

20. Czechoslovakia

(a) CONSTITUTIONAL DECREE NO. 33 OF 2 AUGUST 1945, BY THE PRESIDENT OF THE REPUBLIC GOVERNING CZECHOSLOVAK STATE CITIZENSHIP OF PERSONS OF GERMAN AND HUNGARIAN ETHNIC ORIGIN.¹

Article 1. (1) Czechoslovak State citizens of German or Hungarian ethnic origin who acquired German or Hungarian nationality under the law of the occupying Powers lost Czechoslovak State citizenship on the date of their acquisition of such nationality.

(2) Other Czechoslovak State citizens of German or Hungarian ethnic origin shall lose Czechoslovak State citizenship on the date of the entry into force of this Decree.

(3) This Decree shall not apply to Germans and Hungarians who during the period of national emergency (article 18 of the Decree of 19 June 1945, 16 *Sb.*, of the President of the Republic concerning the punishment of Nazi criminals and traitors and of collaborators, and concerning special people's courts) formally declared themselves to be Czechs or Slovaks.

(4) Czechs, Slovaks and persons of other Slavic ethnic origin who during the period aforesaid declared themselves to be Germans or Hungarians as a result of coercion or in other specially extenuating circumstances shall not be deemed to be Germans or Hungarians under this Decree if the competent district people's committee (or district executive committee) after consideration of the said circumstances issues, and the Ministry of the Interior approves, a certificate of national reliability.

Article 2. (1) A person to whom article 1 applies shall retain Czechoslovak State citizenship if he proves that he remained loyal to the Czechoslovak Republic and committed no offence against the Czech or Slovak peoples, or took an active part in the struggle for their liberation, or was a victim of Nazi or fascist terrorism.

(2) An application for a declaration that the applicant retains Czechoslovak State citizenship may be submitted within a period not exceeding six months from the entry into force of this Decree to the local district people's committee (or district executive committee) or, if the applicant lives abroad, to a Government agency. An order on the application shall be made by the Ministry of the Interior on a recommendation by the provincial people's committee, or in Slovakia by the Slovak People's Council. If the district people's committee (or district executive committee) or Government agency issues to the applicant a certificate attesting to the circumstances referred to in the foregoing paragraph, he shall until an order is made be deemed to be a Czechoslovak State citizen.

(3) Orders concerning retention of Czechoslovak State citizenship by members of the Czechoslovak armed forces who are of German or Hungarian ethnic origin shall be made as soon as possible by the Ministry of the Interior in the exercise of its powers, on a recommendation by the Ministry of National Defence. Until an order has been made, such a person shall be deemed to be a Czechoslovak State citizen.

Article 3. Persons who have lost Czechoslovak State citizenship under the provisions of article 1 may within six months from the date fixed by

¹ *Sbírka zákonů a nařízení* (Collection of laws and decrees), part 17, 10 August 1945, p. 57. Translation by the Secretariat of the United Nations.

proclamation of the Minister of the Interior and published in the Official Gazette apply to the local district people's committee (or district executive committee) or Government agency for restoration of citizenship. Such applications shall be decided by the Ministry of the Interior in its discretion on a recommendation of the provincial people's committee, or in Slovakia of the Slovak People's Council; provided that an application may not be granted if the applicant has violated the obligations of a Czechoslovak citizen. The ordinary rules of law concerning the acquisition of Czechoslovak State citizenship shall apply to such cases save as otherwise provided by executive decree.

Article 4. (1) For the purposes of this Decree married women and minor children shall be treated independently.

(2) An application to which article 3 applies submitted by the wife or minor child of a Czechoslovak State citizen shall be given favourable consideration. Until an order is made on the application, the applicant shall be deemed to be a Czechoslovak State citizen.

Article 5. Czechs, Slovaks and persons of other Slavic ethnic origin who during the period of national emergency (article 18 of the Decree of the President of the Republic, No. 16/1945 *Sb.*) applied for German or Hungarian nationality shall, unless they were compelled to do so by coercion or special circumstances, lose Czechoslovak State citizenship on the date on which this Decree enters into force.

Article 6. This Decree shall enter into force on the date of its publication, and shall be carried into effect by the Minister of the Interior in agreement with the Ministers of Foreign Affairs and of National Defence.

