

1917.

(SECOND SESSION.)

THE PARLIAMENT OF THE COMMONWEALTH.

HOUSE OF REPRESENTATIVES.

Read 1^o 25 July, 1917.

(Brought in by the Minister for Home and Territories, the Honorable
P. M. Glynn.)

A BILL

FOR

AN ACT

To amend the *Naturalization Act* 1903.

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

- 5 1.—(1.) This Act may be cited as the *Naturalization Act* 1917.
(2.) The *Naturalization Act* 1903 is in this Act referred to as
the Principal Act. Short title and
citation.
- (3.) The Principal Act, as amended by this Act, may be cited
as the *Naturalization Act* 1903–1917.
- 10 2. Section three of the Principal Act is amended by omitting
from the definition of "The Minister" the words "External
Affairs" and inserting in their stead the words "Home and
Territories."
3. Section four of the Principal Act is repealed and the following
section inserted in its stead :—
- 15 4. A person who was before the passing of this Act naturalized
in a State or in a Colony which has become a State shall be deemed
to be naturalized. Person
naturalized in
a State deemed
to be
naturalized.

4. Sub-section

4. Section six of the Principal Act is repealed and the following sections inserted in its stead :—

Evidence in support of application.

“ 6.—(1.) An applicant under paragraph (a) of the preceding section shall produce in support of his application his own statutory declaration stating his name, age, birthplace, occupation and residence, the length of his residence in Australia, and such other particulars as are prescribed, and that he intends to settle in the Commonwealth. 5

“ (2.) An applicant under paragraph (b) of the preceding section shall produce in support of his application— 10

- (a) his certificate or letters of naturalization ; and
- (b) his own statutory declaration that he is the person named in the certificate or letters, that he obtained the certificate or letters without any fraud or intentional false statement, that the signature and seal (if any) thereto are to the best of his knowledge and belief genuine, and such other particulars as are prescribed, and that he intends to settle in the Commonwealth. 15

“ (3.) In addition to compliance with the preceding provisions of this section an applicant shall— 20

- (a) advertise in the manner prescribed his intention to seek naturalization and produce to the Minister newspapers containing copies of the prescribed advertisement ;
- (b) produce certificates of character from three natural-born British subjects, two of whom are householders and one of whom is a justice of the peace, a postmaster, a teacher of a State school or an officer of police ; and 25
- (c) satisfy the Minister that he is able to read and write English. 30

Representations to Minister with regard to any person who has applied for naturalization.

“ 6A.—(1.) Any person may make representations to the Minister with regard to any person who has applied or has advertised his intention to apply for naturalization.

“ (2.) The representations shall be in the form of a statutory declaration. 35

“ (3.) The contents of any statutory declaration filed with the Minister in pursuance of this section shall not be disclosed to any person without the consent of the person making the declaration other than for the purpose of a prosecution for perjury.”

5. Section seven of the Principal Act is repealed and the following section inserted in its stead :— 40

Governor-General may grant or withhold certificate.

“ 7. The Governor-General shall consider the application and any representations made under the last preceding section, and may, with or without assigning any reason, grant or withhold a certificate of naturalization as he thinks most conducive to the public good : 45

Provided that the Governor-General shall not issue the certificate until he has received from the applicant the certificate of a Justice of the High Court, a Judge of the Court of

of a State, or a Police, Stipendiary or Special Magistrate, that the applicant has before him renounced his allegiance to the country of which he was at the time of making his application a subject, or, in the case of an applicant who has obtained in the
 5 United Kingdom a certificate or letters of naturalization, the country of which he was at the time of his naturalization in the United Kingdom a subject, and taken an oath or affirmation of allegiance in the form in the Schedule to the Constitution."

6. Section ten of the Principal Act is repealed and the following
 10 section inserted in its stead :—

" 10. A person, not being a natural-born British subject—

(a) whose father, or whose mother (being a widow or divorcee) is naturalized ; or

15 (b) whose mother is married to a natural-born British subject, or to a person who is naturalized,

and who has at any time during infancy resided in Australia with such father or mother, shall in the Commonwealth be deemed to be naturalized and have the same rights, powers and privileges, and be subject to the same obligations as a person who has obtained a
 20 certificate of naturalization."

7. Section eleven of the Principal Act is amended by omitting the words " it is proved to the satisfaction of the Governor-General that a certificate of naturalization has been obtained by any untrue statement of fact or intention " and by inserting in their stead the
 25 following :—

" (a) it is proved to the satisfaction of the Governor-General that a certificate of naturalization has been obtained by any untrue statement of fact or intention ; or

30 (b) the Governor-General is satisfied that it is desirable for any reason that a certificate of naturalization should be revoked."

8. Section twelve of the Principal Act is amended—

(a) by adding at the end of sub-section (1.) thereof the following paragraph :—

35 "and (e) cause to be published in the *Gazette* from time to time a list of persons naturalized with their addresses." ; and

40 (b) by omitting from sub-section (2) thereof the words " not be liable to any fee or charge in respect thereof " and inserting in their stead the words " be charged such fee as is prescribed".

Children of naturalized persons.

Amendment of s. 11 of Principal Act

Amendment of s. 12 of Principal Act.



THIS Bill originated in the House of Representatives; and, having this day passed, is now ready for presentation to the Senate for its concurrence.

WALTER A. GALE,

Clerk of the House of Representatives.

House of Representatives,

Melbourne, 8th August, 1917.

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- 1.—(1.) This Act may be cited as the *Naturalization Act 1917*. Short title and citation.
- 5 (2.) The *Naturalization Act 1903* is in this Act referred to as the Principal Act.
- (3.) The Principal Act, as amended by this Act, may be cited as the *Naturalization Act 1903-1917*.
- 10 2. Section three of the Principal Act is amended by omitting from the definition of "The Minister" the words "External Affairs" and inserting in their stead the words "Home and Territories". Amendment of section 3.
3. Section four of the Principal Act is repealed and the following section inserted in its stead:—
- 15 "4. A person who was before the passing of this Act naturalized in a State or in a Colony which has become a State shall be deemed to be naturalized." Person naturalized in a State deemed to be naturalized.

4. Section