
NATIONALITY.

No. 10 of 1925.

An Act to amend the *Nationality Act* 1920-1922.

[Assented to 31st August, 1925.]

BE it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

- 1.—(1.) This Act may be cited as the *Nationality Act* 1925. Short title and citation.
- (2.) The *Nationality Act* 1920-1922* is in this Act referred to as the Principal Act.
- (3.) The Principal Act, as amended by this Act, may be cited as the *Nationality Act* 1920-1925.

2. Section five of the Principal Act is amended by inserting after the definition " Alien " the following definition :—

“ ‘ British Consulate ’ means the office of any British consular officer where a register of births is kept, and includes, in the case of any territory where there is no British Consulate and there is a British resident or other representative of His Majesty, the office of such resident or representative.”

* Act No. 48, 1920, as amended by No. 24, 1922.

Definition of
natural-born
British subjects.

3. Section six of the Principal Act is amended—

(a) by omitting paragraph (b) of sub-section (1.) thereof and inserting in its stead the following paragraph :—

“(b) Any person born out of His Majesty’s dominions whose father was, at the time of that person’s birth, a British subject, and who fulfils any of the following conditions :—

- (i) if his father was born within His Majesty’s allegiance ;
- (ii) if his father was a person to whom a certificate of naturalization had been granted ; or
- (iii) if his father had become a British subject by reason of any annexation of territory ;
- (iv) if his father was at the time of that person’s birth in the service of the Crown ; or
- (v) if his birth was registered at a British Consulate within one year, or in special circumstances, with the consent of the Secretary of State, two years, after its occurrence, or, in the case of a person born on or after the first day of January, One thousand nine hundred and fifteen, who would have been a British subject if born before that date, within twelve months after the first day of August, One thousand nine hundred and twenty-two ; and ”; and

(b) by inserting at the end of sub-section (1.) thereof the following proviso :—

“ Provided also that any person whose British nationality is conditional upon registration at a British Consulate shall cease to be a British subject unless within one year after he attains the age of twenty-one, or, in special cases, within such extended period as is prescribed—

- (i) he asserts his British nationality by a declaration of retention of British nationality, registered as prescribed ; and
- (ii) if he is a subject or citizen of a foreign country under the law of which he can, at the time of asserting his British nationality, divest himself of the nationality of that foreign country by making a declaration of alienage or otherwise, he divests himself of such nationality accordingly.”.

4. After section thirty-two of the Principal Act the following section is inserted :—

“ 32A.—(1.) Any person who, except in accordance with this Act—

Offences in relation to certificates.

- (a) parts with the possession of a certificate issued to him; or
- (b) receives, or has in his possession, a certificate not issued to him,

shall be guilty of an offence.

Penalty : One hundred pounds.

“(2.) In this section ‘certificate’ includes a certificate of naturalization issued under the Act repealed by this Act or under any State Act.

“(3.) An offence against this section shall not be prosecuted without the written consent of the Attorney-General or a person authorized in writing by the Attorney-General.”.
