

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

“The Act” means the Citizenship Act 1977:

“Citizenship” means the status of New Zealand citizenship; and citizen has a corresponding meaning:

“Department” means the Department of Internal Affairs:

Expressions defined in the Act have the meanings so defined.

3. Registration of birth of persons born outside New Zealand—

(1) Every person who wishes to have his birth, or the birth of any other person, registered for the purposes of section 7 (2) of the Act shall apply to the Secretary on the form provided by him.

(2) Any such application may be lodged with any office of the Department, or with any New Zealand overseas representative.

4. Applications for grant of citizenship—Every application for the grant of citizenship pursuant to section 8 or section 9 or section 10 of the Act shall be in the form provided by the Secretary, shall be accompanied by the prescribed fee, and shall be lodged with an office of the Department.

5. Certificates evidencing grant of citizenship—Every certificate issued pursuant to section 12 of the Act attesting to the grant of citizenship to any person shall be in the form for the time being prescribed by the Minister.

6. Register of persons granted citizenship—(1) There shall be set up and maintained, within the Department, a register of persons who are granted citizenship, comprising duplicates of every certificate issued under section 12 of the Act.

(2) Subject to the direction of the Minister the Secretary shall be responsible for maintaining 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 alphabetical order, of the surnames of persons so entered in the register.

7. Inspection of the register—Any person may, during ordinary office hours, without fee, inspect the register and index maintained under regulation 6 of these regulations, and make copies of any entry therein.

8. Certificate of citizenship in case of doubt—Every application pursuant to section 21 of the Act for a certificate to the effect that a person is a citizen shall be made in the form provided by the Secretary and addressed to him.

Oath of Allegiance

9. Taking of Oath of Allegiance—(1) The Oath of Allegiance set out in the First Schedule to the Act may be taken before a Magistrate, a Solicitor of the Supreme Court of New Zealand, a Justice of the

Peace, or the Secretary in New Zealand, or, in any other country, before a New Zealand representative or such other British overseas representative as is authorised in that behalf by the Minister.

(2) In any country in which there is no New Zealand or British overseas representative, an Oath of Allegiance may be taken before a person who is authorised by the law of that country to administer oaths.

Renunciation and Deprivation of Citizenship

10. Declarations of renunciation of citizenship—(1) A declaration of renunciation of citizenship under section 15 of the Act shall be subscribed in duplicate in the form provided by the Secretary.

(2) A declaration of renunciation of citizenship may be made before a Magistrate or the Secretary in New Zealand, or, in any other country, before a New Zealand representative or such other British overseas representative as is authorised in that behalf by the Minister.

(3) In any country in which there is no New Zealand or British overseas representative, a declaration of renunciation of citizenship may be made before a person who is authorised by the law of that country to administer oaths.

(4) Both copies of a declaration of renunciation of citizenship shall be transmitted by the person making it, or by the person before whom it is made, to the Department at Wellington.

(5) Unless the Minister declines to register the declaration pursuant to section 15 (3) of the Act, he shall cause one copy to be officially noted as having been registered. That copy shall be returned to the declarant, and the other copy shall be filed in the Department.

(6) The person who has renounced citizenship, or any other person having in his possession or control any certificate relating to a grant of citizenship in which appears the name of the person who has renounced citizenship, or any New Zealand passport in the name of that person or in which the name of that person appears, shall thereupon deliver up the certificate or passport to the Secretary at Wellington.

11. Deprivation of citizenship—A person who has been deprived of citizenship pursuant to section 16 or section 17 of the Act, or any other person having in his possession or control any certificate relating to a grant of citizenship or in which appears the name of the person who has been deprived of citizenship, or any New Zealand passport in the name of that person or in which the name of that person appears, shall thereupon deliver up the certificate or passport to the Secretary.

12. Recording of loss of citizenship—(1) Where the person named in any certificate relating to a grant of citizenship has, by renunciation or deprivation, ceased to be a citizen, the Secretary shall cause an appropriate entry of the matter to be inserted in the register maintained pursuant to regulation 6 of these regulations containing the original entry.

(2) Where a citizen by birth or descent has renounced or has been deprived of citizenship, the Secretary shall cause an appropriate entry of the matter to be inserted in a register set up and maintained for the purpose in the Department.

(3) A certified copy of any such entry, under the signature of the Secretary, to the effect that a person has renounced or has been deprived of citizenship shall, without proof of the signature, 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 citizenship.

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

13. Giving of notice relating to deprivation of citizenship—Any notice by the Minister under section 19 of the Act of his intention to deprive any person of citizenship shall be given to the person concerned or sent to him at his last known address.

Miscellaneous Provisions

14. Fees—Fees in accordance with the Schedule to these regulations shall be payable in respect of the several matters therein mentioned.

15. Offences—Every person who knowingly fails to deliver up any document in contravention of regulation 10 (6) or regulation 11 of these regulations commits an offence and is liable on summary conviction to a fine not exceeding \$200.

16. Revocations—The following regulations are hereby revoked:

- (a) The Registration of Births and Deaths (Citizenship) Regulations 1960*;
- (b) The Citizenship Regulations 1977†.

*S.R. 1960/91
 †S.R. 1977/99

Reg. 14

SCHEDULE

PRESCRIBED FEES

	\$
1. On application for a grant of citizenship pursuant to section 8 or section 9 of the Act (whether or not the application also relates to any children of the applicant who have not attained their majority)	20
2. On application for a grant of citizenship pursuant to section 10 of the Act	5
3. On application for a certificate in respect of citizenship pursuant to section 21 of the Act	5
4. On application for a certified copy of a certificate of citizenship	5
5. On application for a certified copy of an entry in the register of births	4

P. G. MILLEN,
 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 are made pursuant to the Citizenship Act 1977. They replace and revoke the Citizenship Regulations 1977.

Regulation 1 relates to the Title and commencement.

Regulation 2 is an interpretative provision.

Regulation 3 prescribes the manner in which applications are to be made for the registration, for the purposes of section 7 (2) of the Act, of persons born overseas. Under that provision, a person who is born overseas after 1 January 1978 and acquires New Zealand citizenship by descent, will lose that citizenship if his birth is not registered before the expiration of 2 years after he attains his majority.

Regulation 4 prescribes the manner in which applications are to be made for the grant of citizenship pursuant to any of sections 8 to 10 of the Act.

Regulation 5 provides that certificates of New Zealand citizenship shall be in the form prescribed by the Minister.

Regulation 6 requires a register of persons granted citizenship to be set up and maintained in the Department.

Regulation 7 provides for the public inspection of the register.

Regulation 8 prescribes the manner in which applications are to be made for the grant of a certificate of citizenship in cases of doubt pursuant to section 21 of the Act.

Regulation 9 prescribes the manner in which the Oath of Allegiance is to be taken under section 11.

Regulation 10 provides for the registration of declarations of renunciation of citizenship.

Regulation 11 provides for the surrender of relevant documents where a person is deprived of his citizenship pursuant to section 16 or section 17 of the Act.

Regulation 12 requires a register to be established of persons deprived of citizenship.

Regulation 13 prescribes the manner in which notice is to be given pursuant to section 19 of the Act of the Minister's intention to deprive any person of citizenship.

Regulation 14 prescribes various fees payable under the Act.

Regulation 15 is a supportive penal provision.

Regulation 16 is a consequential provision.

Issued under the authority of the Regulations Act 1936.

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These regulations are administered in the Department of Internal Affairs.