

that I will faithfully observe the laws of Canada and fulfil my duties as a Canadian citizen.

So help me God.
1946, c. 15, Second Sch.

14. Ceylon

(a) CITIZENSHIP ACT, NO. 18 OF 21 SEPTEMBER 1948.
AN ACT TO MAKE PROVISION FOR CITIZENSHIP OF CEYLON AND FOR
MATTERS CONNECTED THEREWITH.¹

Section 1. This Act may be cited as the Citizenship Act, No. 18 of 1948, and shall come into operation on such date as may be appointed by the Minister by order published in the *Gazette*.

PART I. CITIZENSHIP OF CEYLON

Section 2. (1) With effect from the appointed date, there shall be a status to be known as "the status of a citizen of Ceylon".

(2) A person shall be or become entitled to the status of a citizen of Ceylon in one of the following ways only:

- (a) By right of descent as provided by this Act;
- (b) By virtue of registration as provided by this Act or by any other Act authorizing the grant of such status by registration in any special case of a specified description.

(3) Every person who is possessed of the aforesaid status is hereinafter referred to as a "citizen of Ceylon". In any context in which a distinction is drawn according as that status is based on descent or registration, a citizen of Ceylon is referred to as "citizen by descent" or "citizen by registration"; and the status of such citizen is in the like context referred to as "citizenship by descent" or "citizenship by registration".

Section 3. A citizen of Ceylon may, for any purpose in Ceylon, describe his nationality by the use of the expression "Citizen of Ceylon".

PART II. CITIZENSHIP BY DESCENT

Section 4. (1) Subject to the other provisions of this part, a person born in Ceylon before the appointed date shall have the status of a citizen of Ceylon by descent, if:

- (a) His father was born in Ceylon, or
- (b) His paternal grandfather and paternal great grandfather were born in Ceylon.

(2) Subject to the other provisions of this part, a person born outside Ceylon before the appointed date shall have the status of a citizen of Ceylon by descent, if:

- (a) His father and paternal grandfather were born in Ceylon, or
- (b) His paternal grandfather and paternal great grandfather were born in Ceylon.

Section 5. (1) Subject to the other provisions of this part, a person born in Ceylon on or after the appointed date shall have the status of a citizen of Ceylon by descent if at the time of his birth his father is a citizen of Ceylon.

¹ Ceylon, Acts of Parliament, 1948.

(2) Subject to the other provisions of this part, a person born outside Ceylon on or after the appointed date shall have the status of a citizen of Ceylon by descent if at the time of his birth his father is a citizen of Ceylon and if, within one year from the date of birth, the birth is registered in the prescribed manner:

(a) At the office of a consular officer of Ceylon in the country of birth, or

(b) Where there is no such officer, at the appropriate embassy or consulate in that country or at the office of the Minister in Ceylon.

Section 6. Upon application made in that behalf in the prescribed manner, the Minister may, in his discretion, grant, in the prescribed form, a certificate of citizenship of Ceylon by descent to a person with respect to whose status as a citizen of Ceylon by descent a doubt exists; and a certificate issued under this section to any person shall be conclusive evidence that that person was a citizen of Ceylon by descent on the date thereof, but without prejudice to any evidence that he was such a citizen at an earlier date.

Section 7. Every person first found in Ceylon as a newly born deserted infant of unknown and unascertainable parentage shall, until the contrary is proved, be deemed to have the status of a citizen of Ceylon by descent.

Section 8. No person who is a citizen of any other country under any law in force in that country shall have the status of a citizen of Ceylon by descent unless he renounces citizenship of that other country in accordance with that law.

Section 9. (1) Any reference to father, paternal grandfather, or paternal great grandfather in any of the provisions of this part relating to citizenship by descent shall, in regard to a person born out of wedlock and not legitimated, be deemed to be a reference to mother, maternal grandfather, or maternal great grandfather respectively.

(2) A person shall be deemed, for the purposes of this section, to have been legitimated if his parents married each other subsequent to his birth.

Section 10. Any reference in this part to the status or description of the father of a person at the time of that person's birth shall, in regard to a person born after the death of his father, be deemed to be a reference to the status or description of the father at the time of the father's death; and where that death occurred before, and the birth occurs on or after, the appointed date, the status or description which would have been applicable to the father had he died on or after that date shall be deemed to be the status or description applicable to him at the time of his death.

