



Citizenship and
Immigration Canada

Citoyenneté et
Immigration Canada

CP 14

Appendices

APPENDIX A
Acquisition of British subject status and Canadian citizenship, May 22, 1868 to present

	Naturalization Act May 22, 1868	Imperial Act January 1, 1915	Amendments, Imperial Act January 15, 1932	Canadian Citizen- ship Act, January 1, 1947	Citizenship Act February 15, 1977
Adult Men	Responsible for his own actions				
Single women	Responsible for her own actions				
Married women	<p style="text-align: center;">Upon and During Marriage</p> <ul style="list-style-type: none"> • becomes a British Subject if her husband is, or becomes a British Subject • becomes an alien if her husband is or becomes an alien • (the wife of a British Subject is a British Subject; the wife of an alien is an alien) 	<p style="text-align: center;">Upon Marriage</p> <ul style="list-style-type: none"> • becomes a British Subject if her husband is a British Subject • becomes an alien only if she automatically acquires her husband's nationality <p style="text-align: center;">During Marriage</p> <ul style="list-style-type: none"> • if her husband becomes a British Subject, she must apply for British Subject status 	Responsible for her actions		

	<p>Naturalization Act May 22, 1868</p>	<p>Imperial Act January 1, 1915</p>	<p>Amendments, Imperial Act January 15, 1932</p> <ul style="list-style-type: none"> if her husband becomes an alien, she ceases to be a British Subject if she automatically acquires her husband's new nationality 	<p>Canadian Citizenship Act, January 1, 1947</p>	<p>Citizenship Act February 15, 1977</p>
<p>Minors</p>	<p>Automatically deemed to be included on the responsible parent's certificate if the minor was in Canada before January 1, 1915 and had lived with the natural parent. The minor's name did not actually appear on the certificate.</p>	<p>Automatically included on the responsible parent's naturalization certificate, if the minor was living with that parent at the time of application. The minor's name <i>could</i> be added to that parent's certificate at a later date.</p>	<ul style="list-style-type: none"> the responsible parent may apply for the minor the minor ceases to be a Canadian citizen if the responsible parent is naturalized in another country and if the minor is naturalized in another country at the same time as the responsible parent 	<ul style="list-style-type: none"> either parent may apply for the minor no loss of Canadian citizenship 	<ul style="list-style-type: none"> either parent may apply for the minor no loss of Canadian citizenship

	Naturalization Act May 22, 1868	Imperial Act January 1, 1915	Amendments, Imperial Act January 15, 1932	Canadian Citizen- ship Act, January 1, 1947	Citizenship Act February 15, 1977
	The minor ceased to be a British Subject at the same time as the responsible parent only if the minor became such a citizen at the same time as the responsible parent.				
Age of majority	21				
Disability	Married women, minors, lunatics, idiots (<i>language used in Acts</i>)				
Derivative claim	Born in wedlock	Born in wedlock			
	<ul style="list-style-type: none"> through father only. Plural generation born abroad. 	<ul style="list-style-type: none"> through father only. First generation abroad only. 			
Responsible parent	Born out of wedlock				
	no claim, but minor may be a British Subject if born on British soil				
	<ul style="list-style-type: none"> the father, if born in wedlock the mother, if born out of wedlock the mother, if a widow or a divorcee with custody 	Father, if born in wedlock Mother, if born out of wedlock Mother, if she has child's custody by order of a court of competent jurisdiction			
					Not defined (no loss)

	Naturalization Act May 22, 1868	Imperial Act January 1, 1915	Amendments, Imperial Act January 15, 1932	Canadian Citizen- ship Act, January 1, 1947	Citizenship Act February 15, 1977
Diplo- matic	None. If child is born in Canada, child is a British Subject			Yes - alien; No - British	Yes - alien or British
Resi- dence	May 22, 1868 to May 4, 1910	January 1, 1915 to June 6, 1919		January 1, 1947 to February 14, 1977	February 15, 1977 to present
	<ul style="list-style-type: none"> two years, no Permanent Residence Status 	<ul style="list-style-type: none"> three years with Permanent Residence Status 		<ul style="list-style-type: none"> five years with Permanent Residence Status 	<ul style="list-style-type: none"> three years with Permanent Residence Status
	May 5, 1910 to December 31, 1914	June 7, 1919 to December 31, 1946			
	<ul style="list-style-type: none"> three years with Permanent Residence Status 	five years with Permanent Residence Status			

