

Citizenship: Naturalisation and Aliens Records

Naturalisation

Archives New Zealand, Wellington holds all of the records for New Zealand for naturalisations from 1846 to 1981. Archives New Zealand Auckland holds Registers of Persons Naturalised / Granted New Zealand Citizenship from 1846 to 1981. Please refer to Research and Family History Guides - Citizenship Reference Guide available on the Archives New Zealand website.

What are naturalisation records?

They document the process by which a non-citizen (previously referred to as an alien) becomes a citizen of a country. Most people living in New Zealand were British citizens until 1948, and up to that date naturalisation gave non-British people British citizenship. After New Zealand adopted the Statute of Westminster in 1947, it had to establish its own citizenship distinct from British citizenship. The British Nationality and New Zealand Citizenship Act 1948 and Aliens Act 1948, allowed any alien, except Chinese to become naturalised New Zealand citizens. Naturalisation of Chinese people was not allowed from 1908-1951.

Naturalisation

From 1846 to 1866, naturalisation (the process of becoming a citizen), required an ordinance or act of legislation, so almost every session of Parliament from 1846 to 1866 included an act naturalising a list of people. Usually the only information given in the Act was the date from which the naturalisation became effective. This was sometimes the date of arrival in the colony, but sometimes occupation and place of residence were given also.

These lists were published together with the other acts of legislation, or Statutes, and may be found with most collections of official publications. Your public library may have a set.

Recommendations to the Governor for naturalisation may be found in the correspondence series of the Colonial Secretary located in Archives New Zealand, Wellington, but there is rarely much personal detail.

In 1866, the Aliens Act established a new procedure: applicants submitted a 'memorial' or application for naturalisation, giving their name, age, birthplace, residence, occupation and length of residence in New Zealand. The Aliens Act 1880 required a statutory declaration, a statement of desire to stay in New Zealand and the application had to be accompanied by a certificate of good repute from a magistrate or justice of the peace, and magistrates increasingly sought a report from the local police before issuing the certificate. The applicant then took an oath of allegiance, paid a fee, and was issued with 'letters' (i.e. a certificate of naturalisation). A notice was then put in the *New Zealand Gazette*. After 1914, the application form also asked for the name of the ship on which the person had arrived. After 1928, a minimum of five years' residence and a test in English were required.

Before 1935, the wife of someone who was naturalised also became a British subject automatically, so no separate information is available. After 13 May 1924, children born before the date of their parents' naturalisation could be included in the parents' certificate. Before then, they were deemed to be naturalised if they were living in New Zealand with a naturalised parent. By the British Nationality and Status of Aliens (in New Zealand) Act 1946 married women were allowed citizenship in their own right and no longer automatically took the citizenship of their husbands as had occurred previously.

You will not find naturalisation records for people born in Great Britain or in British colonies (e.g. Australia) before 1948 as they were already British subjects.

Naturalisation files (also known as Citizenship files) giving the information discussed above (including, after 1866, the memorials for naturalisation) are records of the Department of Internal Affairs. A separate series holds copies of the actual certificates of naturalisation for the period 1867-1979 [IA 53/1-368]. The certificates give the name of the naturalised person and the date of naturalisation. The Naturalisation files and certificates are located in Archives New Zealand, Wellington Office.

How to find a Naturalisation file

Check the Registers of Persons Naturalised in New Zealand or Register of Persons Granted New Zealand Citizenship held by Archives New Zealand, Auckland. These may be requested by using the following Archives Reference listed below - remember to check for variant spellings.

AAYQ	4495/4a	Register of Persons Naturalised in New Zealand A – G	1846-1948
AAYQ	4495/4b	Register of Persons Naturalised in New Zealand H – N	1846-1948
AAYQ	4495/4c	Register of Persons Naturalised in New Zealand O – Z	1846-1948
AAYQ	4495/3a	Register of Persons Granted New Zealand Citizenship A – Z	1849-1968
AAYQ	4495/1a	Register of Persons Granted New Zealand Citizenship A – L	1969-1977
AAYQ	4495/1b	Register of Persons Granted New Zealand Citizenship M – Z	1969-1977
AAYQ	4495/2a	Register of Persons Granted New Zealand Citizenship A – L	1978-1981
AAYQ	4495/2b	Register of Persons Granted New Zealand Citizenship M – Z	1978-1981

Check the access conditions below, prior to requesting naturalisation files from Archives New Zealand, Wellington Office.

Archives New Zealand Auckland also holds a file - Hungarian Refugees - Naturalisation 1956-1970 [BCAP 1529/49a].