PART III. CITIZENSHIP BY REGISTRATION

Section 11. (1) This section shall apply to any applicant for registration as a citizen of Ceylon who has the following qualifications:

(a) That the applicant is of full age and of sound mind;

(b) That the applicant:

- (i) Is a person whose mother is or was a citizen of Ceylon by descent or would have been a citizen of Ceylon by descent if she had been alive on the appointed date, and who, being married, has been resident in Ceylon throughout a period of seven years immediately preceding the date of the application, or being unmarried, has been resident in Ceylon throughout a period of ten years immediately preceding the date of the application, or

- (ii) Is the spouse, or the widow or widower, of a citizen of Ceylon by descent or registration, and has been resident in Ceylon throughout a period of one year immediately preceding the date of the application, or
 - (iii) Is a person who ceased under section 19 to be a citizen of Ceylon by descent upon his acquiring citizenship of any other country in which he has been resident, and thereafter renounced that citizenship in accordance with the law of that other country; and
- (c) That the applicant is, and intends to continue to be, ordinarily resident in Ceylon.
- (2) Subject to the other provisions of this part, a person to whom this section applies shall:
- (a) If he has any of the qualifications set out in sub-paragraphs (i) and (ii) of paragraph (b) of subsection (1) of this section, be registered as a citizen of Ceylon on his making application in that behalf to the Minister in the prescribed manner, or
 - (b) If he has the qualification set out in sub-paragraph (iii) of the aforesaid paragraph (b), be so registered on his making such application unless the Minister decides to disallow such application on grounds of public policy.
- (3) The Minister's refusal, under subsection (2) (b) of this section, to allow the application of any person for registration as a citizen of Ceylon shall be final and shall not be contested in any court.

Section 12. (1) Subject to the other provisions of this part, a person to whom section 11 does not apply may, on his making application in that behalf to the Minister in the prescribed manner, be registered as a citizen of Ceylon if the Minister is satisfied:

- (a) That he is a person who:
 - (i) Has rendered distinguished public service or is eminent in professional, commercial, industrial, or agricultural life, or
 - (ii) Has been granted in Ceylon a certificate of naturalization under the British Nationality and Status of Aliens Act, 1914, of the United Kingdom, or Letters Patent under the Naturalization Ordinance and has not ceased to be a British subject, and
 - (b) That he is, and intends to continue to be, ordinarily resident in Ceylon.
- (2) The number of persons registered as citizens of Ceylon under this section shall not exceed twenty-five in any year.
- (3) The Minister's refusal under this section to allow the application of any person for registration as a citizen of Ceylon shall be final and shall not be contested in any court.

Section 13. (1) Where an applicant for registration as a citizen of Ceylon has any minor child, he may in his application or by subsequent letter make a request for the inclusion of the name of that child in the certificate of registration which may be granted to him under this part.

(2) Where a request as aforesaid is made by an applicant under section 11 or section 12, the Minister shall, subject to the other provisions of this part, comply with the request if the applicant is registered as a citizen of Ceylon.

Section 14. (1) Save as provided in section 11, a person who has ceased to be a citizen of Ceylon shall not be granted citizenship by registration.

(2) A person who is a citizen of any country other than Ceylon under any law in force in that country shall not be granted citizenship by registration unless he renounces citizenship of that country in accordance with that law.

Section 15. There shall be kept and maintained, in the prescribed form, a register of persons who are granted citizenship by registration.

Section 16. The Minister shall grant, in the prescribed form, a certificate of registration as a citizen of Ceylon to every person who is registered under section 11 or section 12 and, where he decides to comply with a request made by that person under section 13, shall include in the certificate the name of every minor child to whom the request relates.

Section 17. (1) A British subject to whom a certificate of registration as a citizen of Ceylon is granted shall, on subscribing the prescribed oath or affirmation of citizenship, have the status of a citizen of Ceylon by registration as from the date of that certificate.

(2) An alien to whom a certificate of registration as a citizen of Ceylon is granted shall, on subscribing the prescribed oath or affirmation of allegiance and the prescribed oath or affirmation of citizenship, have the status of a citizen of Ceylon by registration as from the date of that certificate.

(3) A minor child whose name is included in a certificate of registration as a citizen of Ceylon shall have the status of a citizen of Ceylon by registration as from the date of that certificate.

PART IV. LOSS OF CITIZENSHIP

Section 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 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.

