative duly authorized.

[Form No. 4

The British Nationality and New Zealand Citizenship Act, 1948

(The whole of the application should be completed in applicant's own handwriting)

APPLICATION FOR A CERTIFICATE OF NATURALIZATION

To the Hon. the Minister of Internal Affairs, Wellington.

In conformity with the provisions of the British Nationality and New Zealand Citizenship Act, 1948, I, [Full name], hereby make application for a certificate of naturalization to be granted to me.

The following particulars refer to me :—

- Names in full: [Surname to be stated first, and in block letters].
- Address in full:.....
- Occupation:.....
- Nationality:..... Length of continuous residence in New Zealand immediately before this application:.....
- Sex:..... Place of birth:.....
- Date of birth: [Day, month, and year].
- State whether never married, married, divorced, widower, or widow :
- Date of marriage:.....
- Names (in full) of wife/husband:.....
- Birthplace of wife/husband:.....
- Date of birth of wife/husband: [Day, month, and year].
- Names (in full) of father of applicant:.....
- Nationality of father:.....
- Names (in full) of mother of applicant:.....
- Nationality of mother:.....
- State whether desire is to settle in New Zealand permanently:.....
- Documents attached evidencing nationality (or reasons for not attaching them):.....
- If married, does your wife/husband reside with you?.....
- If not, state place of her/his residence:.....
- If married, do your children, if any, under twenty-one years reside with you?.....
- If not, state place of their residence:.....
- I further apply for the registration as New Zealand citizens of my children under twenty-one years of age :—

Full Names.	Sex.	Date of Birth. (Day, Month, Year.)	Place and Country where Born.

Notice of my intention to apply for naturalization was duly lodged on [Date], and acknowledged on [Date and Departmental reference number].

Since lodging notice of my intention to apply for naturalization, I have—
 * Not been absent from New Zealand.
 * Been continuously in Crown service under the New Zealand Government.

I, the above-named applicant, do solemnly and sincerely declare that I have this day signed the foregoing application and that all the above-stated facts are true as I have stated them; and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the Justices of the Peace Act, 1927.

Signature of Applicant:.....

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

.....
 Justice of the Peace, or Solicitor, or Member of either House of Parliament, or Government Officer duly authorized, or New Zealand Overseas Representative duly authorized.

* Strike out if inapplicable, and give full particulars of absence, &c.

[Form No. 5

The British Nationality and New Zealand Citizenship Act, 1948

CERTIFICATE OF NATURALIZATION

IN exercise of the powers conferred upon me by the British Nationality and New Zealand Citizenship Act, 1948, I hereby grant this certificate of naturalization to, and declare that upon taking the oath of allegiance he/she shall be a British subject and a citizen of New Zealand.

Given under my hand at Wellington, this day of, 19..

.....
Minister of Internal Affairs.

PARTICULARS RELATING TO GRANTEE

Full name :.....
Place of residence :.....
Occupation :.....
Place of birth :.....
Date of birth :.....
Marital status :.....
Name of wife/husband :.....
Names and nationality of parents :.....

[*Oath of Allegiance as in Form No. 7*]

Enrolled as of record and registered in the Department of Internal Affairs, Wellington, New Zealand, in Register No., page, this day of, 19..

.....
Under-Secretary.

[Form No. 6

The British Nationality and New Zealand Citizenship Act, 1948

DECLARATION OF RENUNCIATION OF NEW ZEALAND CITIZENSHIP

I, A. B., of [Address], being a New Zealand citizen, and being also held under the law of to be a citizen (or national) of, do hereby renounce my New Zealand citizenship and declare that it is my desire to be considered and treated as a citizen (or national) of

Signed :.....

Made and subscribed this day of, 19.., before me—

.....
Stipendiary Magistrate, or New Zealand Overseas
Representative duly authorized.

[Form No. 7

OATH OF ALLEGIANCE

I, A. B., swear by Almighty God that I will be faithful and bear true allegiance to His Majesty King George the Sixth His Heirs and Successors according to law.

Sworn and subscribed at, this day of, 19.., before me—

.....
Stipendiary Magistrate,
or Justice of the Peace,
or New Zealand Overseas Representative
duly authorized.

SECOND SCHEDULE

FEES		£	s.	d.
Registration as a New Zealand citizen under section 8 of the Act (including certification)		0	5	0
Registration as a New Zealand citizen under section 9 (1) (a) of the Act (including certification)		0	10	0
Registration as a New Zealand citizen under section 9 (2) of the Act (including certification)		0	10	0
Certification of registration as a New Zealand citizen		0	2	6
Naturalization of aliens—				
(a) On lodging notice of intention to apply		1	0	0
(This amount shall not in any case be returned)				
(b) On lodging application for naturalization		2	0	0
(c) Grant of certificate, enrolment of certificate, and registration of oath of allegiance		2	0	0
Naturalization of British protected persons—				
Fees (b) and (c) as above only				
The grant of a certificate under section 28 of the Act—				
(a) Except in cases of hardship, as mentioned in paragraph (b) ..		3	0	0
(b) In cases of hardship to be determined by the Minister of Internal Affairs		1	0	0
Certified copy of certificate of naturalization		0	10	0

T. J. SHERRARD,
Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.
Date of notification in *Gazette* : 17th day of February, 1949.
These regulations are administered in the Department of Internal Affairs.