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Statelessness**

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**Additional observations by Governments on deprivation of nationality**



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UNITED NATIONS CONFERENCE ON THE ELIMINATION  
OR REDUCTION OF FUTURE STATELESSNESS

Additional observations by Governments on deprivation of nationality

Note by the Secretary-General: The observations received by 7 June 1961 from twelve States (Austria, Belgium, Brazil, Chile, Denmark, Federal Republic of Germany, Luxembourg, Norway, Pakistan, Switzerland, Turkey, United Kingdom) have been reproduced in document A/CONF.9/10. By 3 July 1961, observations had been received in addition from the following nine States: Argentina, Canada, France, Holy See, Indonesia, Italy, Japan, Netherlands, United Arab Republic. These observations are reproduced in this Addendum.

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13. ARGENTINA

Transmitted by a letter of 26 June 1961 from the Permanent Representative of Argentina to the United Nations

[Original text: Spanish]

.....

"1. Nationality of origin may be lost only by the acquisition of another nationality (Act 145). However, the view is strongly held that with the legislation at present in force (Act 346, art. 8) such nationality is not to be lost in any circumstances, and that the acquisition of another nationality involves only the loss of political rights.

2. The grounds for the loss of nationality acquired through adoption or by naturalization may be classified into four generic groups covering all the actual cases in which loss of nationality has hitherto been recognized:

- (a) Deception or fraud in order to obtain citizenship or nationality.
- (b) Failure to carry out certain fundamental obligations of citizenship.
- (c) Conduct unworthy of a citizen subsequent to the acquisition of nationality.
- (d) Renunciation of the citizenship acquired, either explicitly or implicitly, by the acquisition of another nationality or exercise of the nationality of origin.

Our country could not sign any international convention involving the renunciation of any of these grounds for the loss of Argentine nationality. It should be borne in mind that all matters relating to citizenship or nationality are in accordance with the Argentine Constitution, within the competence of the Congress of the nation, which would be responsible for the decision on and final ratification by our country of any international convention on this subject."

/...

14. CANADA

Transmitted by a letter of 14 June 1961 from the Permanent Representative of Canada to the United Nations

[Original text: English/French]

.....

"The Canadian authorities regret that they are not in a position at this stage to present a statement indicative of what the Canadian Government considers to be the minimum grounds for deprivation of nationality. However, it is hoped that the attached extracts will serve the purpose of the inquiry which was the subject of your Note of 28 February, 1961."

THE CANADIAN CITIZENSHIP ACT

Chapter 33, R.S.C. 1952

PART III

LOSS OF CANADIAN CITIZENSHIP

On acquisition of other nationality 15. (1) A Canadian citizen, who, when outside of Canada and not under a disability, by any voluntary and formal act other than marriage, acquires the nationality or citizenship of a country other than Canada, thereupon ceases to be a Canadian citizen.

Where country at war with Canada (2) Sub-section (1) does not apply where the nationality or citizenship acquired is that of a country at war with Canada at the time of the acquisition, but, in such a case, the Minister may, in his discretion, order that the Canadian citizen shall cease to be a Canadian citizen and he shall be deemed to have ceased to be a Canadian citizen either at the date of the said acquisition or at the date of the order as the Minister may therein direct. 1950, c. 29, s. 8.

By renunciation where dual nationality 16. Where a natural-born Canadian citizen, at his birth or during his minority, or any Canadian citizen on marriage, became or becomes under the law of any other country a national or citizen of that country, if, after attaining the full age of twenty-one years, or after the marriage, he makes, while not under disability, and still such a national or citizen, a declaration renouncing his Canadian citizenship, he thereupon ceases to be a Canadian citizen. 1950, c. 29, s. 8.

/...

Dual national serving in armed forces of country at war with Canada 17. (1) A Canadian citizen, who, under the law of another country, is a national or citizen of such country and who serves in the armed forces of such country when it is at war with Canada, thereupon ceases to be a Canadian citizen.

Exception (2) This section does not apply to a Canadian citizen who, under the law of another country, became a national or citizen of such country when it was at war with Canada. 1950, c. 29, s. 8.

