



## **Citizenship Amendment Regulations 2011**

Anand Satyanand, Governor-General

### **Order in Council**

At Wellington this 9th day of May 2011

Present:

His Excellency the Governor-General in Council

Pursuant to section 28 of the Citizenship Act 1977, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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## Regulations

- 1 Title**

These regulations are the Citizenship Amendment Regulations 2011.
- 2 Commencement**

These regulations come into force on the 28th day after the date of their notification in the *Gazette*.
- 3 Principal regulations amended**

These regulations amend the Citizenship Regulations 2002.
- 4 Interpretation**

Regulation 3 is amended by adding the following subclause as subclause (2):

“(2) Terms or expressions used and not defined in these regulations but defined in the Act have, in these regulations, the same meanings as they have in the Act.”
- 5 Taking oath of allegiance**

Regulation 7(1)(a) is amended by adding “; or” and by adding the following subparagraph:

“(ix) an officer of the Armed Forces who holds a rank not below that of lieutenant-commander in the Navy, major in the Army, or squadron leader in the Air Force, in the case of a person who is a member of the regular forces, reserve forces, or territorial forces (as those terms are defined in section 2(1) of the Defence Act 1990):”.
- 6 New regulation 13A inserted**

The following regulation is inserted after regulation 13:

**“13A Register of persons whose citizenship status confirmed under Act or obtained under other Act**

“(1) There must be set up and maintained within the Department—

“(a) a register of persons whose citizenship status (whether or not as a citizen) has been confirmed by a certificate issued under section 21 of the Act; and

- “(b) 1 or more registers of persons whose citizenship status (whether or not as a citizen) was obtained under the British Nationality and New Zealand Citizenship Act 1948; and
  - “(c) a register of persons to whom section 4(3) of the Citizenship (Western Samoa) Act 1982 applies.
- “(2) The purpose of the registers is, respectively,—
- “(a) to provide a record of persons whose citizenship status has been confirmed under section 21 of the Act:
  - “(b) to provide a record of persons whose citizenship status was obtained under the British Nationality and New Zealand Citizenship Act 1948:
  - “(c) to provide a record of persons to whom section 4(3) of the Citizenship (Western Samoa) Act 1982 applies.
- “(3) Nothing in subclause (1)(b) requires the Department to keep a record of a person whose citizenship status was obtained under the British Nationality and Citizenship Act 1948 by birth or descent.”

#### **7 Maintenance of registers**

Regulation 14(1) is amended by omitting “13” and substituting “13A”.

#### **8 Public access to registers**

Regulation 15(1) is amended by omitting “13” and substituting “13A”.

Rebecca Kitteridge,  
Clerk of the Executive Council.

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### **Explanatory note**

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations, which come into force on the 28th day after the date of their notification in the *Gazette*, amend the Citizenship Regu-

lations 2002 (the **principal regulations**). The main changes are as follows:

- regulation 7(1) is amended to enable the oath of allegiance set out in Schedule 1 of the Citizenship Act 1977 (the **Act**) or an affirmation to the same effect to be taken in New Zealand before an officer of the Armed Forces who holds a rank not below that of lieutenant-commander, major, or squadron leader, in the case of a person who is a member of the regular forces, reserve forces, or territorial forces:
- *new regulation 13A* is inserted to provide for registers to be set up and maintained within the Department of Internal Affairs to provide a record of persons—
  - whose citizenship status (whether or not as a citizen) has been confirmed under section 21 of the Act:
  - whose citizenship status (whether or not as a citizen) was obtained under the British Nationality and New Zealand Citizenship Act 1948:
  - to whom section 4(3) of the Citizenship (Western Samoa) Act 1982 applies:
- regulations 14 and 15, which relate to the maintenance of registers and public access to registers, are consequentially amended to include a reference to *new regulation 13A*.

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Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 12 May 2011.

These regulations are administered by the Department of Internal Affairs.

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