

1960/64



**THE BRITISH NATIONALITY AND NEW ZEALAND
CITIZENSHIP REGULATIONS 1960**

H. E. BARROWCLOUGH, Administrator of the Government
ORDER IN COUNCIL

At the Government House at Wellington this 18th day of May 1960

Present:

HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT IN COUNCIL

PURSUANT to the British Nationality and New Zealand Citizenship Act 1948, His Excellency the Administrator of the Government, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. These regulations may be cited as the British Nationality and New Zealand Citizenship Regulations 1960.

2. In these regulations, unless the context otherwise requires,—

“The Secretary” means the Secretary for Internal Affairs; and includes any person authorised by the Secretary for Internal Affairs to act on his behalf:

“The Act” means the British Nationality and New Zealand Citizenship Act 1948:

Expressions defined in the Act have the meanings so defined:

A reference to a numbered form is a reference to the form so numbered in the First Schedule to these regulations.

New Zealand Citizenship by Naturalisation

3. (1) Notice of intention to apply for naturalisation as a New Zealand citizen shall be lodged with the Minister and shall also be published for public information in the form and in the manner directed in subclause (3) of this regulation.

(2) The notice of intention to be lodged with the Minister shall be in the form numbered 1.

(3) The notice of intention for public information shall be in the form numbered 2, and 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; or it may be published for public information in such other form as the Minister may in any particular case direct.

4. An application for a certificate of naturalisation under section 12 or section 13 of the Act shall be in the form numbered 1.

5. A certificate of naturalisation granted under the Act shall be in the form numbered 3.

6. (1) The Minister shall cause to be enrolled for safe custody as of record in the Department of Internal Affairs at Wellington a duplicate of all certificates of naturalisation issued under the Act, so as to form a register of persons becoming New Zealand citizens by naturalisation.

(2) The Secretary shall, subject to the direction of the Minister, be charged with the maintenance of the register.

(3) Every entry in the register shall be authenticated by the signature of the Secretary.

(4) The Secretary shall cause to be maintained an index arranged in the alphabetical order of the surnames of the persons so entered in the register.

(5) The register and index respectively may be kept in the pages of a book or books, bound or unbound, or upon cards regularly arranged, as the Secretary from time to time thinks fit.

7. Any person may, without fee during ordinary office hours, inspect the register and index and make copies of any entry therein.

8. Any certificate of naturalisation, or any copy thereof, certified under the signature of the Secretary and the seal of the Department of Internal Affairs shall, without proof of signature or seal, be sufficient evidence, in the absence of proof to the contrary, that the person named therein has become a New Zealand citizen by naturalisation.

9. A certificate under the signature of the Secretary and the seal of the Department of Internal Affairs to the effect that after full and sufficient search it appears that the register contains no entry of the naturalisation of a person named in the certificate shall, without proof of signature or seal, be sufficient evidence, in the absence of proof to the contrary, of the facts stated in the certificate and that the person named in the certificate did not become a New Zealand citizen by naturalisation effected in New Zealand at any time before the date of the certificate.

New Zealand Citizenship by Registration

10. An application by any person for registration as a New Zealand citizen under section 8 or section 9 of the Act shall be in the form numbered 1.

11. (1) For the purposes of the Act there shall be kept in the Department of Internal Affairs at Wellington a register of persons becoming New Zealand citizens by registration, whether effected in New Zealand or by a New Zealand Overseas Representative.

(2) The Secretary shall, subject to the direction of the Minister, be charged with the maintenance of the register.

(3) Every entry in the register shall be authenticated by the signature of the Secretary.

(4) The Secretary shall be empowered to issue a certificate of registration as a New Zealand citizen under his signature to any person whose name is entered in the register.

(5) A certificate of registration granted under subclause (4) of this regulation shall be in the form numbered 4 where a person is required to take the oath of allegiance, and in the form numbered 5 where a person is not required to take the oath of allegiance.

(6) The Secretary shall cause to be maintained an index arranged in the alphabetical order of the surnames of the persons so registered.

(7) The register and index respectively may be kept in the pages of a book or books, bound or unbound, or upon cards regularly arranged as the Secretary from time to time thinks fit.