Loss through residence outside of Canada 18. (1) Subject to sub-section (2) and (3), a person who, since becoming a Canadian citizen, has resided outside of Canada for a period to ten consecutive years ceases to be a Canadian citizen upon the expiration of such period. rep. and new, 1952-53, c.23, s.19.(1).

Exceptions (2) This section does not apply to

- (a) a Canadian citizen who
  - (i) is a natural-born Canadian citizen, or
  - (ii) has served outside of Canada in the armed forces of Canada in a war in which Canada was or is engaged or in connexion with any action taken by Canada under the United Nations Charter, the North Atlantic Treaty or other similar instrument for collective defence that may be entered into by Canada and has been honourably discharged from such armed forces;
- (b) residence out of Canada for any of the following objects, namely,
  - (i) to serve in the public service of Canada or of a province thereof,
  - (ii) as a representative or employee of a firm, business, company or organization, religious or otherwise, established in Canada or of an international agency of an official character in which Canada participates,
  - (iii) on account of ill-health or disability,
  - (iv) as the spouse or minor child of and for the purpose of being with a spouse or parent who is a Canadian citizen residing out of Canada for any of the objects or causes specified in sub-paragraphs (i), (ii) or (iii), or

- (v) for the purpose of being with a spouse who is a person described in paragraph (a).

Extension

(3) An officer authorized in the regulations to do so may, in such form and for such period as is prescribed by the regulations, extend the Canadian citizenship of a person who would cease to be a Canadian citizen upon the expiration of the ten-year period described in sub-section (1) if such person, before the expiration of such period or an extension thereof under this sub-section, satisfies the officer that

(a) his absence from Canada was of a mere temporary nature, and

(b) he intends in good faith to return to Canada for permanent residence as a Canadian citizen,

and sub-section (1) does not apply until the expiration of the period of extension so given.

Resumption  
with  
approval of  
Minister

(4) A person who has ceased to be a Canadian citizen under this section may, in accordance with the regulations, file a petition for resumption of Canadian citizenship and shall, if the petition is approved by the Minister, be deemed to have resumed Canadian citizenship as of the date of such approval or as of such earlier or later date as the Minister may fix in any special case, and the Minister may issue a certificate of citizenship accordingly.

Revocation  
of Canadian  
citizenship.  
rep. and new,  
c. 24, s. 2,  
1958.

19. (1) The Governor in Council may, in his discretion, order that any person other than a natural-born Canadian citizen shall cease to be a Canadian citizen, if, upon a report from the Minister, he is satisfied that such person,

(a) having been charged with the offence of treason under the Criminal Code or with an offence under the Official Secrets Act, has failed or refused to return to Canada voluntarily within such time as may be prescribed in a notice sent by the Minister to such person at his last known address and has not appeared at the preliminary inquiry into such offence or at the trial of such offence, or both, as the case may be; or

(b) has obtained a certificate of naturalization or of Canadian citizenship by false representation or fraud or by concealment of material circumstances.

Governor in  
Council may  
revoke

(2) The Governor in Council may, in his discretion, order that any person shall cease to be a Canadian citizen if, upon a report from the Minister, he is satisfied that such person has, when not under a disability,

Foreign  
national-  
ity acquired  
in Canada

(a) when in Canada and at any time after the 1st day of January, 1947, acquired the nationality or citizenship of a foreign country by any voluntary and formal act other than marriage;

Foreign  
allegiance

(b) taken or made an oath, affirmation or other declaration of allegiance to a foreign country; or

Renunciation

(c) made a declaration renouncing his Canadian citizenship.

Notice and  
reference for  
inquiry

(3) The Minister before making a report under this section shall cause notice to be given or sent to the last known address of the person in respect of whom the report is to be made, giving him an opportunity of claiming that the case be referred for such inquiry as is hereinafter specified and if said person so claims in accordance with the notice, the Minister shall refer the case for inquiry accordingly.

Inquiry by  
commission

(4) An inquiry under this section shall be held by a commission constituted for the purpose by the Governor in Council upon the recommendation of the Minister, presided over by a person appointed by the Governor in Council who holds or has held high judicial office, and shall be conducted in such manner as the Governor in Council shall order; but any such inquiry may, if the Governor in Council thinks fit, instead of being held by such commission, be held by the superior court of the province in which the person concerned resides, and the practice and procedure on any inquiry so held shall be regulated by rules of court.

