

PART II.—CANADIAN CITIZENSHIP

Section 1.—The Canadian Citizenship Act

On Jan. 1, 1947, the Canadian Citizenship Act came into effect replacing previous Naturalization Acts in force in Canada. The Citizenship Act created the distinct nationality of a "Canadian citizen" to be recognized throughout the world and it provided a means whereby those non-Canadian British subjects and aliens who were permanently residing in Canada or those who might subsequently immigrate to Canada could apply for the grant of Canadian citizenship. The Citizenship Act provides that all Canadian citizens are recognized as British subjects or Commonwealth citizens, but the reverse is not necessarily true.

The administration of Canadian citizenship was the responsibility of the Department of Citizenship and Immigration from Jan. 18, 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. Over the years the Citizenship Act has undergone several amendments, the latest on July 7, 1967. The provisions of the Act, including the 1967 amendments, are outlined briefly 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.

Newfoundland and Canadian Citizenship.—On Apr. 1, 1949, Newfoundland became the tenth province of Canada and every person born therein or naturalized or every British subject who had domicile in Newfoundland on that date or every woman who married a citizen of Newfoundland and took up residence there before Apr. 1, 1949 became a Canadian citizen. They acquired the right of conferring Canadian citizenship by descent to their children born outside of Newfoundland in the same manner as those who had previously become Canadians. Persons born outside of Newfoundland to Newfoundland parents are natural-born Canadian citizens provided they were either a minor on Apr. 1, 1949 or had before that date been lawfully admitted to Canada or Newfoundland for permanent residence. However, a person who was a minor on Apr. 1, 1949, ceased to be a Canadian on his 24th birthday or on July 1, 1968, 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. A person born outside of Canada to Newfoundland parents after Mar. 31, 1949 is a natural-born Canadian if his birth is registered with the Registrar of Canadian Citizenship within