APPENDIX B
Comparison of Canadian Citizenship Act, Jan. 1, 1947 and Citizenship Act, Feb. 15, 1977

	Canadian Citizenship Act, January 1, 1947	Citizenship Act, February 15, 1977
Major differences	<ul style="list-style-type: none"> • privilege of citizenship accords • Minister had full discretion to grant citizenship whether or not applicant met conditions • many provisions for loss of citizenship 	<ul style="list-style-type: none"> • all applicants treated equally • all who meet the requirements have the right to be granted citizenship • recognizes dual citizenship • automatic loss of citizenship no longer exists, except for section 8
Age of majority	21	18
Residence	Landed Immigrant with five years in Canada	Landed Immigrant with three years in Canada
Ethnic origins	British Subjects did not need interview or court ceremony for oath	All applicants must be assessed and attend court ceremony for oath
Sex discrimination	<ul style="list-style-type: none"> • women married to Canadian citizen need only one year residence and can apply before 21 years old • responsible parent only may apply on minor's behalf • child born abroad derived citizenship from father if born in wedlock, from mother if born out of wedlock • children born in wedlock to a non-citizen father and a citizen mother could not claim citizenship • women who lost British Subject status by marriage or through husband's foreign naturalization before 1947 must make application and take the oath 	<ul style="list-style-type: none"> • all applicants must have three year's residence • either parent may apply on minor's behalf • child born abroad derives citizenship from either the citizen father or mother • child born in wedlock to a non-citizen father and a citizen mother may apply for the grant of citizenship; Landed Immigrant status and residence not required • women who lost British Subject status by marriage or through husband's foreign naturalization before 1947 automatically acquire Canadian citizenship upon written notice to Minister and proof of their former status

	Canadian Citizenship Act, January 1, 1947	Citizenship Act, February 15, 1977
Other differences	<ul style="list-style-type: none"> • only applicant has right to appeal decision • if non-approved, can re-apply after two years • be of good character • non-British diplomats • three-month posting period • Landed Immigrant status not required for resumption, but residence required • Act refers to court's responsibilities (presiding officer) • term "British Subject" used 	<ul style="list-style-type: none"> • Minister and applicant have right to appeal decision • applicant can re-apply at any time • indictable offenses bar to grant • any diplomats • posting eliminated • Landed Immigrant status and one year residence required for resumption • Act defines "citizenship officer" and specifies duties • term "citizen of the Commonwealth" used

APPENDIX C
Automatic Loss of Citizenship, Canadian Citizenship Act,
January 1, 1947

Note: Formal revocation and renunciation are not automatic loss

Section	Provisions	Notes
4(2)	<p>Ceases to be a citizen the day after 24th birthday if he or she does not:</p> <ul style="list-style-type: none"> • have place of domicile in Canada on January 1, 1954 or 24th birthday, whichever is later <p>OR</p> <ul style="list-style-type: none"> • file a Declaration of Retention between 21st and 24th birthday 	<ul style="list-style-type: none"> • only applies to those who fit 4(1)(b) and were minors on January 1, 1947 • cannot cease under 4(2) if already ceased to be a citizen under another section • if applicant was under 21 on January 1, 1947, it is important that the application clearly shows place of domicile on January 1, 1954 or the day after 24th birthday, whichever is later
4(2) Checklist	<ol style="list-style-type: none"> 1. Does applicant have claim under 4(1)(b)? 2. Was applicant under 21 on January 1, 1947? 3. Is it established that applicant did not file a Declaration of Retention between the ages of 21 and 24? 4. Is it established that the applicant did not have his or her place of domicile in Canada on his or her 24th birthday or on January 1, 1954, whichever was the later date? <p>If the answer is YES to all the questions, there is loss of citizenship as of the 24th birthday or January 1, 1954, whichever is the later date.</p>	
5(2)	<p>Ceases to be a citizen the day after 24th birthday unless he or she:</p> <ul style="list-style-type: none"> • had place of domicile in Canada on that date <p>OR</p> <p>between the 21st and 24th birthday filed a Declaration of Retention</p>	<ul style="list-style-type: none"> • loss under 5(2) only applies to those who were born between January 1, 1947 and February 14, 1977 • loss could not occur if birth had not been registered • if person had not attained 24th birthday on February 15, 1977, that person could not cease to be a citizen under 5(2) • cannot cease under 5(2) if already ceased to be a citizen under any other section