Powers of  
commission

(5) The members of any commission appointed under this section shall have all such powers, rights and privileges as are vested in any superior court or in any judge thereof on the occasion of any action in respect of

(a) enforcing the attendance of witnesses and examining them on oath, affirmation or otherwise, and the issue of a commission or a request to take evidence abroad;

(b) compelling the production of documents; and

(c) punishing persons guilty of contempt;

and a summons signed by one or more members of the commission may be substituted for and shall be equivalent to any formal process capable of being issued in any action for enforcing the attendance of witnesses and compelling the production of documents.

Effect of  
revocation

(6) Where the Governor in Council, under this section, directs that any person cease to be a Canadian citizen, the order shall have effect from such time as the Governor in Council may direct and thereupon the said person shall cease to be a Canadian citizen. 1950, c. 29, s. 8; 1951, c. 12, s. 1.

Ruling on loss of Canadian citizenship. new, c. 24, s. 4, 1958.

19A. (1) Where in the opinion of the Minister a doubt exists as to whether a person has ceased to be a Canadian citizen, the Minister may refer the question to the commission or court referred to in sub-section (4) of section 19 for a ruling and the decision of the commission or the court, as the case may be, shall be final.

Evidence

(2) Upon the hearing of any reference under this section the commission or the court, as the case may be, may receive and base its decision upon evidence considered credible or trustworthy by it in the circumstances, and in respect of any such reference to a commission the provisions of sub-section (5) of section 19 apply mutatis mutandis.

Child of parent ceasing to be a Canadian citizen under secs. 15 to 17

20. (1) Where the responsible parent of a minor child ceases to be a Canadian citizen under section 15, 16 or 17, the child thereupon ceases to be a Canadian citizen if he is or thereupon becomes, under the law of any country other than Canada, a national or citizen of that country.

Child of parent ceasing to be a Canadian citizen under secs. 18 and 19

(2) Where the responsible parent of a minor child ceases to be a Canadian citizen under section 18 or 19, the Governor in Council may, in his discretion, direct that the said child shall cease to be a Canadian citizen, if he is or thereupon becomes, under the law of any country other than Canada, a national or citizen of that country.

Resumption of Canadian citizenship in the case of minors

(3) Where the Minister, in his discretion, permits a person, who as a minor child ceased to be a Canadian citizen, to make a declaration in accordance with the regulations, that he wishes to resume Canadian citizenship and the said person makes the declaration within one year after attaining the age of twenty-one years or within such longer period as the Minister may allow in special circumstances, such person, upon the acceptance of his declaration by the Minister, again becomes a Canadian citizen. 1950, c. 29, s. 8.



15. FRANCE

Transmitted by a letter of 12 June 1961 from the Permanent Representative of France to the United Nations

Original text: French

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"... I have the honour to inform you that the grounds for deprivation of nationality which the French Government deems it essential to retain are stated in paragraphs 1, 2 and 3 of article 98 of the Nationality Code, as follows:  
'(1) if he is convicted of an act held to constitute a crime or offence against the internal or external security of the State;  
'(2) if he is convicted of an act held to constitute a crime or offence which is punishable under articles 109 to 131 of the Penal Code;  
'(3) if he is convicted of evading his obligations under the Army Recruitment Act."

It should be stated that, in addition to the grounds for "deprivation", in the strict sense of the word, stated in article 98 of the Nationality Code, article 97 of this Code includes grounds for the "loss" of French nationality, which might produce cases of statelessness, but which the French Government also cannot relinquish. This article is worded as follows:

"A French national who holds an appointment in a foreign army or public service or in an international organization of which France is not a member or, more generally, gives them his assistance, and who does not resign his appointment or cease his assistance despite an injunction by the Government to that effect, shall lose his French nationality.

"The person concerned shall be declared, by a decree of the Conseil d'Etat, to have lost French nationality if he has not ceased his activities within the period fixed by the injunction, which may not be less than fifteen days or more than two months.

"When the decision of the Conseil d'Etat is unfavourable, the measure laid down in the preceding paragraph may be taken only by a decree of the Council of Ministers.

"The person concerned shall be released from his allegiance to France as from the date of the decree."

16. HOLY SEE

Transmitted by a letter of 17 June 1961 from the  
Secretary of State of the Holy See

[Original text: French]

.....