(8) Any person may, without fee during ordinary office hours, inspect the register and index and make copies of any entry therein.

(9) A copy of any entry in the register certified under the signature of the Secretary and the seal of the Department of Internal Affairs shall, without proof of signature or seal, be sufficient evidence, in the absence of proof to the contrary, that the person named therein has become a New Zealand citizen by registration.

(10) A certificate under the signature of the Secretary and the seal of the Department of Internal Affairs to the effect that after full and sufficient search it appears that the register contains no entry of the registration of a person named in the certificate shall, without proof of signature or seal, be sufficient evidence, in the absence of proof to the contrary, of the facts stated in the certificate and that the person named in the certificate did not become a New Zealand citizen by registration effected in New Zealand at any time before the date of the certificate.

Renunciation and Deprivation of Citizenship

12. 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 Secretary. This declaration shall be in the form numbered 6.

13. 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 the Tokelau Islands, before the Administrator of the Tokelau Islands or his appointee:
- (d) In Western Samoa, before The High Commissioner of Western Samoa:
- (e) In any other place, before a New Zealand representative or such other British overseas representative as is authorised 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.

14. (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.

(3) A declaration of renunciation of New Zealand citizenship shall have effect from the date of its registration. It shall thereupon be the duty of the person who has renounced New Zealand citizenship or of any other person having in his possession or control any certificate of naturalisation or registration in which appears the name of the person who has renounced New Zealand citizenship to deliver up the certificate to the Secretary for Internal Affairs at Wellington for cancellation.

15. 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 or of any other person having in his possession or control any certificate of naturalisation or registration in which appears the name of the person who has been deprived of New Zealand citizenship to deliver up the certificate to the Secretary for Internal Affairs at Wellington for cancellation.

16. Where the person named in any certificate of naturalisation or registration has by renunciation or deprivation ceased to be a New Zealand citizen, the Secretary shall cause an entry of the matter to be inserted in the register of naturalisation or registration.

17. Where any New Zealand citizen has renounced or has been deprived of New Zealand citizenship, the Secretary shall cause an entry of the matter to be made as of record in a register to be kept in the Department of Internal Affairs at Wellington.

18. A certificate under the signature of the Secretary and the seal of the Department of Internal Affairs to the effect that a person has renounced or has been deprived of New Zealand citizenship shall, without proof of signature or seal, be sufficient evidence, in the absence of proof to the contrary, of the facts stated in the certificate and that the person has renounced or has been deprived of New Zealand citizenship.

19. Any person may, without fee during ordinary office hours, inspect the register of persons who have renounced or been deprived of New Zealand citizenship and make copies of any entry therein.

20. (1) Any notice by the Minister under section 23 (6) or section 24 (2) of the Act shall be given to the holder of the certificate of registration or naturalisation 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 the applicant.

Oaths of Allegiance

21. 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, the Tokelau Islands, Western Samoa, or any other place outside New Zealand, before any person before whom a declaration of renunciation of New Zealand citizenship may be made in that place under regulation 13 of these regulations.

22. Every person before whom any such oath of allegiance is taken shall certify in the form prescribed by form numbered 3 or 4 that the oath has been so taken before him; and the Secretary for Internal Affairs shall cause a copy of the certification to be held as of record in the register of persons naturalised in New Zealand specified by subclause (1) of regulation 6 of these regulations or in the register of persons becoming New Zealand citizens by registration specified by subclause (1) of regulation 11 of these regulations, as the case may be.

23. If an oath of allegiance is not duly taken within one month after the date on which a certificate of naturalisation 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 naturalisation shall not take effect.

24. Unless the Minister otherwise directs, every oath of allegiance taken under or for the purposes of the Act shall be taken in public and shall be accompanied by proceedings designed to impress upon the person taking it the responsibilities and privileges of New Zealand citizenship.

Miscellaneous

25. 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.

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

27. (1) The British Nationality and New Zealand Citizenship Regulations 1949,* and the British Nationality and New Zealand Citizenship Regulations 1949, Amendment No. 1†, are hereby revoked.