Section	Provisions	Notes
<p>5(2) Checklist</p>	<p>1. Is it established that applicant had claim to citizenship under 5(1)(b) <u>and</u> was registered as a Canadian citizen born abroad?</p> <p>2. Is it established that the applicant did not file a Declaration of Retention?</p> <p>3. Did the applicant's 24th birthday come before February 15, 1977?</p> <p>4. Is it established that the applicant did not have his place of domicile in Canada on his or her 24th birthday?</p> <p>If the answer is YES to all the questions, there is loss of citizenship as of the 24th birthday.</p>	
<p>42(2)</p>	<p>Ceases to be a citizen the day after 24th birthday or on July 1, 1968, unless he or she:</p> <ul style="list-style-type: none"> • had place of domicile in Canada on that date <p>OR</p> <ul style="list-style-type: none"> • between 21st and 24th birthday filed a Declaration of Retention 	<ul style="list-style-type: none"> • only applies to those who fit 40(1) and who were minors on January 4, 1949 • if applicant was under 21 on July 7, 1968, it is important that the application clearly reflects place of domicile on July 7, 1968 or on the day after 24th birthday, whichever is later • cannot cease under 42(2) if already ceased to be a citizen under any other section
<p>42(2) Checklist</p>	<p>1. Is it established that the applicant had a claim under 42(1)?</p> <p>2. Was the applicant under 21 on April 1, 1949?</p> <p>3. Is it established that the applicant did not file an application for retention?</p> <p>4. Is it established that the applicant did not have is place of domicile in Canada on his 24th birthday or on July 1, 1968, whichever is the later date?</p> <p>If the answer is YES to all these questions citizenship is lost as of the 24th birthday or July 1, 1968, whichever is the later date.</p>	

Section	Provisions	Notes
15(1)	Ceases to be a Canadian citizen if: <ul style="list-style-type: none"> • obtains another nationality while outside Canada by any voluntary and formal act other than marriage AND <ul style="list-style-type: none"> • is over 21 AND <ul style="list-style-type: none"> • is not under a disability 	<ul style="list-style-type: none"> • can lose citizenship if acquired British nationality • if acquires another citizenship while in Canada does not cease to be a citizen
15(1) Checklist	<ol style="list-style-type: none"> 1. Is it established that the applicant was Canadian when acquiring citizenship of another country? 2. Did the applicant acquire the new citizenship while outside Canada? 3. Was the applicant over 21? 4. Was the applicant mentally competent? 5. Did the applicant have to apply for the new citizenship? 6. Are there documents showing that the applicant acquired a new citizenship? <p>If the answer is YES to all these questions, Canadian citizenship was lost on the date when citizenship of another country was acquired.</p>	
17(1)	Ceases to be a citizen if: <ul style="list-style-type: none"> • national of another country • serves in the armed forces of that country while it was at war with Canada 	<ul style="list-style-type: none"> • 17(2) says 17(1) does not apply if person becomes a citizen of another country while it is at war with Canada