"With regard to the grounds for deprivation to be studied by this Conference, the Holy See does not intend to submit any grounds and it thinks that States should consider the possibility of including them in the convention only in the form of possible reservations. In other words, deprivation would be excluded in principle, but provision would be made for States, when they signed, to make certain reservations about this exclusion, provided that they specified exactly the grounds for deprivation and that these grounds already existed in their legislations. If such a general formula was not acceptable, the grounds for deprivation on which reservations would be allowed could be expressly stipulated. As far as possible, however, the idea should be adhered to that reservations should be authorized only for States which had such grounds in their legislations.

In any case, since the Holy See is primarily interested in the humanitarian aspect of the question, its representative will be prepared, if necessary, to suggest compromises which could help to reconcile the different viewpoints involved."

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17. INDONESIA

Transmitted by a letter of 27 June 1961 from the Office of the  
Permanent Representative of Indonesia to the United Nations

/Original text: English/

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"I now have the pleasure to inform you that in Indonesia we have a law concerning citizenship, that is 'Act No. 62 of the year 1958 concerning Republic of Indonesia Citizenship', and that the relevant provisions concerning the deprivation of nationality are contained in Sections 17, 18 and 19 of above mentioned Act, which read as follows:

Section 17

The Republic of Indonesia citizenship shall be lost:

- (a) upon the acquirement of another citizenship by a person's own will, on the understanding that in case the person concerned is in the territory of the Republic of Indonesia upon acquiring the other citizenship, his Republic of Indonesia citizenship shall not be considered lost until the Minister of Justice, with the approval of the Council of Ministers, declare the loss of such Republic of Indonesia citizenship, either of the Minister's own volition or at the request of the person concerned;
- (b) in case the person concerned, when afforded the opportunity, does neither abjure nor reject another citizenship;
- (c) in case an unmarried person under 18 years of age is acknowledged as a child by an alien, unless the loss of the Republic of Indonesia citizenship should deprive the person concerned of any citizenship;
- (d) in case a child is legally adopted by an alien before it has attained five years of age, and if the loss of the Republic of Indonesia citizenship shall not render it devoid of any citizenship;
- (e) in case a person at his request shall be declared to have lost his citizenship by the Minister of Justice with the approval of the Council of Ministers, if the person concerned has attained 21 years of age, resides abroad and has not been rendered devoid of any citizenship by the loss of his Republic of Indonesia citizenship;

/...

- (f) in case a person enters the service of a foreign armed force without prior consent of the Minister of Justice;
- (g) in case a person, without prior consent of the Minister of Justice enters the service of a foreign country or an international organization of which the Republic of Indonesia is no member, if, under the enactments and provisions of the Republic of Indonesia, such office in the service of a country, or if the holding of such office in the service of the international organization requires an oath or promise of office;
- (h) in case a person swears or promises allegiance to a foreign country or part thereof;
- (i) in case a person, without being required to do so, takes part in the election of anything related to the political affairs of a foreign country;
- (j) in case a person is in possession of a valid foreign passport, or document having the character of a passport, written out in his name;
- (k) in case a person, for other reasons than the public service, resides abroad for five consecutive years, without stating his wish to retain his Republic of Indonesia citizenship before the expiry of the above mentioned five-year period, and afterwards before the expiry of every two years. Such wish shall be made known to the Republic of Indonesia representative Office in his town or residence. For a Republic of Indonesia citizen under eighteen years of age, the afore mentioned five-year and two-year periods shall not apply until he has attained eighteen years of age, unless he is or has been married.

Section 18

A person who has lost his Republic of Indonesia citizenship under Section 17, item k, shall recover his Republic of Indonesia citizenship in case he resides in Indonesia by virtue of an Entry Permit and makes a statement to that effect. Such statement shall be made to the District Court of his town or residence, within the first year of his residence in Indonesia.

Section 19

A Republic of Indonesia citizenship granted or acquired on the ground of false statements can be revoked by the office that has granted the citizenship or by the office that has received such statements."