(b) PROCLAMATION NO. 51 OF 25 AUGUST 1945 BY THE MINISTER OF THE INTERIOR CONCERNING THE TIME-LIMIT GOVERNING APPLICATIONS FOR THE RESTORATION OF CZECHOSLOVAK STATE CITIZENSHIP TO WIVES AND CHILDREN OF CZECHOSLOVAK STATE CITIZENS.¹

The six-month period for the submission of applications for the restoration of Czechoslovak State citizenship to wives and minor children of Czechoslovak State citizens (article 4 (2)) shall begin on the date of the entry into force of that Decree, that is to say on 10 August 1945.

The period for the submission of applications for the restoration of Czechoslovak State citizenship to other persons referred to in article 3 of that Decree shall be fixed later; applications submitted before the beginning of the period shall be deemed not to have been submitted.

(c) CONSTITUTIONAL ACT NO. 74 OF 12 APRIL 1946 CONCERNING THE GRANT OF CZECHOSLOVAK STATE CITIZENSHIP TO REPATRIATED PERSONS.²

Article 1. (1) Every Czech or Slovak who is a citizen of a foreign State or stateless, and who has immigrated or in future immigrates to the territory of the Czechoslovak Republic under the Czechoslovak official resettlement scheme, shall be granted Czechoslovak State citizenship if

¹ *Sbírka zákonů a nařízení*, part 17, 31 August 1945, p. 86. Translation by the Secretariat of the United Nations.

² *Sbírka zákonů a nařízení*, part 37, 29 April 1946, p. 811. Translation by the Secretariat of the United Nations.

he applies therefor within two years from the date of entry into force of this Act and the public interest will not be materially prejudiced thereby. A decision on the application shall be given by the Ministry of the Interior. If the Ministry of the Interior has issued to the applicant a certificate that his application has been submitted in time, he shall, pending the decision, be deemed to be a Czechoslovak State citizen.

(2) An undivorced wife shall acquire Czechoslovak State citizenship together with her husband, and a minor child together with his father or unmarried or widowed mother, if her or his name is included in the application and the Ministry of the Interior does not exclude her or him on the ground specified in paragraph (1). The provisions of the last sentence of paragraph (1) shall also apply to such a case.

(3) The taking of the oath of allegiance to the Czechoslovak State shall be governed by the ordinary rules of law.

(4) A person who has acquired Czechoslovak State citizenship under this Act but has no right of domicile in any commune of the Czechoslovak Republic shall acquire right of domicile in the commune in which he took up regular residence after he arrived in the territory of the Czechoslovak Republic.

(5) The Ministry of the Interior may, by notice in the Official Gazette, delegate its powers under this Act to another public authority.

Article 2. (1) Every Czech or Slovak or person of other Slavic ethnic origin who is a citizen of a foreign State or stateless, and who has immigrated or in future immigrates to the territory of the Czechoslovak Republic after the liberation thereof from enemy occupation, and who has otherwise satisfied the requirements of article 1 hereof, may be granted Czechoslovak State citizenship if he applies therefor within two years from the date of the entry into force of this Act and proves that he has never been convicted of a serious offence committed with disgraceful or dishonourable intent and has never acted against the interests and fundamental principles of the Czechoslovak Republic, and that he will not become a charge on the public. The Ministry of the Interior shall decide on the application in its complete discretion. If the Ministry of the Interior has issued to the applicant a certificate that his application has been submitted in time, he shall, pending the decision, be deemed to be a Czechoslovak State citizen.

(2) The provisions of article 1 (2), (3), (4) and (5) shall also apply to such a case.

Article 3. Documents and official acts relating to the operation of this Act shall be exempt from administrative charges and dues.

Article 4. This Act shall enter into force on the date of its promulgation, and shall be carried into effect by the Minister of the Interior in agreement with the other Ministers concerned.