Section	Provisions	Notes
16	<p>Ceases to be a citizen if:</p> <p>AND</p> <ul style="list-style-type: none"> • makes a Declaration of Renunciation <p>AND</p> <ul style="list-style-type: none"> • is a natural-born citizen <p>OR</p> <ul style="list-style-type: none"> • is a citizen and obtains another nationality by marriage <p>AND</p> <ul style="list-style-type: none"> • is over 21 <p>AND</p> <ul style="list-style-type: none"> • is not under a disability • has dual citizenship 	<ul style="list-style-type: none"> • dual nationality could have been obtained by marriage or own acquisition while still a minor • applicable whether declaration was made in or out of Canada • if proof of non-acquisition is required, onus is on applicant to obtain proof of non-acquisition
16 Checklist	<ol style="list-style-type: none"> 1. Is it established that the applicant's original claim was under Section 4, 5, 40(1)(a) or 42(1) of the <i>Canadian Citizenship Act, 1947</i>? (Is the applicant natural-born?) 2. Is it established that the applicant was a Canadian in any manner and acquired a second nationality automatically by marriage? 3. Is dual nationality established? 4. Has the applicant renounced citizenship? 5. Was the applicant 21 when he or she renounced citizenship? <p>If the answer is YES to Question 1, or Questions 2, 3, 4, and 5, Canadian citizenship was lost as of the date of renunciation.</p>	

Section	Provisions	Notes
<p>18(1)</p>	<p>Ceases to be a citizen if:</p> <ul style="list-style-type: none"> • lived outside of Canada for 10 consecutive years between January 1, 1947 and July 7, 1967 <p>UNLESS</p> <ul style="list-style-type: none"> • exempted from loss. See subsection 18(2) — does not apply to a natural-born Canadian <p>OR</p> <ul style="list-style-type: none"> • filed and obtained an extension of citizenship 	<ul style="list-style-type: none"> • visits, furloughs and <i>sojourns</i> to Canada can not be deemed to have interrupted the period of residence abroad • time spent abroad before January 1, 1947 is not counted towards the 10 years • loss provision was repealed on July 7, 1967 • a person, such as minors turning 21 or divorced women and widows, may be exempted for a period of time
<p>20(1)</p>	<p>Ceases to be a citizen if:</p> <ul style="list-style-type: none"> • the minor becomes a citizen of another country at the same time as the responsible parent. See definition of <i>responsible parent</i> • the minor's responsible parent ceased to be a citizen under Section 15 or Section 16 • AND EITHER • the minor is already a dual citizen <p>OR</p>	<ul style="list-style-type: none"> • responsible parent must already be a citizen in order to lose under Section 15 or Section 16 • minor does not have to reside with the responsible parent to cease under 20(1) • if proof of non-acquisition is acquired, onus is on the applicant to obtain proof of non-acquisition

Section	Provisions	Notes
<p>20(1) Checklist</p>	<p>1. Is it established that the applicant was a Canadian?</p> <p>2. Have you established who the applicant's responsible parent was?</p> <p>3. Was the responsible parent a Canadian?</p> <p>4. Did the responsible parent cease to be a Canadian under Sections 15, or 16, or 17?</p> <p>5. Was the applicant under 21 when the responsible parent ceased to be a Canadian?</p> <p>6. a) Was the applicant a dual national before the responsible parent ceased?</p> <p>OR</p> <p>b) Did the applicant acquire the new citizenship at the same time as the responsible parent?</p> <p>If the answer is YES to Questions 1, 2, 3, 4, 5, and 6 A OR 6 B, the applicant ceased to be a Canadian on the day the parent ceased to be a Canadian.</p>	

APPENDIX D
Automatic Loss of Citizenship, Citizenship Act, February 15, 1977

Section	Provisions	Notes
<p>8 (formerly 7)</p>	<p>Ceases to be a citizen on 28th birthday unless applicant: OR</p> <ul style="list-style-type: none"> • files application to retain • registers as a Canadian citizen <p>AND EITHER</p> <ul style="list-style-type: none"> • resides in Canada for one year immediately before date of application <p>OR</p> <ul style="list-style-type: none"> • establishes substantial connection with Canada. See section 16, Citizenship Regulations 	<ul style="list-style-type: none"> • only applies to those who fit 3(1)(b) See list • application for registration and retention can be filed between first and 28th birthday as long as applicant meets the requirements • from 1977 to 1996 there have been only two retention applications

APPENDIX E
Automatic acquisition of citizenship other than by birth,
Canadian Citizenship Act, Jan. 1, 1947

