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Naturalization RSC 1927 - Ch 138

1931 - Ch 39 - 5-1945.

SC - 1931 - Ch 39 -

An Act to Amend The Naturalization Act

Assented to 3rd Aug. 1931.

1. Section 13 of The Naturalization Act, Ch 138 of RSC 1927 repealed, & the following substituted therefor: -

"13. (1) wife of B.O. deemed to be B.O., wife of an alien shall be deemed to be an alien, except as in this section otherwise provided.

(2) Where a woman who is a B.O. marries an alien she shall not by reason only of her marriage cease to be a B.O. unless by reason of her marriage she acquires the nationality of her husband.

(3) where husband ceases to be a B.O. wife shall not also cease to be a B.O. unless by reason of the acquisition by her husband of a new nationality she also acquires that nationality.

(4) ^{Where} Notwithstanding the provisions of the last foregoing subsection a married woman would cease to be a B.O. it shall nevertheless be lawful for her within six months after the date at which she would cease to be a B.O. - or longer period - make a declaration shall she desires to retain her B. nationality & thereupon she shall be deemed

- (5) When a certificate of naturalization is granted to an alien (2) his wife, if not already a B.O., shall not be deemed to be a B.O. unless within 6 mo. after the date of that Certif., or in special circumstances with the consent of the Minister - foreign period - she makes a declaration that she desires to acquire B. nationality and upon making of such declaration she shall be deemed to be a B.O.
- (6) Alien subject of a state at war with His Majesty, lawful for wife to make declaration & resume Br. nat.

2. Paragraph (b) - subsection one of section 28 - new para. substituted.

3. Enforcement of Act on Proclamation.

The Canadian Citizenship Act assented to June 27, 1946
 2 (2) Canadian domicile - domicile maintained in Canada
 for at least 5 years.

Part I - Natural-Born Canadian Citizens -

- 4 (a) if born in Canada, on Canadian ship &
 not become an alien at the commencement of this Act.
 (b) if born outside of Canada - father, or if born out
 of wedlock, mother
 (i) was born in Canada or on a Canadian ship & had
 not become an alien at that person's birth, or
 (ii) was, at the time of that person's birth, a British
 subject who had Canadian domicile,
 if, at the commencement of this Act, that person
 has not become an alien, and has either been lawfully
 admitted to Canada for permanent residence or is a minor

Part II Canadian Citizens Other than Natural-Born

- 9 (1) A person other than a natural-born Canadian citizen, is a
 Canadian citizen, if he or she
 (a) was granted, or his name was included in a Certificate of naturalization
 and he has not become an alien at the commencement of this Act; or
 (b) immediately before the commencement of this Act was a B.C. who
 had Canadian domicile;
 or, in the case of a woman,
 (c) if she
 (i) before the commencement of this Act, was —

28. A person, who has acquired the status of B.C. by birth or naturalization under the laws of any country of the British Commonwealth other than Canada to which he was subject at the time of his birth or naturalization, shall be recognized in Canada as a B.C. (4)

43. Question of domicile, how determined.

Where any question arises under this Act as to whether any person had Canadian domicile immediately prior to the coming into force of this Act, the question shall be determined by the same authority and in like manner as if it arose under the Immigration Act and the determination thereof in such manner shall be final and conclusive for the purposes of this Act.

45. (1) The Naturalization Act, Ch. 138 RSC 1927 & The Canadian Nationals Act, Ch. 21 RSC 1927 are repealed
- (2) Where, in any Act of the Par. of Canada or any order or regulation made thereunder, any provision is made applicable in respect of
- (a) a "natural-born B.C." it shall apply in respect of a "natural-born Canadian citizen"; or
 - (b) a "naturalized B.C." it shall apply in respect of a "Canadian citizen other than a natural-born Canadian citizen"; or
 - (c) a "Canadian national" it shall apply in respect of a "Canadian citizen";
- under this Act, and where in any Act, order or regulation provided any provision is made in respect of the status of any such person as a Canadian national or B.C. it shall apply in respect of his status as a Canadian citizen or B.C. under this Act.

46. (1) Notwithstanding the repeal of the Naturalization Act and the Canadian Nationals Act, this Act is not to be construed or interpreted as depriving any person who is a Canadian National, a B.C. or an alien as defined in the said Acts or in any other law in force in Canada of the national status he possesses at the time of the coming into force of this Act.

(2) This Act is to be construed and interpreted as affording facilities for any person mentioned in the last preceding subsection if he is not a natural-born Canadian citizen as defined in this Act, and if he possesses the qualifications for Canadian citizenship as defined in this Act.

SC 1950 - Ch 29

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An Act to Amend The Canadian Citizenship Act
Assented to 30th June 1950

All Statute - 1950

2. Section 5 of 1946 Act repealed & substituted

3. Section 6 " " " " " "

4. " 9 " " " "

(2) (a) Canadian citizen where he was granted, or his name was included in, a Certificate of Naturalization on the date of the certificate

(b) Where he is a Canadian citizen by reason of being a B.S. who had Canadian domicile, on the date he acquired Canadian domicile; and

(c) in the case of a woman to whom paragraph (c), of subsection one applies, on the date of the marriage or on which she became a B.S. or on which she was lawfully admitted to Canada for permanent residence, whichever is the latest date.

SC 1951 Ch 12

An Act to Amend The Canadian Citizenship Act
Assented to 31st May, 1951

1 (1) Amends P. 14 (1) of 1946 Act.

SC 1952 - Ch 50 - The Regulations Act -

Source: Nikkei National Museum, 2001-1-1-23-4-6
www.nikkeimuseum.org
Amendments - repeat Subsection (3) of P. 39. - Table of regulations