



PRESS RELEASE

INFORMATION DIVISION
DEPARTMENT OF EXTERNAL AFFAIRS
OTTAWA - CANADA

NO. 36

FOR IMMEDIATE RELEASE

April 30, 1948.

The Secretary of State for External Affairs, in conjunction with the Secretary of State and the Acting Minister of Mines and Resources, issued an announcement today which warned residents of Canada of the rights which they might lose if they should emigrate to another country. As the "S.S. Radnik", a ship in which a number of residents of Canada took passage to Yugoslavia in 1947, is understood to be arriving shortly at a Canadian port, it is thought that a number of residents of Canada may intend to return to Yugoslavia by this ship.

There is, of course, no Canadian law which prevents a Canadian or an alien leaving Canada. It is important, however, that an alien who has residence in Canada should be aware of the provisions of the Canadian Immigration Act whereby he will lose Canadian domicile by "voluntarily residing out of Canada with the present intention of making his permanent home out of Canada and not for a mere special or temporary purpose." An alien acquires Canadian domicile "only by having his domicile for at least five years in Canada after having been landed therein."

A Yugoslav citizen, for example, will lose Canadian domicile, and therefore the right to re-enter Canada, if he goes to Yugoslavia with the intention of making his permanent home there. If, later, he wishes to return to Canada, he will have to apply to enter as an immigrant, as he did before his original entry to Canada. If he should be re-admitted to Canada, he will have to reside in Canada again for a full five years from the date of his re-entry before he secures Canadian domicile and the right to apply for Canadian citizenship. The period of his previous residence in Canada cannot be counted against the requirement of the further five-year period.

Any alien who, on leaving Canada, exports his personal and household effects and his remaining cash assets after application to the Foreign Exchange Control Board will naturally be regarded as having given conclusive evidence of his intention to take up permanent residence in another country. He will therefore automatically lose Canadian domicile as soon as he leaves Canada.

Canadian citizens by naturalization should note the effect of sections 20 and 21 of the Canadian Citizenship Act. Section 20 reads, subject to certain provisos:

"A Canadian citizen other than a natural-born Canadian citizen... ceases to be a Canadian citizen if he resides outside Canada for a period of at least six consecutive years."

Under section 21 the citizenship of a naturalized citizen who "out of Canada has shown himself by act or speech to be disaffected or disloyal to His Majesty" may be cancelled.

Canadian citizens by naturalization should also note the caution printed on the inside back cover of Canadian passports. It reads as follows:

/"Canadian....