

Regulations under the British Nationality and Status of Aliens (in New Zealand) Act, 1928.

CHARLES FERGUSSON, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 2nd day of September, 1929.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS by Part II of the British Nationality and Status of Aliens Act, 1914 (Imperial), provision is made for the grant to aliens of certificates of naturalization which will confer and impose on the holders thereof all political and other rights, powers, and privileges, and all obligations, duties, and liabilities to which a natural-born British subject is entitled or subject, so that such persons, as from the date of their naturalization, will have to all intents and purposes the status of natural-born British subjects: And whereas it is provided by the said Act that neither Part II thereof nor any certificate of naturalization granted thereunder shall have any force or effect within certain specified Dominions of which the Dominion of New Zealand is one, unless the Legislature thereof has adopted the said Part II: And whereas by the British Nationality and Status of Aliens (in New Zealand) Act, 1928, Part II of the Imperial Act has been adopted by the Legislature of New Zealand: And whereas it is provided by the said Imperial Act that the Legislature of any Dominion that adopts Part II may provide how and by what Department of the Government the powers conferred thereby are to be exercised: And whereas by section fourteen of the New Zealand Act power has been conferred on the Governor-General in Council to make regulations providing for the exercise of such powers and generally for carrying into effect the objects of that Act, and it is desirable to make such regulations accordingly:

Now, therefore, in pursuance and exercise of the powers conferred on him by section fourteen of the British Nationality and Status of Aliens (in New Zealand) Act, 1928, and of all other powers enabling him in that behalf, His Excellency the Governor-General of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby make the following regulations for the purposes of the said Act and of Part II of the Imperial Act, in its application to New Zealand, and doth hereby declare that the regulations hereby made shall come into force on the date of their publication in the *Gazette*.

REGULATIONS.

1. THESE regulations may be cited as the Naturalization Regulations, 1929.

2. A certificate of naturalization granted in New Zealand shall be in such one of the forms numbered one to five in the First Schedule hereto as in the circumstances of any case is applicable:

Provided that where the names of children are to be included in any certificate of naturalization granted in the form No. 3 or the form No. 5 in the First Schedule hereto, paragraphs corresponding to the second and fourth paragraphs of the form No. 2 in that Schedule shall be inserted in the certificate.

3. A declaration of alienage shall be in the form No. 6 in the First Schedule hereto, the various alternatives being used according to the circumstances.

4. A declaration of retention of British nationality under section ten of the Imperial Act in its application to New Zealand made by the wife of a man ceasing during the continuance of his marriage to be a British subject shall be in the form No. 7 in the First Schedule hereto.

5. A declaration of resumption of British nationality under section twelve of the Imperial Act in its application to New Zealand, made by a person who has ceased to be a British subject upon his parent ceasing during the minority of that person to be a British subject, shall be in the form No. 8 in the First Schedule hereto.

6. (1) The oath of allegiance, administered as required by section nine of the British Nationality and Status of Aliens (in New Zealand) Act, 1928, shall be in the form No. 9 in the First Schedule hereto, and shall be subscribed as well as taken.

(2) The oath of allegiance, sworn, subscribed, and attested as herein directed shall in every case be endorsed on the certificate of naturalization to which it relates.

(3) The oath of allegiance may be proved in any legal proceedings by the production of the original certificate or any copy thereof certified to be a true copy by the Minister of Internal Affairs or by any person authorized by him in that behalf.

7. The oath of allegiance shall be taken within one calendar month after the date of the certificate of naturalization to which it relates, or within such extended time as the Minister of Internal Affairs may direct, and if the oath is not so taken the certificate shall not take effect.

8. Every certificate of naturalization granted in New Zealand and every oath of allegiance relating to any such certificate shall be registered in Wellington at the office of the Department of Internal Affairs.

9. (1) A declaration of alienage or declaration of retention or resumption of British nationality may be made before a Stipendiary Magistrate, but not otherwise. Every such declaration shall be registered in the Department of Internal Affairs at Wellington, and shall also be registered in London, at the Home Office, as required by the Imperial Naturalization Regulations.

(2) For the purpose of securing the registration of declarations of alienage or of the retention or resumption of British Nationality, as required by these regulations and by the Imperial Naturalization Regulations, the following provisions shall apply:—

(a) Every such declaration shall be subscribed in triplicate;

(b) The Stipendiary Magistrate taking any such declaration shall transmit to the Department of Internal Affairs at Wellington the three copies thereof;

(c) On payment by the declarant of the prescribed fees for registration in London and in New Zealand, one copy shall be officially noted as having been registered and shall be returned to the declarant; one copy shall be filed in the Department; and the third copy shall be forwarded for registration at the Home Office in London.

10. The forms prescribed by these regulations shall, in their application to persons resident in the Cook Islands or in Western Samoa, be modified to such extent as may be necessary to comply with the provisions of sections seven and eight of the British Nationality and Status of Aliens (in New Zealand) Act, 1928.

11. (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) Where the prescribed fee for a certificate of naturalization is not less than one pound the sum of one pound shall be paid when the application for such certificate is made, and shall not in any case be returned. Where the prescribed fee for a certificate of naturalization exceeds one pound the balance of the said fee shall be payable on demand before the certificate is issued.

FIRST SCHEDULE.

[Form No. 1.

BRITISH NATIONALITY AND STATUS OF ALIENS (IN NEW ZEALAND) ACT, 1928.

Certificate of Naturalization.

[Where the names of children are not included.]

WHEREAS A.B. has applied for a certificate of naturalization, alleging with respect to himself [herself] the particulars set out below, and has satisfied me that the conditions laid down in the British Nationality and Status of Aliens Act, 1914 (Imperial), in its application to New Zealand, for the grant of a certificate of naturalization are fulfilled in his [her] case:

Now, therefore, in pursuance of the powers conferred on me by the said Act and by the British Nationality and Status of Aliens (in New Zealand) Act, 1928, I grant to the said A.B. this certificate of naturalization, and declare that upon taking the oath of allegiance within the time and in the manner required by the regulations made in that behalf he [she] shall, subject to the provisions of the said Acts, be entitled to all political and other rights, powers, and privileges, and be subject to all obligations, duties, and liabilities, to which a natural-born British subject is entitled or subject, and have to all intents and purposes the status of a natural-born British subject.

In witness whereof I have hereto subscribed my name this day of , 19 .

Minister of Internal Affairs.

PARTICULARS RELATING TO APPLICANT.

Full name:
Address:
Trade or occupation:
Place and date of birth:
Nationality:
Married, single, widower, or widow:
Name of wife or husband:
Names and nationality of parents: