

New Zealand



ANALYSIS

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2. National status of married women.
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1946, No. 20

AN ACT to amend the British Nationality and Status of Aliens (in New Zealand) Act, 1928. Title.

[9th October, 1946

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the British Nationality and Status of Aliens (in New Zealand) Amendment Act, 1946, and shall be read together with and deemed part of the British Nationality and Status of Aliens (in New Zealand) Act, 1928.

Short Title.

See Reprint of Statutes, Vol. I, p. 159

2. (1) Where a woman has (whether before or after the commencement of this Act) married an alien, and was at the time of her marriage a British subject, she shall not, by reason only of her marriage, be deemed to have ceased to be a British subject, whether or not, by reason of her marriage, she became under the law of her husband's State a subject also of that State.

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(2) Where a man has (whether before or after the commencement of this Act) ceased during the continuance of his marriage to be a British subject, his wife shall not, by reason only of that fact, be deemed to have ceased to be a British subject, whether or not, by reason of the acquisition by her husband of a new nationality, she became under the law of her husband's State a subject also of that State.

(3) Where a woman has (whether before or after the commencement of this Act), by reason of her marriage to an alien or by reason of the acquisition of her husband of a new nationality, become under the law of her husband's State a subject of that State, and is still also a British subject, she may at any time while she is still a subject of that foreign State (whether before or after the death of her husband or the dissolution of her marriage) make a declaration of alienage, and on making the declaration she shall cease to be a British subject.

(4) Where a woman at any time after the commencement of this Act marries a British subject, and is not at the time of her marriage a British subject, she shall not, by reason only of her marriage, be deemed to become a British subject.

(5) Where a man at any time after the commencement of this Act becomes during the continuance of his marriage a British subject, his wife, if not already a British subject, shall not, by reason only of the acquisition by her husband of British nationality, be deemed to become a British subject.

(6) Where application for a certificate of naturalization is made to the Minister of Internal Affairs by any woman, and the Minister is satisfied—

(a) That the applicant's husband is a British subject (whether by birth or by naturalization either before or after his marriage to the applicant); or

(b) That the applicant's husband is a subject of a State at war with His Majesty and the applicant was at birth a British subject,—

the Minister may grant to the applicant a certificate of naturalization under section two of the British Nationality and Status of Aliens Act, 1914, in its application

to New Zealand, notwithstanding that the requirements of subsection one of that section are not complied with.

3. (1) Section ten of the British Nationality and Status of Aliens Act, 1914, as re-enacted in section one of the British Nationality and Status of Aliens Act, 1933, and as set out in the Schedule to the British Nationality and Status of Aliens (in New Zealand) Amendment Act, 1934-35, shall at the commencement of this Act cease to have effect in New Zealand.

Repeals and
saving.
4 and 5 Geo. V.
c. 17
23 and 24
Geo. V, c. 49
1934-35, No. 38.

(2) The British Nationality and Status of Aliens (in New Zealand) Amendment Act, 1934-35, is hereby repealed.

(3) Nothing in this Act shall affect the nationality of any person who at the commencement of this Act is a British subject.