Section 19. A person who is a citizen by descent or by registration shall cease to be a citizen of Ceylon if he voluntarily or by operation of law becomes a citizen of any other country.

Section 20. (1) A person who, under subsection (2) of section 5, is a citizen by descent and whose father is or was a citizen by registration shall, on attaining the age of twenty-one years, cease to be a citizen of Ceylon, unless, before the expiry of one year after attaining that age, he transmits to the Minister a declaration of retention of citizenship in the prescribed manner.

(2) A person who has ceased to be a citizen of Ceylon under subsection (1) of this section may, within a period of one year after the date on which he ceased to be such citizen or within such further period as the Minister may for good cause allow, make a declaration to the Minister that he wishes to resume citizenship of Ceylon; and he shall, on making such declaration, again have the same status of a citizen of Ceylon as he had before that date.

Section 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.

Section 22. A person who is a citizen by registration shall cease to be a citizen of Ceylon if he is convicted by a court of competent jurisdiction:

(a) Of an offence under this Act, or

(b) Of any of the offences against the State, specified in chapter VI of the Penal Code, for which a sentence of rigorous imprisonment may be imposed.

PART V. MISCELLANEOUS

Section 23. Any person who, for the purpose of procuring anything to be done or not to be done under this Act, makes any statement which he knows to be false in a material particular shall be guilty of an offence and shall, on conviction after summary trial before a Magistrate, be liable to imprisonment of either description for a term not exceeding three months.

Section 24. Every person to whom a certificate under this Act is granted shall, in respect of that certificate, pay, in the prescribed manner, a fee according to the prescribed rates.

Section 25. (1) The Minister may make all such regulations as may be necessary for giving effect to the provisions of this Act, and in particular for prescribing any matter which is stated or required to be prescribed.

(2) No regulation made by the Minister shall have effect until it has received the approval of the Senate and the House of Representatives and notification of such approval is published in the *Gazette*.

Section 26. (1) In this Act, unless the context otherwise requires:

“alien” means a person who is not a British subject;

“appointed date” means the date appointed by the Minister under section 1;

“appropriate embassy or consulate” means the office of an Ambassador or of a consular officer in the service of the Government of the United Kingdom at which a register of births is kept;

“British subject” has the same meaning as in the law of the United Kingdom;

“consular officer of Ceylon” includes an Ambassador, a High Commissioner, or a Trade Commissioner of Ceylon;

“minor child” means a person who has not attained the age of twenty-one years;

“prescribed” means prescribed by regulation made under this Act.

(2) For the purposes of this Act a person of full age is a person who has attained the age of twenty-one years.

Section 27. The Naturalization Ordinance is hereby repealed.

(b) CITIZENSHIP AMENDMENT ACT, No. 40 OF 1950.

Section 1. This Act may be cited as the Citizenship Amendment Act, No. 40 of 1950.

Section 2. Section 5 of the Citizenship Act, No. 18 of 1948 (hereinafter referred to as "the principal Act") is hereby amended in subsection (2) thereof, by the substitution, for all the words from "the birth is registered" to the end of that subsection, of the following:

"or within such further period as the Minister may for good cause allow, the birth is registered in the prescribed manner:

(a) At the office of a consular officer of Ceylon in the country of birth, or

(b) At the office of the Minister in Ceylon."

Section 3. Section 8 of the principal Act is hereby repealed and the following new section shall be substituted therefor:

8. (1) Any person who ceases under section 18 or section 19 to be a citizen of Ceylon by descent may at any time thereafter make application to the Minister for a declaration that such person has resumed the status of a citizen of Ceylon by descent; and the Minister may make the declaration for which the application is made:

(a) If that person renounces citizenship of any other country of which he is a citizen, in accordance with the law in force in that behalf in that other country; and

(b) If that person is, and intends to continue to be, ordinarily resident in Ceylon.

(2) Where a declaration is made in relation to any person under subsection (1), that person shall, with effect from such date as may be specified in the declaration, again have the status of a citizen of Ceylon by descent.

(3) Any person who makes or has made an application under subsection (1) may, in his application or by subsequent letter, make a request for the grant to any minor child of that person of the status of a citizen of Ceylon by descent; and if in any such case a declaration under subsection (1) is made in relation to that person, each minor child specified in the declaration shall have the status of a citizen of Ceylon by descent.

