

ELIZABETH II



1975 CHAPTER 1

An Act to naturalise James Hugh Maxwell as a British subject and a citizen of the United Kingdom and Colonies.
[3rd July 1975]

WHEREAS—

(1) James Hugh Maxwell (hereinafter called “ Mr. Maxwell ”) was born at Cape Town on 7th January, 1942, in the allegiance of His late Majesty King George VI:

(2) Mr. Maxwell’s parents have at all times been British subjects, but his father, Sir Robert Maxwell, was born in the United States of America:

(3) On the coming into operation of the British Nationality Act 1948 Mr. Maxwell, previously a British subject by reason of his birth within a dominion of the Crown, remained a British subject, there being no separate citizenship law in South Africa, but by virtue of section 32 (7) of the said Act of 1948 Mr. Maxwell was deemed to be potentially a citizen of South Africa, and by section 12 (4) (b) of that Act he did not then become a citizen of the United Kingdom and Colonies:

(4) On the passing of the South Africa Citizenship Act 1949 (a South African Statute) the combined effect of section 4 (1) (a) and 2 (1) of that Act was to make Mr. Maxwell a citizen of the Republic of South Africa by reason of his birth in South Africa, but he remained a British subject until 1962 as hereinafter related:

(5) In or about January, 1950, Mr. Maxwell's father applied on his behalf to the British Foreign Office for a passport, which was issued to Mr. Maxwell initially as a British subject and from 1957 as a British subject and citizen of the United Kingdom and Colonies and has been periodically reissued to Mr. Maxwell as a matter of routine until June, 1972:

1962 c. 23.

(6) By virtue of section 1 of and the First Schedule to the South Africa Act 1962, citizens of the Republic of South Africa ceased to be British subjects on 31st May, 1962, but those who fulfilled certain qualifications were permitted until 31st December, 1965, to take steps to be registered as citizens of the United Kingdom and Colonies, and thereby regain their status as British subjects but Mr. Maxwell's parents being satisfied that he enjoyed the same citizenship as themselves (as apparently vouched by the issue of the passport to Mr. Maxwell) were not aware of his true status or that there had been a change in that status:

(7) Mr. Maxwell is a financial officer employed by a company engaged in the business of manufacturing and marketing products on the continent of Europe, which company is mainly owned by Italian subjects and in the course of that business Mr. Maxwell is regularly required to travel to other countries, including the United Kingdom:

(8) On application in June, 1972, for the reissue of his passport Mr. Maxwell was refused it on the ground that he was a citizen of the Republic of South Africa, and he thereupon learned for the first time that he did not enjoy the same citizenship as his parents and that he had lost his status as a British subject, and his ignorance of those facts had until that time been fostered by the circumstances in which his passport had been issued to him as aforesaid:

(9) Mr. Maxwell apprehends that he will be substantially prejudiced in his career if he is unable to become a citizen of the United Kingdom and Colonies and he is at present unable, because his career demands his residence abroad, to qualify to become such a citizen by naturalisation under the said Act of 1948:

(10) Mr. Maxwell has no actual or moral allegiance to South Africa and is the son of British subjects who are citizens of the

United Kingdom and Colonies and his family are all such citizens, and he intends, if he is permitted so to do, in due course to return to and make his permanent home in the United Kingdom:

(11) Mr. Maxwell, in the circumstances hereinbefore appearing, is desirous of becoming a subject of Her most Gracious Majesty the Queen, and a citizen of the United Kingdom and Colonies:

Therefore, having taken the oath of allegiance to Her Majesty, Mr. Maxwell most humbly prays that it may be enacted, and be it enacted, by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. The said James Hugh Maxwell shall from the date of the passing of this Act be a citizen of the United Kingdom and Colonies by naturalisation as if a certificate of naturalisation had been granted to him by the Secretary of State under section 10 of the British Nationality Act 1948. Naturalisation
of James
Hugh
Maxwell.
1948 c. 56.

2. This Act may be cited as the James Hugh Maxwell Short title.
(Naturalisation) Act 1975.

PRINTED IN ENGLAND BY OYEZ PRESS LIMITED
FOR HAROLD GLOVER

Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament

LONDON: PUBLISHED BY HER MAJESTY'S STATIONERY OFFICE

11p.net

ISBN 0 10 520175 8