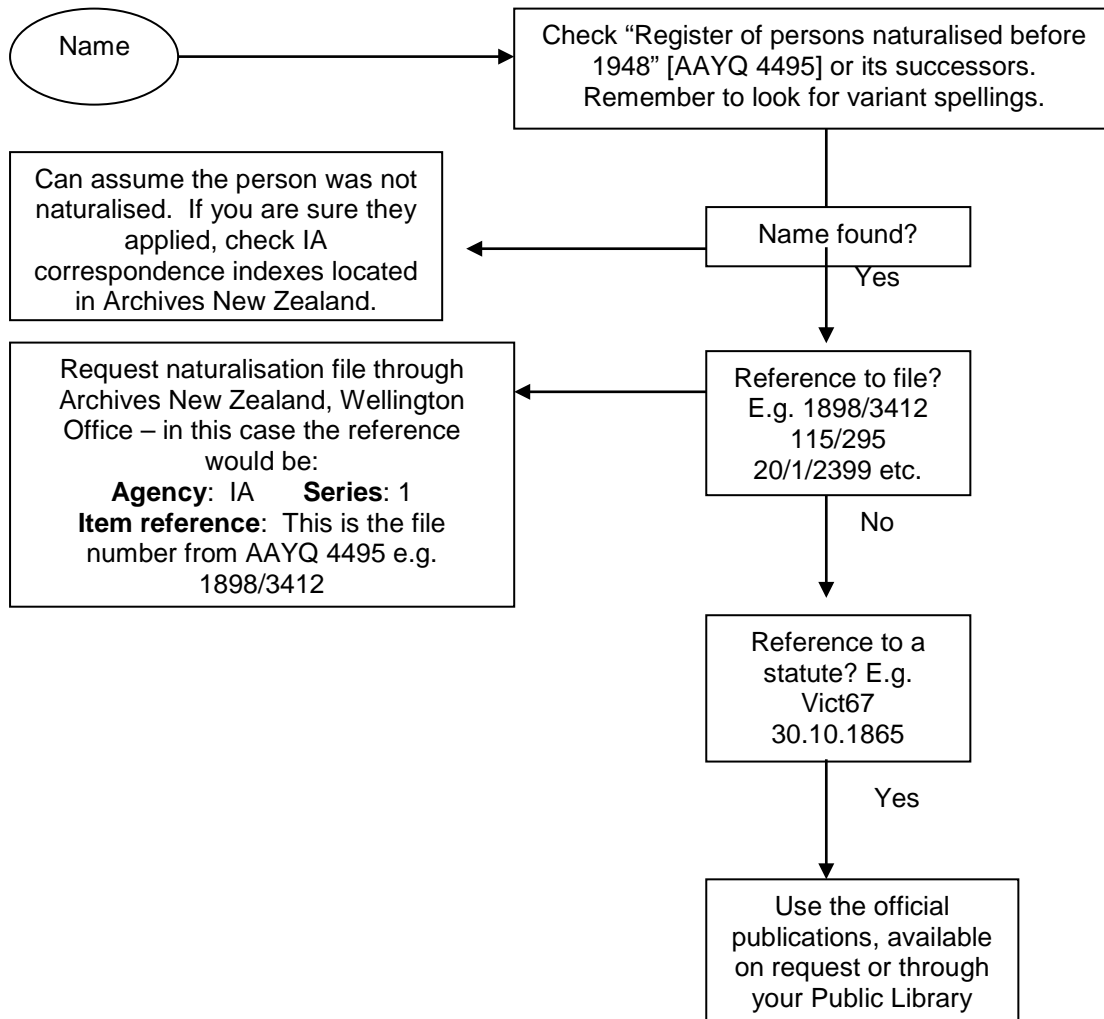
Access

Naturalisation files on individuals are restricted to the end of the year following 100 years after the birth of the individual, or 40 years after death, whichever is sooner. Files outside the 100/40 year rule need a letter of permission to gain access.

Write To:-

Director Citizenship Branch
Identity Services
Department of Internal Affairs
P O Box 10680
WELLINGTON 6143

NATURALISATION: Basic search process



Aliens

Citizenship laws invariably define some people as 'subjects' and others as 'aliens'. Those that are excluded from the statute definition of citizenship often became 'suspects', especially during wartime.

A Summary Overview of Alien Controls

The British Registration of Aliens Act 1836 required every alien to produce a passport and to declare their identity and nationality and every ship master to declare to authorities all aliens on board or who had landed. Further once in the country aliens were restricted in a number of ways in terms of their ability to hold and bequeath both real and personal property.

The New Zealand Aliens Act 1866 liberalised the circumstances under which aliens could hold property. Naturalisation, the process whereby aliens could acquire the status of British (subsequently New Zealand) subjects, became an administrative process under the provisions of the Aliens Act 1866. Since the 1844 Naturalisation Ordinance naturalisation had been a legislative process. The Aliens Act 1866 allowed aliens to be naturalised by letter from the Governor without any requirement of residence. Alien friends were also freed from all restrictions on the holding of personal property, while they were also permitted to lease land for a period of 21 years. Alien women marrying British subjects were deemed to be naturalised. The Aliens Act 1870 removed all restrictions on holding land.