18. ITALY

Transmitted by a letter of 16 June 1961 from the Permanent  
Representative of Italy to the United Nations

[Original text: French]

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"The grounds for deprivation of Italian nationality are given in article 8 of the Nationality Act of 13 June 1912 No. 555. Two of them make the loss of Italian nationality contingent on the acquisition of that of another State; the third, and the only one which might give rise to cases of statelessness, is worded as follows:

'A person shall cease to be an Italian citizen if ... (3) Having accepted employment in the service of a foreign Government, or having entered the military service of a foreign Power, he remains in that service even though directed by the Italian Government to discontinue the said employment or to leave the said service within a specified period.'

These grounds for deprivation of nationality are common to a number of legislations. In this connexion it should be noted that, contrary to the provisions in the laws of some States, Italian law does not provide for automatic deprivation of nationality if an Italian national enters the service of a foreign Government.

The Italian Government cannot relinquish the above-mentioned grounds for deprivation of nationality."

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19. JAPAN

Transmitted by a Note verbale of 22 June 1961 from the Permanent  
Representative of Japan to the United Nations

[Original text: English]

.....

"... there is no ground for deprivation of nationality which the Government  
of Japan, for its part, deems it essential to retain."

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20. NETHERLANDS

Transmitted by a letter of 2 June 1961 from the  
Permanent Representative of the Netherlands to  
the United Nations

[Original text: English]

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"... I have been directed by the Netherlands Government to inform you that, apart from cases of acquisition of another nationality, the minimum grounds for deprivation of nationality which my Government deem it essential to retain are the voluntarily entering the service of a foreign country or continuing in such service in disregard of an express prohibition by the law of one's own state. Furthermore the Netherlands Government is willing to accept a procedure whereby it is in the last resort to be determined by a judicial authority whether the said ground actually does exist."

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21. UNITED ARAB REPUBLIC

Transmitted by a letter of 29 May 1961 from the Permanent Representative  
of the United Arab Republic to the United Nations

[Original text: English]

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"I have the honour to inform Your Excellency that our law on nationality No. 82 of 1958, as amended by law No. 282 of 1959, provides in articles 22 and 23 the grounds for deprivation of the nationality of the U.A.R.

Article 22 provides that:

'Any national of the United Arab Republic may be deprived of his nationality by an order of the Minister of the Interior accompanied by a statement of his reasons, if

- (a) He has acquired a foreign nationality contrary to the provisions of article 17;
- (b) He has consented to perform military service for a foreign State without prior authorization granted by the Minister of War;
- (c) He has engaged in activities for the benefit of a foreign State or Government which is in a state of war with the United Arab Republic or with which diplomatic relations have been severed;
- (d) He has accepted a post abroad in the service of a foreign Government or a foreign or international organization and retains that post despite an order from the Government of the United Arab Republic to resign from it;
- (e) He has his ordinary place of residence abroad and has joined a foreign organization which has the object of attempting to undermine the social or economic order of the State by any means whatsoever;
- (f) He has received a definitive conviction in respect of an offence under the law requiring all persons to obtain permission to work for a foreign organization;
- (g) He has been known at any time as a Zionist;
- (h) He has been convicted of an offence described in the judgment as affecting his loyalty to his country or involving treason.'

/...

Article 23 provides:

'Any national of the United Arab Republic who leaves the Republic with the intention of not returning may be deprived of the nationality of the United Arab Republic by an order of the Minister of the Interior for reasons considered sufficiently grave by the Minister, if he is absent abroad for a period exceeding six months after being warned to return, and if he fails to reply or replies giving unsatisfactory reasons within the three months following the date of the warning. If he refuses to accept the warning or his place of residence is unknown, publication of an appropriate notice in the Official Journal shall be deemed to constitute the warning.

'In the case of persons who have left the Syrian Region for a place outside the United Arab Republic before the entry into force of this Act, the period of six months shall begin on the day following the date of its entry into force.'

The basis for the loss of nationality in these cases is the severance of relationship between a national and his country as a result of the commission by him of any of the acts which indicate his disloyalty to his country."

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UNITED NATIONS CONFERENCE ON THE ELIMINATION  
OR REDUCTION OF FUTURE STATELESSNESS

Observation by the Government of Sweden  
on deprivation of nationality

Note by the Secretary-General: Earlier observations received from twenty-one States have been reproduced in documents A/CONF.9/10 and A/CONF.9/10/Add.1.