Section	Requirements	Loss	Notes
9(1)(a)	<ul style="list-style-type: none"> • was naturalized in Canada before January 1, 1947 <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • was included in a person's certificate of naturalization <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> • was not an alien on January 1, 1947 	15, 18(1), 20(1)	<ul style="list-style-type: none"> • make sure applicant did not cease to be a British Subject before January 1, 1947 • the following fit in 9(1)(a) <ul style="list-style-type: none"> - an adult who was naturalized before 1947 - children included in parent's naturalization before 1915 - children whose name appeared in the parent's Series B certificate - women whose name appeared in the Series A, B or E certificate if issued before January 15, 1932 • the following do not fit in 9(1)(a) <ul style="list-style-type: none"> - married women whose husband was naturalized before 1915 or after January 15, 1932 - a child's name added in the margin of a parent's Series A or B certificate
9(1)(b)	<ul style="list-style-type: none"> • had been admitted to Canada as a Landed Immigrant before January 1, 1947 <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> • had five years of residence in Canada before January 1, 1947 <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> • was a British Subject on January 1, 1947 	15, 18(1), 20(1)	<ul style="list-style-type: none"> • five years residence must be between January 1, 1942 and January 1, 1947 • Immigration can rule if a person still had Canadian domicile on January 1, 1947 • if person came in as a RR after January 1, 1947, did not have Canadian domicile on January 1, 1947 • can deem Landed Immigrant under a Section 39 • did not need to be a British subject during the whole five years

Section	Requirements	Loss	Notes
9(1)(c)	<ul style="list-style-type: none"> • was a British Subject on January 1, 1947 <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> • had 20 years of residence in Canada immediately before January 1, 1947 <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> • was not under order of deportation 	15, 18(1), 20(1)	<ul style="list-style-type: none"> • 20 years residence must be between January 1, 1927 and January 1, 1947 • no need for Landed Immigrant status • need not be a British subject during the whole 20 years
9(1)(d)	<ul style="list-style-type: none"> • a woman <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> • did not fit into 9(1)(a), 9(1)(b) or 9(1)(c) <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> • married a man before January 1, 1947 who would have been a Canadian citizen if the <i>Canadian Citizenship Act</i> had been passed immediately before the wedding <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> • was a British Subject on January 1, 1947 <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> • was a Landed Immigrant before January 1, 1947 	15, 18(1), 20(1)	<ul style="list-style-type: none"> • must ensure that woman was not a natural-born Canadian citizen • not restricted to war brides • needed to be a landed Immigrant on January 1, 1947 — Section 39 could apply • did not need to be residing in Canada on January 1, 1947

Section	Requirements	Loss	Notes
9(3)	<ul style="list-style-type: none"> • an Indian as defined in the <i>Indian Act</i> <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • an Eskimo <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> • had place of domicile in Canada on January 1, 1947 <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> • on January 1, 1956 had resided in Canada for more than 10 years 	15, 18(1), 20(1)	<ul style="list-style-type: none"> • this paragraph was passed in 1956 • did not need to be a British subject • were Canadians on January 1, 1947 even though they needed to have the 10-year residence on January 1, 1956 • 10 years residence did not have to be consecutive • must have been an Indian or an Eskimo on January 1, 1947 • if applicant does not have documentary evidence of Indian status, Sydney Operations will confirm whether applicant's name appears on band list or recognized by Indian Affairs, Indian and Northern Affairs • the Registrar of Vital Statistics if Northern development keeps a register of Eskimos born anywhere in Canada and Alaska
40(1)(b)	<ul style="list-style-type: none"> • was naturalized in Newfoundland before April 1, 1949 <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • was included in a person's certificate of naturalization issued in Newfoundland <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> • was a British subject on April 1, 1949 	15, 18(1), 20(1)	<ul style="list-style-type: none"> • make sure applicant did not cease to be a British subject before April 1, 1949 • the following fit in 40(1)(b) <ul style="list-style-type: none"> - a person who was naturalized in Newfoundland before April 1, 1949, as an adult - minor included on parent's naturalization before 1915 - minor whose name appeared on the parent's Series B certificate - woman whose name appeared on husband's Series A, B or E certificate if issued before January 15, 1932 • the following do not fit in 40(1)(b) <ul style="list-style-type: none"> - married woman whose husband was naturalized before 1915 and after January 15, 1932 - a minor's name added in the margin of a parent's Series A or B certificate

