

C126264

THIS DOCUMENT IS THE PROPERTY OF HIS BRITANNIC MAJESTY'S GOVERNMENT

SECRET

Copy No. 208

E. (37) 38

IMPERIAL CONFERENCE, 1937

COMMITTEE ON CONSTITUTIONAL QUESTIONS

REPORT ON THE NATIONALITY OF MARRIED WOMEN

1. The Committee took note of the reference to the subject of the Nationality of Married Women contained in paragraph VI(c) of the Summary of Proceedings of the Imperial Conference of 1930. In that paragraph it was stated that all the Members of the British Commonwealth represented at the Hague Conference of 1930 signed the Nationality Convention there concluded. Since 1930 legislation on the lines recommended in the Hague Convention has been passed in the United Kingdom, Canada, the Commonwealth of Australia and New Zealand, and the introduction of similar legislation in the Union of South Africa is contemplated.

2. The Australian and New Zealand Delegations, in opening the discussion, called attention to the further legislation recently passed in the Commonwealth of Australia and New Zealand which does not affect the common status of British subjects, but under which a woman who prior to her marriage was a British subject but ceased to be a British subject by reason of her marriage to an alien may retain within the Commonwealth of Australia or New Zealand respectively the political and other rights and liabilities of a British subject.

3. A full discussion took place on the various aspects of the whole question, including:—

(a) the enactment of legislation to provide that the nationality of married women should not necessarily be dependent on that of their husbands,

(b) the possibility of securing reciprocal arrangements on the basis of the general adoption of legislation on the lines of the Australian and New Zealand legislation referred to in paragraph 2 of this report, and

(c) the state of the law in countries outside the British Commonwealth.

4. It was not found possible to arrive at an agreement in favour of any change in the existing law. While therefore the Conference was unable to put forward any recommendations, it was assumed that the matter would be the subject of further consideration by and consultation between the respective Governments.

Signed on behalf of the Committee,

ERNEST LAPOINTE

(Chairman).

2, WHITEHALL GARDENS, S.W.1,

12th June, 1937.

(C25882-38) 300 6/37

W. L. M. King Papers, Memoranda and Notes, 1933-1939
(M.G. 26, J 4, volume 177, pages C125668-C126368)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