(2) Without limiting the provisions of the Acts Interpretation Act 1924, it is hereby declared that the revocation of any provision by these regulations shall not affect any document made or any thing whatsoever done under the provision so revoked or under any corresponding former provision, and every such document or thing, so far as it is subsisting or in force at the time of the revocation and could have been made or done under these regulations, shall continue and have effect as if it had been made or done under the corresponding provision of these regulations and as if that provision had been in force when the document was made or the thing was done.

*S.R. 1949/7

†S.R. 1949/154

SCHEDULES

FIRST SCHEDULE

Miscellaneous Forms

Regs. 3, 10

Form No. 1

APPLICATION FOR NEW ZEALAND CITIZENSHIP

To the Secretary for Internal Affairs, Wellington

IN conformity with the provisions of the British Nationality and New Zealand Citizenship Act 1948, I [*Full name*] hereby make application to the Minister of Internal Affairs for grant of New Zealand citizenship.

The following particulars apply to me:

My present surname is..... My maiden name was.....

My present forenames are.....

I have changed my name by custom and usage [by deed poll] from [*Forenames*] [*Surname*]

My full private address is.....

My nationality is..... My alien registration number is.....

[*If British subject state Commonwealth country of which you are a citizen and whether by birth, descent, registration, naturalisation, or marriage, with particulars.*]

I was born at [*Place, district, and country of birth*] on.....

My sex is.....

I arrived at..... [*Port of arrival*] New Zealand on [*Date*].

The name of the ship was..... [*Otherwise state "by air"*].

Since arrival I have been absent from New Zealand for the following periods:.....

I have lived continuously in New Zealand for.....years immediately before this application.

My present occupation is.....

My work address is.....

My father's names are.....

He was born in [*Place and country of birth*] and is of.....nationality.

My mother's names are..... Maiden name:.....

She was born in [*Place and country of Birth*] and is of.....nationality.

Particulars of residence in other British countries or territories or in Ireland (if any):

Country	Period of Residence
.....	From.....to.....
.....	From.....to.....
.....	From.....to.....

I have authority under the Immigration Restriction Act 1908 for permanent residence [*Answer "yes" or "no"*].

I intend to reside in New Zealand permanently [*Answer "yes" or "no"*].

I am [*Never married, married, separated, divorced, widower, or widow*].

I was married on [*Date*] at [*Place and country*].

FIRST SCHEDULE—continued

The following particulars apply to my wife/husband:

- Full name:..... Maiden name:.....
- Details of previous marriages (if any) :.....
- Birth date:..... Birth place:.....
- Nationality:..... Alien Registration No.....
- If she/he is a British subject, state Commonwealth country of which a citizen and whether by birth, descent, registration, naturalisation, or marriage, with particulars:.....
- Arrived in New Zealand at [*Port of arrival*] on [*Date*].
- If married does your wife/husband reside with you?.....
- If not, state place of residence:.....
- If your wife/husband is not a New Zealand citizen does she/he intend to apply for registration as a New Zealand citizen:.....

I give particulars of ALL my children under twenty-one years of age and apply for the registration as New Zealand citizens of those children who were not born in New Zealand:

Full Names	Sex	Town and Country Where Born	Date of Birth (Day, Month, Year)	Where Now Resident
.....
.....
.....

I attach the following documents evidencing nationality, and date and place of birth. (If you are applying for residence in other British countries to be counted, documents verifying such residence must also be submitted. Supply birth certificates of children).

1.
2.
3.

If no documents available state reason:.....

(To be completed only when applicant is a minor applying independently)

Signature of minor [*if over 16 years of age*].

Signature of parent or guardian:.....

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 Oaths and Declarations Act 1957.

Signature of applicant:.....

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

Justice of the Peace,
 or Solicitor,
 or Member of Parliament,
 or Government Officer duly authorised.

FIRST SCHEDULE—*continued*

PENALTY

Section 32 (1) of the British Nationality and New Zealand Citizenship Act 1948, reads as follows:

“Any person who, for the purpose of procuring anything to be done or not to be done under this Act, makes any statement which he knows to be false in a material particular, or recklessly makes any statement which is false in a material particular, shall be liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding fifty pounds.”