The Chinese Immigrants Restrictive Act 1881 imposed a poll tax of £10 and limited the number of Chinese that could be brought in by any one ship for every 10 tons burden. Payment of the poll tax allowed Chinese to land in New Zealand and gain permanent residency, but they remained aliens, except for the few who were naturalised. In 1896 the poll tax was raised to £100. The Chinese Immigrants Act Amendment Act Continuance Act 1889 further reduced the number of Chinese permitted entry in one vessel to one for every 100 tons burden.

The Immigration Restriction Act 1899, extended the border control measures to prohibiting the immigration of the insane, the criminal and diseased and required all non-British to undergo an education test. Chinese had to satisfy these restrictions and pay the poll tax. The Chinese Immigrants Amendment Act 1907 required Chinese to be able to read 100 words in English and naturalisation of Chinese was prohibited. In 1952 naturalisation of Chinese recommenced.

The Immigration Restriction Amendment Act 1920 introduced the entry permit system administered by the Customs to control the immigration of all aliens but retained the poll tax on Chinese. In 1934 the poll tax has temporarily waived but it was not until 1944 that the poll tax and the ships tonnage limitations were legally ended and in 1951 the government permitted the naturalisation of Chinese in New Zealand again. The Immigration Restriction Amendment Act 1920 did away with the language test and the education test. It was not until 1986 that the immigration status of Chinese and Europeans was made the same.

The British Nationality and Status of Aliens Act 1923 made provisions for the local naturalisation of Western Samoans.

The British Nationality and New Zealand Citizenship Act 1948 created for the first time the status of "New Zealand Citizen". In accordance with the British Nationality and New Zealand Citizenship Act 1948 provisions, The Aliens Act 1948 defined an alien as a person who is not a British subject, a British protected person, an Irish citizen or a Western Samoan. All aliens 16 years or above were required to register with the Police on arrival in New Zealand. A certificate of registration was issued, and changes of name, address and occupation had to be notified.

The New Zealand Citizenship Act 1977 ended the use of the term 'to naturalise' and it was only at this time that the requirement that the aliens register with the Police was abolished (and the word 'alien' itself passed out of administrative and legislative use).

Wartime Controls

The Registration of Aliens Act 1917 provided for the Registration of all persons over the age of 15, who were not British subjects either by birth or naturalisation in New Zealand. Provision for the revocation of naturalisation was made in 1917. Revocation of the Aliens Act 1917 enabled the government to revoke the citizenship rights of naturalised subjects.

During World War I, the registration of aliens was the responsibility of the Police Department, and the Government Statistician was responsible for the compilation of a Register of Aliens. The New Zealand Register of Aliens 1917 was published by the Department of Statistics in 1917. Details in the Register include name, sex, age, marital status, birthplace, number of years in New Zealand, allegiance (foreign subject/naturalised British subject), occupation, address and reference number.

Aliens registration was suspended in 1923 but reintroduced in 1939 with the outbreak of World War II, the Aliens Control Emergency Registrations of 1939 providing for the registration of all aliens aged 16 or over. Registration was confirmed by statute in 1948 (Aliens Act 1948 and amendments) and continued until 1977 when it was repealed by the Citizenship Act 1977.

Aliens Authority

In July 1940, an Aliens Tribunal was established to investigate whether aliens should be interned and, if so, at what stage of the war. In October 1940 this was replaced by Aliens Authorities in various districts, who were to classify all enemy and certain no-enemy aliens in their districts into one of five prescribed classes. At the same time, an Aliens Appeal Tribunal was set up to hear appeals against the authority's decisions.

Record holdings

Archives New Zealand Auckland Office main holdings relating to aliens and citizenship can be located in the following series:

5575	Immigration Restriction Act 1908 and Poll Tax Registrations <i>Items in this series consist of registration certificates, with photographs and fingerprints of Chinese people who were required to pay the Poll Tax 1902-1918 - these items are individually catalogued on Archway</i>	1902-1918
5544	Auckland Customs Inward Letters <i>Contain references to Chinese and other persons arriving and departing under the provisions of the Aliens legislation - these letters are individually catalogued on Archway</i>	1865-1915
13812	Aliens - Reports on Individuals	1940-1945
13401	Aliens Administrative reports and procedures	1940-1945
5662	Aliens Authority Index Book	1940-1942
5552	Customs Department ships passenger lists	1915-1965

Access

The files in Series 13812 are restricted for 100 years from date of birth and 40 years from the date of death of the individuals documented, whichever is sooner. Individuals may view their own file on providing satisfactory proof of identity.

Applications to view restricted files should be made in writing to the Chief Executive and Chief Archivist (Archives New Zealand, Wellington).

All other records in the above series are open to the public (i.e. no restrictions apply).

Note: Information on Archives New Zealand, Wellington Office holdings about aliens can be found in Reference Guide 4 - http://www.archives.govt.nz/docs/pdfs/Ref_Guide_Migration.pdf