

Citizenship by birth in New Zealand 1949 - 2005

Introduction Most people born in New Zealand are New Zealand citizens. The Citizenship Act defines New Zealand as including the Cook Islands, Niue and Tokelau. This means that most people born in the Cook Islands, Niue or Tokelau are New Zealand citizens in the same way as most people born in the North, South, Stewart or Chatham Islands.

In almost every case, a person born in New Zealand on or after 1 January 1949 and before 1 January 2006 became a New Zealand citizen by birth. The only exceptions were children born aboard a foreign ship or aircraft in New Zealand territory, and some children born to foreign diplomats.

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Legislation

- Requirements** A person may also be a New Zealand citizen if he or she was born on or after:
- 1 January 1978 and would otherwise be stateless.
 - 21 April 2005 and is a Tokelauan born in Samoa for medical reasons.
 - 21 April 2005 and is a foundling.

The person's birth record (and other records, e.g. marriage, civil union etc) must be verified.

- Exceptions** A person born in New Zealand during this time is not a citizen by birth if he or she:
- has renounced New Zealand citizenship, or
 - was born:
 - to a parent who had immunity from jurisdiction and neither parent was a New Zealand citizen.
 - on a ship or aircraft registered in another country, or on an unregistered ship or aircraft of a government of a foreign country.
 - to enemy alien parents in a place occupied by the enemy (this situation has never occurred).

Renunciation check required If the applicant is aged 18 years or over, it must be verified that he or she has not renounced New Zealand citizenship and is therefore no longer a citizen.

If the applicant has not renounced citizenship, he or she is a New Zealand citizen.

If the applicant has renounced citizenship (and not re-acquired it by way of a grant), he or she is not a New Zealand citizen.

Legislation links

Citizenship Act 1977:

- [Section 2\(1\) Interpretation](#)
- [Section 6 Citizenship by birth](#)
- [Section 16 Deprivation of New Zealand citizenship on acquisition of other citizenship](#)
- [Section 17 Deprivation of New Zealand citizenship in case of fraud, etc](#)
- [Section 18 Effect of order](#)
- [Section 19 Court review of grounds for depriving person of citizenship](#)

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