22. SWEDEN

Transmitted by a letter of 30 June 1961 from  
the Minister for Foreign Affairs of Sweden

/Original text: English/

....

.... I wish to state that the Swedish legislation on nationality does not contain any provisions relating to deprivation of nationality.

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UNITED NATIONS CONFERENCE ON THE  
ELIMINATION OR REDUCTION OF  
FUTURE STATELESSNESS

Observation by the Government of Ceylon  
on deprivation of nationality

Note by the Secretary-General: Earlier observations received from twenty-two States have been reproduced in documents A/CONF.9/10 and A/CONF.9/10/Add.1 and 2.

23. CEYLON

Transmitted by a Note verbale of 14 July 1961 from the  
Permanent Mission of Ceylon to the United Nations

[Original text: English]

The Permanent Mission of Ceylon to the United Nations has the honour  
.... to forward herewith a copy of the Ceylon Citizenship Act, No. 18 of 1948, as  
amended by Citizenship Amendment Act, No. 40 of 1950, with particular reference  
to Part IV of the Act which constitutes the minimum grounds for deprivation  
of nationality which the Government of Ceylon deems it essential to retain.  
....

Part IV of the CITIZENSHIP ACT, No. 18 of 1948 as amended

Part IV. Loss of citizenship

18. If a citizen of Ceylon of full age and of sound mind makes a declaration  
of renunciation of citizenship of Ceylon in the prescribed manner, the

61-18637

/...

Minister shall cause the declaration to be registered; and, upon registration thereof, the declarant shall cease to be a citizen of Ceylon: Provided, however, that the Minister may withhold registration of such declaration if it is made during the continuance of any war in which Ceylon is engaged and if, by the operation of any law enacted in consequence of that war, the declarant is deemed for the time being to be an enemy.

19. (1) Where a person born before the appointed date is a citizen of Ceylon by descent and is also on that date a citizen of any other country, that person shall:

(a) on the thirty-first day of December 1952, or

(b) on the day on which he attains the age of twenty-two years,

whichever day is in his case the later, cease to be a citizen of Ceylon, unless before that day he renounces citizenship of that other country in accordance with the law therein in force in that behalf and notifies such renunciation to a prescribed officer.

(2) Where a person is a citizen of Ceylon by descent and that person, by operation of law, is at the time of his birth or becomes thereafter, also a citizen of any other country, that person shall:

(a) on the thirty-first day of December 1952, or

(b) on the day immediately succeeding the date of the expiration of a period of twelve months from the date on which he so becomes a citizen of that other country, or

(c) on the day on which he attains the age of twenty-two years,

whichever day is in his case the latest, cease to be a citizen of Ceylon, unless before that day he renounces citizenship of that other country in accordance with the law therein in force in that behalf and notifies such renunciation to a prescribed officer.

(3) A person who, under sub-section (2) of section 5, is a citizen of Ceylon by descent but whose father is or was a citizen of Ceylon by registration, shall, on the day on which he attains the age of twenty-two years, cease to be a citizen of Ceylon, unless before that day he transmit to the Minister in the prescribed manner and form a declaration of retention of citizenship of Ceylon.

(4) In the case of any person to whom the provisions of any of the preceding sub-sections apply, the Minister may in his discretion direct that

those provisions shall apply in that case subject to the modification that the reference therein to the age of twenty-two years shall be construed as a reference to such higher age as may be specified in the direction.

(5) A person who is a citizen of Ceylon by descent shall cease to be a citizen of Ceylon if he voluntarily becomes a citizen of any other country.

(6) Where a person who, having been exempted from the requirements of paragraph (a) of sub-section (1) of section 8, resumes the status of a citizen of Ceylon by descent by virtue of a declaration under that sub-section, that person shall, on the day immediately succeeding the date of the expiration of a period of three months (or such longer period as the Minister may for good cause allow) from the date of the declaration cease to be a citizen of Ceylon, unless he earlier complies with the requirements of the aforesaid paragraph (2).

20. (1) A person who is a citizen of Ceylon by registration shall cease to be a citizen of Ceylon if he voluntarily becomes a citizen of any other country.