Reg. 3 (3)

Form No. 2

NOTICE OF INTENTION TO APPLY FOR CERTIFICATE OF NATURALISATION
I [*Name*] [*Occupation*] [*Address*] hereby give notice of my intention to apply to the Minister of Internal Affairs for a Certificate of Naturalisation.

Regs. 5, 22

Form No. 3

[New Zealand Arms]

CERTIFICATE OF NATURALISATION

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

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

.....
Minister of Internal Affairs.

I.A. 115/

PARTICULARS

Full name:.....

Place of residence:..... Occupation:.....

Place of birth:..... Date of birth:.....

I,.....hereby certify that on the.....day of.....19.....
the above-named.....appeared before me at.....and swore that
he/she would be faithful and bear true allegiance to Her Majesty
Queen Elizabeth the Second, Her Heirs and Successors, according to
law.

Signature:.....

Stipendiary Magistrate *or* Justice of the Peace.

Enrolled as of record in the Department of Internal Affairs, Wellington,
New Zealand in Register No....., page No.....

.....
For Secretary for Internal Affairs.

FIRST SCHEDULE—*continued*

Regs. 11 (5), 22

Form No. 4

[New Zealand Arms]

CERTIFICATE OF REGISTRATION

THE Minister of Internal Affairs, in exercise of the powers conferred upon him by the British Nationality and New Zealand Citizenship Act 1948, has approved registration as a British subject and New Zealand citizen of.....

I hereby certify that he/she has become a British subject and New Zealand citizen with effect from the date of administration of the Oath of Allegiance as certified below.

.....
For Secretary for Internal Affairs.

I.A. 115/

PARTICULARS

Full name:.....

Place of residence:..... Occupation:.....

Place of birth:..... Date of birth:.....

I,..... hereby certify that on the..... day of..... 19..... the above-named..... appeared before me at..... and swore that he/she would be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, Her Heirs and Successors, according to law.

Signature:.....

Stipendiary Magistrate or Justice of the Peace.

Enrolled as of record in the Department of Internal Affairs, Wellington, New Zealand in Register No....., page No.....

.....
For Secretary for Internal Affairs.

Reg. 11 (5)

Form No. 5

[New Zealand Arms]

CERTIFICATE OF REGISTRATION

THE Minister of Internal Affairs, in exercise of the powers conferred upon him by the British Nationality and New Zealand Citizenship Act 1948, has approved registration as a British subject and New Zealand citizen of.....

I hereby certify that he/she has become a British subject and New Zealand citizen with effect from this..... day of..... 19.....

.....
For Secretary for Internal Affairs.

I.A. 115/

PARTICULARS

Full name:.....

Place of residence:..... Occupation:.....

Place of birth:..... Date of birth:.....

Enrolled as of record in the Department of Internal Affairs, Wellington, New Zealand in Register No....., page No.....

.....
For Secretary for Internal Affairs.

FIRST SCHEDULE—*continued*

Reg. 12

Form No. 6

[New Zealand Arms]

British Nationality and New Zealand Citizenship Act 1948

DECLARATION OF RENUNCIATION OF NEW ZEALAND CITIZENSHIP

I, [Full name] of [Address] being a New Zealand citizen, and being also held under the law of..... to be a citizen (or national) of..... 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 authorised.

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

Secretary for Internal Affairs.

SECOND SCHEDULE

Reg. 26

FEES

	£	s.	d.
Naturalisation under section 12 or section 13 of the Act (Reducible to a minimum of £1 at the discretion of the Minister in cases of hardship to be determined by the Minister.)	5	0	0
Registration as a New Zealand citizen under section 8 or section 9 (1) (a) of the Act (including certification)	1	0	0
Certification of registration as a New Zealand citizen	0	5	0
Grant of a certificate under section 28 of the Act—			
(a) To an adult	1	0	0
(b) To a minor child			No fee
Certified copy of certificate of naturalisation	2	10	0

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

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations consolidate and amend the British Nationality and New Zealand Citizenship Regulations 1949. The main changes relate to the fees payable, the method of taking the oath of allegiance, and the prescribed forms.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 19 May 1960.

These regulations are administered in the Department of Internal Affairs.