Section	Requirements	Loss	Notes
40(1)(c)	<ul style="list-style-type: none"> • had been admitted to Canada or Newfoundland as a Landed Immigrant before April 1, 1949 <p style="margin-left: 20px;">AND</p> <ul style="list-style-type: none"> • had five years of residence in Newfoundland immediately before April 1, 1949 <p style="margin-left: 20px;">AND</p> <ul style="list-style-type: none"> • was a British subject on April 1, 1949 	15, 18(1), 20(1)	<ul style="list-style-type: none"> • five years residence must be between April 1, 1944 and April 1, 1949 • Immigration can rule if a person still had Newfoundland domicile on April 1, 1949 • if person came in as an RR after April 1, 1949, then did have Newfoundland domicile on April 1, 1949 • Landed Immigrant status is deemed under Section 39 as there is no record of Landed Immigrants for Newfoundland before April 1, 1949 • did not need to be a British subject during the whole five years
40(1)(d)	<ul style="list-style-type: none"> • was a woman <p style="margin-left: 20px;">AND</p> <ul style="list-style-type: none"> • did not fit into 40(1)(b) or 40(1)(c) <p style="margin-left: 20px;">AND</p> <ul style="list-style-type: none"> • married a man before April 1, 1949 who would have been a Canadian citizen if the Canadian Citizenship Act had been passed immediately before the wedding <p style="margin-left: 20px;">AND</p> <ul style="list-style-type: none"> • was a British subject on April 1, 1949 <p style="margin-left: 20px;">AND</p> <ul style="list-style-type: none"> • was a landed Immigrant before April 1, 1949 	15, 18(1), 20(1)	<ul style="list-style-type: none"> • not restricted to war brides • Landed Immigrant status is deemed under Section 39 as there is no record of Landed Immigrants for Newfoundland before April 1, 1949 • did not need to be residing in Newfoundland on April 1, 1949

APPENDIX F
Citizenship by birth in Canada or Newfoundland

Section	Date of birth	Place of birth	Diplomatic Complication	Loss	Notes
4(1)(a)	Before January 1, 1947	<ul style="list-style-type: none"> • in Canada • on a Canadian ship • on an aircraft registered in Canada 	<ul style="list-style-type: none"> • none 	15, 16, 20(1)	<ul style="list-style-type: none"> • was not an alien on January 1, 1947, therefore was still a British subject (could have ceased to be a British subject but have resumed status in any way, such as by marriage or naturalization, before January 1, 1947)
5(1)(a)	On or after January 1, 1947, but before February 15, 1977	<ul style="list-style-type: none"> • in Canada • on a Canadian ship • on an aircraft registered in Canada 	<ul style="list-style-type: none"> • foreign diplomats 	15, 16, 20(1)	<ul style="list-style-type: none"> • subject to subsection 5(3)
40(1)(a)	Before April 1, 1949	<ul style="list-style-type: none"> • in Newfoundland • on a ship registered in Newfoundland 	<ul style="list-style-type: none"> • none 	15, 16, 20(1)	<ul style="list-style-type: none"> • was not an alien on January 1, 1947, therefore was still a British subject (could have ceased to be a British subject but have resumed status in any way, such as by marriage or naturalization, before January 1, 1947)

Section	Date of birth	Place of birth	Diplomatic Complication	Loss	Notes
3(1)(a)	On or after February 15, 1977	<ul style="list-style-type: none"> • in Canada • on a Canadian ship • on an aircraft or air cushion vehicle registered in Canada 	<ul style="list-style-type: none"> • foreign and British diplomats 	None	<ul style="list-style-type: none"> • subject to subsection 3(2) <p>Documentation</p> <ul style="list-style-type: none"> • proof of birth in Canada (if birth has not been registered, late registration of birth must be filed) • secondary evidence is rarely used • if paragraph 2(2)(a) applies and a birth certificate cannot be issued, must obtain confirmation of birth from Transport Canada library • if subsection 3(2) applies, provide full details of parent's employer and immigration status at the time of applicant's birth

