

## PART II.—CANADIAN CITIZENSHIP\*

### Section 1.—The Canadian Citizenship Act

The Canadian Citizenship Act came into force on Jan. 1, 1947, its purpose being to give a clear definition of Canadian citizenship and provide an underlying community of status for all the people of Canada. The administration of Canadian citizenship was the responsibility of the Department of Citizenship and Immigration from 1950 to Oct. 1, 1966 when, as a result of the proclamation of the Government Organization Act (SC 1966, c. 25), it was transferred to the Department of the Secretary of State.

Naturalization procedures and events leading to the passing of the Canadian Citizenship Act are given in the 1951 Year Book, pp. 153-155. The provisions of the Act and its several amendments are outlined in some detail in the 1955 Year Book, pp. 177-181. More briefly, they are given in the following paragraphs.

**Natural-Born Canadian Citizens, Born before Jan. 1, 1947.**—The Act conferred natural-born status upon two categories of persons in being on Jan. 1, 1947. These were (1) those born in Canada or on a Canadian ship or aircraft and who were not aliens on Jan. 1, 1947; and (2) those born of Canadian fathers outside of Canada who were not aliens on Jan. 1, 1947 and were either minors on that date or had already entered Canada for permanent residence.

The Act provides that a person born abroad who was a minor on Jan. 1, 1947 will automatically cease to be a Canadian citizen on his 24th birthday or on Jan. 1, 1954, whichever is the later date, unless he has his place of domicile in Canada at such date or has, before such date and after reaching the age of 21 years, filed a declaration of retention of Canadian citizenship.

**Natural-Born Canadian Citizens, Born after Dec. 31, 1946.**—A person born outside of Canada subsequent to that date, whose responsible parent is considered a Canadian citizen pursuant to the terms of the Canadian Citizenship Act, is a Canadian if his birth is registered with the Registrar of Canadian Citizenship within two years of its occurrence or within such extended period as the Minister may authorize in special cases.

A person who becomes a natural-born Canadian citizen in such a manner will automatically cease to be a Canadian citizen if he fails to file a declaration of retention prior to his 24th birthday or does not have his place of domicile in Canada upon that date.

**Canadian Citizens other than Natural-Born.**—Before the 1953 amendments to the Citizenship Act, the only persons who acquired Canadian citizenship on Jan. 1, 1947 through the transitional clauses of Sect. 9 were persons who were naturalized in Canada before that date. British subjects who had Canadian domicile at the commencement of the Act and women lawfully admitted to Canada and married prior to Jan. 1, 1947 whose husbands would have qualified as Canadian citizens if the Act had come into force before the date of marriage. Sect. 9 was amended on June 1, 1953, so that a British subject who had his place of domicile in Canada for at least 20 years immediately before Jan. 1, 1947 need not comply with the requirements of Canadian domicile provided he was not under an order of deportation on Jan. 1, 1947.

**Acquisition of Canadian Citizenship by Aliens and British Subjects.**—The Act provides a means of acquiring Canadian citizenship. An alien who wishes to become a Canadian citizen must apply through his local court or through one of the special citizenship courts now established. He must appear before the judge for a hearing and will in due course be granted citizenship if his application is approved by the judge and by the Minister. A British subject may apply for citizenship directly to the Minister. It should be added that a minor child does not automatically acquire Canadian citizenship upon the grant of citizenship to the responsible parent.

\* Prepared in the Citizenship Registration Branch under the direction of the Under Secretary of State, Ottawa.