(2) Where a person who is registered as a citizen of Ceylon thereafter becomes, by operation of law, also a citizen of any other country, that person shall:

(a) on the day immediately succeeding the date of the expiration of a period of three months (or such longer period as the Minister may for good cause allow) from the date on which he so becomes a citizen of that other country, or

(b) on the day on which he attains the age of twenty-two years, whichever day is in his case the later, cease to be a citizen of Ceylon, unless before that day he renounces citizenship of that other country in accordance with the law therein in force in that behalf and notifies such renunciation to a prescribed officer.

(3) Where any person:

(a) who, having been exempted from the provisions of sub-section (2) of section 14, is registered under this Act as a citizen of Ceylon, or

(b) who is registered under the Indian and Pakistani Residents

(Citizenship) Act, No. 3 of 1949, as a citizen of Ceylon,

continues after such registration to be a citizen of any other country, that person shall:



(i) on the day immediately succeeding the date of the expiration of a period of three months (or such longer period as the Minister may for good cause allow) from the date of his registration as a citizen of Ceylon, or

(ii) on the day on which he attains the age of twenty-two years, whichever day is in his case the later, cease to be a citizen of Ceylon, unless before that day he renounces citizenship of that other country in accordance with the law therein in force in that behalf and notifies such renunciation to a prescribed officer.

20A. In any case where any person purports to renounce citizenship of any country for the purpose of acquiring, retaining or resuming, under any provision of this Act, the status of a citizen of Ceylon, and it is found at any time that the renunciation was not in accordance with or not effective under the law in force in that behalf in such other country, that person shall be deemed never to have acquired, retained or resumed, under that provision, the status of a citizen of Ceylon; and if the Minister makes a declaration to that effect in any such case, the declaration shall be final and shall not be contested in any court.

21. A person who is a citizen by registration shall cease to be a citizen of Ceylon if that person resides outside Ceylon for five consecutive years or more, exclusive of any period during which that person:

- (a) is employed abroad as an officer in the service of the Government of Ceylon, or
- (b) is abroad as a representative of the Government of Ceylon, or
- (c) being the spouse or minor child of a citizen of Ceylon who is abroad in any of the capacities specified in paragraphs (a) and (b) of this section, resides abroad with that citizen, or
- (d) resides abroad on a holiday or for reasons of health, or
- (e) is a student at an educational institution abroad, or
- (f) resides abroad with a spouse who is a citizen of Ceylon by descent, or
- (g) is abroad for any prescribed purpose.

22. (1) Where the Minister is satisfied that a person who is a citizen of Ceylon by registration:

- (a) has been convicted of an offence under this Act, or
- (b) has been convicted of any offence under Chapter VI of the Penal Code, or
- (c) was registered as a citizen of Ceylon by means of fraud, false representation, or the concealment of material circumstances or by mistake, or
- (d) has, within five years after the date of registration as a citizen of Ceylon, been sentenced in any court to imprisonment for a term of twelve months or more, or
- (e) has, since the date of his becoming a citizen of Ceylon by registration, been for a period of not less than two years ordinarily resident in a foreign country of which he was a national or citizen at any time prior to that date, and has not maintained a substantial connection with Ceylon, or
- (f) has taken an oath or affirmation of, or made a declaration of, allegiance to a foreign country, or
- (g) has so conducted himself that his continuance as a citizen of Ceylon is detrimental to the interests of Ceylon,

the Minister may by Order declare that such person shall cease to be such a citizen, and thereupon the person in respect of whom the Order is made shall cease to be a citizen of Ceylon by registration.

(2) Before the Minister makes any Order in relation to a person to whom paragraph (g) of sub-section (1) of this section applies, he shall refer that person's case for inquiry by one or more persons appointed by him, with such qualifications as may be prescribed. The person or persons who have been authorized to make an inquiry under the preceding provisions of this section shall, as soon as the inquiry is completed, make a written report to the Minister. He shall not make any order under sub-section (1) of this section without carefully considering such report.

(3) Where a person ceases to be a citizen of Ceylon under sub-section (1) of this section, the Minister may by Order direct that all or any of the persons

specified in the following paragraph shall cease to be citizens of Ceylon, and thereupon they shall cease to be citizens:

- (a) all or any of the minor children of such person who have been included in the certificate of registration issued to him at the time of his registration, and
- (b) the spouse, widow or widower of such person, if such spouse, widow or widower was registered under this Act.

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