APPENDIX G
Citizenship by birth abroad

Section	Date of birth	Loss	Notes
4(1)(b)	Before January 1, 1947	4(2), 15, 6, 20(1)	<ul style="list-style-type: none"> • was not an alien on January 1, 1947, therefore was still a British subject (could have ceased to be a British subject but have resumed status in any way, such as by marriage or naturalization, before January 1, 1947) • to fit in 4(1)(b), must have been a minor on January 1, 1947, or have been admitted to Canada as a Landed Immigrant before January 1, 1947 • if not a Landed Immigrant, can use 39(1)(a) • child born out of wedlock outside the Commonwealth is an alien • derivative parent must be a British subject and meet one of 4(1)(a), 9(1)(a), 9(1)(b), or 9(1)(c)
5(1)(b)	On or after January 1, 1947, but before February 15, 1977	5(2), 15, 16, 20(1)	<ul style="list-style-type: none"> • derivative parent must be a Canadian citizen at the time of birth • is not a citizen until the birth is registered • once the birth is registered, citizenship is conferred from the date of birth • once the birth is registered, applicant is subject to loss under 5(2) unless born after February 15, 1953 • if birth has not been registered, can do a late registration of birth abroad under 4(3), 3(1)(e)

Section	Date of birth	Loss	Notes
42(1)	Before April 1, 1949	42(2), 15, 16, 20(1)	<ul style="list-style-type: none"> • was not an alien on January 1, 1947, therefore was still a British subject (could have ceased to be a British subject but have resumed status in any way, such as by marriage or naturalization, before January 1, 1947 • to fit in 42(1), must have been a minor on January 1, 1947, or have been admitted to Canada as a Landed Immigrant before January 1, 1947 • if not a Landed Immigrant, can use 39(1)(a) • Landed Immigrant status is deemed in no record of Landed Immigrant status in Newfoundland before April 1, 1949 • child born out of wedlock outside the Commonwealth is an alien • derivative parent must be a British subject and meet one of 4(1)(a), 9(1)(a), 9(1)(b), or 9(1)(c)
3(1)(b)	On or after February 15, 1977	8	<ul style="list-style-type: none"> • derivation may be from either parent, but not an adoptive parent (better to establish claim through 3(1)(a), (c), or (d) parent to protect from loss under Section 8 • parent must be a Canadian citizen at the time of birth • birth is not registered • if claim through father and father's name does not appear on child's birth certificate, obtain amended birth certificate. If not available, obtain court order or other satisfactory document confirming paternity • don't forget note whether subject or not subject to Section 8

APPENDIX H
Japanese Repatriation

Background	Wrong doing acknowledged by government	Redress
<p>During the Second World War people of Japanese origin on the Pacific coast were perceived as a possible threat to national security. They were moved from their homes to internment camps or other areas in Canada.</p> <p>About 4,000 were eventually repatriated to Japan. The term "repatriation" was used even though most were not born in Japan and had never been there. Lists were maintained of persons who had confirmed in writing their desire to be repatriated to Japan. Parents signed for their children 16 years old and younger.</p> <p>Those repatriated included Japanese nationals and British subjects by birth or naturalization. The Order in Council specified that all persons repatriating would lose their status in Canada because a request for repatriation was considered a sign of disloyalty. Few were repatriated during the war. Most were deported in 1946.</p>	<p>On September 22, 1988, the Prime Minister signed an agreement with the National Association of Japanese Canadians, acknowledging wrongdoing and provided a redress package.</p>	<p>Redress includes citizenship</p> <ul style="list-style-type: none"> The redress package authorized special grant of citizenship to persons of Japanese ancestry, still alive, who were expelled from Canada and had their citizenship revoked in the period from 1941 to 1949. <p>Descendants eligible</p> <ul style="list-style-type: none"> All descendants of such persons also were eligible for citizenship, as long as they were living on September 22, 1988, regardless of whether the person who actually suffered is still alive.