(4) The Minister may refuse to make a declaration under subsection (1) in relation to any person on grounds of public policy; and such refusal shall be final and shall not be contested in any court, but without prejudice to the power of the Minister subsequently to make such a declaration in relation to that person.

(5) The Minister may in his discretion exempt any person from the requirements of paragraph *(a)* of subsection (1) of this section, and make a declaration under that subsection notwithstanding that such person does not comply with the said requirements.

Section 4. Section 11 of the principal Act is hereby amended as follows:

(1) In subsection (1), by the repeal of sub-paragraph (iii) of paragraph *(b)* of that subsection, and by the insertion, immediately after sub-paragraph (ii) of the said paragraph *(b)*, of the following new sub-paragraphs:

"(iii) Is a person, whose father was a citizen of Ceylon by descent, and who would have been a citizen of Ceylon under subsection (2) of

section 5 if his birth had been registered in accordance with the provisions of that subsection, or

“(iv) Is a person whose father, having been a citizen of Ceylon by descent whether at or before the time of the birth of that person, ceased under section 19 to be a citizen of Ceylon; and”;

(2) In subsection (2) by the insertion in paragraph (b) of that subsection, after the figure “(iii)”, of the words and figure “or sub-paragraph (iv)”.

Section 5. Section 14 of the principal Act is hereby amended by the addition, at the end of that section, of the following new subsection:

“(3) The Minister may in his discretion exempt any person from the provisions of subsection (2) of this section; and nothing in that subsection shall prevent the registration as a citizen of Ceylon of any person so exempted”.

Section 6. Sections 19 and 20 of the principal Act are hereby repealed, and the following new sections shall be inserted after section 18 of that Act:

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 subsection (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 transmits 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 subsections 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 subsection (1) of section 8, resumes the status of a

citizen of Ceylon by descent by virtue of a declaration under that subsection, 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 (a).

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 subsection (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.

20 A. 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.

Section 7. Section 26 of the principal Act is hereby amended in subsection (1) thereof, as follows:

(1) By the omission of the definition of "appropriate embassy or consulate"; and

(2) In the definition of "consular officer of Ceylon", by the insertion after the words "High Commissioner," of the words "a Commissioner, a Representative,".

8. This Act shall be deemed to have come into force on September 21, 1948 (being the date of commencement of the principal Act); and, accordingly, the principal Act shall have effect and be deemed always to have had effect for all purposes in like manner as though that Act had on the date aforesaid been amended in the manner and to the extent provided by the preceding sections of this Act.

15. Chile

(a) CONSTITUTION OF 18 SEPTEMBER 1925 ¹

CHAPTER II

Article 5. The following are Chileans:

(1) Those born in the territory of Chile, excepting the children of foreigners who may happen to be in Chile in the service of their government and the children of transient foreigners, all of whom shall be empowered to choose between the nationality of their parents and that of Chile.

(2) The children of a Chilean father or mother, born in foreign territory, by the sole act of becoming resident in Chile.

The children of Chileans born abroad, the father or mother being at that time in the service of the republic, are Chileans even for those purposes wherein the fundamental, or any other laws, may require birth within Chilean territory.

(3) Foreigners who may obtain letters of naturalization in conformity to law, upon express renunciation of their former nationality.

(4) Those who have obtained a special grant of naturalization by law.

Naturalized persons will have the right to hold public office by popular election, only after five years of being in possession of letters of naturalization.

The law will prescribe the procedure for choosing between Chilean and foreign nationality, for the granting, denial or cancellation of letters of naturalization, and for the keeping of a register of all these proceedings.

Article 6. Chilean nationality is lost:

(1) By naturalization in a foreign country.

(2) By cancellation of the letters of naturalization.

(3) By lending aid during war to the enemies of Chile or of her allies.

Those who may have lost Chilean nationality for any of the reasons set out in this article cannot be rehabilitated except by law.

Article 7. Chileans who may have attained twenty-one years of age, who know how to read and write, and are inscribed in the electoral registers are citizens with the right of suffrage.

These registers are open to public inspection and are valid for such time as by law indicated.

In popular elections voting shall always be by secret ballot.

Article 8. The exercise of the right of suffrage is suspended:

(1) For physical or mental incapacity that may interfere with free and deliberative action.

(2) When the citizen shall be under indictment for an offense punishable corporally.

¹ Flournoy and Hudson, A Collection of Nationality Laws, New York 1929, pp. 170-171.