(d) CONSTITUTIONAL ACT NO. 179 OF 13 SEPTEMBER 1946 CONCERNING THE GRANT OF CZECHOSLOVAK STATE CITIZENSHIP TO PERSONS REPATRIATED FROM HUNGARY.¹

Article 1. (1) Every person of Slovak or Czech ethnic origin who has resided in the territory of the Hungarian Republic and who is a citizen

¹ *Sbírka zákonů a nařízení*, part 77, 4 October 1946, p. 1151. Translation by the Secretariat of the United Nations.

of a foreign State or stateless and who immigrates (or has immigrated) to the territory of the Czechoslovak Republic under the Agreement of 27 February 1946 between Czechoslovakia and Hungary, No. 145 *Sb.*, concerning exchange of population, shall acquire Czechoslovak State citizenship on the day on which he immigrates.

(2) An undivorced wife shall acquire State citizenship together with her husband, and a minor child together with his father or unmarried or widowed mother, if she or he was included in the declaration of intention to immigrate, and in fact immigrated, to the territory of the Czechoslovak Republic. The guardian of a person under the age of eighteen years, or the tutor of a person under tutelage, may make on his behalf a declaration of intention to immigrate.

Article 2. (1) The order under which a person repatriated from Hungary acquires Czechoslovak State citizenship shall be made by the district people's committee (or district executive committee) of the area into which he has immigrated.

(2) The taking of the oath of allegiance to the Czechoslovak Republic shall be governed by the ordinary rules of law.

(3) A person who has acquired Czechoslovak State citizenship under this Act but has no right of domicile in any commune of the Czechoslovak Republic shall acquire right of domicile in the commune in which he took up regular residence after he arrived in the territory of the Czechoslovak Republic.

Article 3. Documents and official acts relating to the operation of this Act shall be exempt from administrative charges and dues.

Article 4. This Act shall enter into force on the date of its promulgation, and shall be carried into effect by the Minister of the Interior in agreement with the other Ministers concerned.

(e) PROCLAMATION NO. 254 OF 20 DECEMBER 1946 BY THE MINISTER OF THE INTERIOR CONCERNING THE TIME-LIMIT GOVERNING APPLICATIONS FOR THE RESTORATION OF CZECHOSLOVAK STATE CITIZENSHIP TO HUSBANDS OF CZECHOSLOVAK STATE CITIZENS.¹

Article 1. Undivorced husbands of Czechoslovak citizens who married before 16 March 1939 may during the period from 1 January 1947 to 30 June 1947 apply for restoration of the Czechoslovak State citizenship lost by them under Constitutional Decree No. 33, *Sb.* 1945.

Article 2. An application submitted before the beginning of the period mentioned in article 1 shall be deemed not to have been submitted.

Article 3. This Proclamation shall enter into force on 1 January 1947.

¹ *Sbírka zákonů a nařízení*, part 106, 30 December 1946, p. 1676. Translation by the Secretariat of the United Nations.

(f) DECREE NO. 76 OF 13 APRIL 1948 CONCERNING THE RESTORATION OF CZECHOSLOVAK STATE CITIZENSHIP TO PERSONS OF GERMAN AND HUNGARIAN ETHNIC ORIGIN.¹

Article 1. The restoration of Czechoslovak State citizenship to persons who have lost it under article 1 of the Constitutional Decree shall be governed by the ordinary rules of law concerning the acquisition of Czechoslovak State citizenship in so far as these do not conflict with the provisions of the Constitutional Decree or of this Decree.

Article 2. An application for Czechoslovak State citizenship shall be decided within five years from the date of expiry of the time-limit established by article 3 of the Constitutional Decree for the submission of applications; but no application shall be granted until three years have expired from that date.

Article 3. (1) Czechoslovak State citizenship may be granted only to an applicant who has not defaulted in the duties of a Czechoslovak State citizen and who has not acquired any other nationality and has his permanent residence in the territory of the Czechoslovak Republic.

(2) An applicant who has attained the age of fourteen years before or on the last day of the period allowed for the submission of applications shall also be required to produce evidence that he has an adequate knowledge of the Czech or Slovak language. In a special case the Ministry may dispense wholly or partly with such evidence.

Article 4. An applicant may reacquire Czechoslovak State citizenship notwithstanding that he does not yet possess the right of domicile in any commune of the Czechoslovak Republic, or property or income sufficient to maintain himself or his family.

Article 5. (1) The district people's committee may issue to an applicant who has within the prescribed time-limit submitted an application for the restoration of Czechoslovak State citizenship, and who has not been ascertained to have defaulted in the duties of a Czechoslovak State citizen, and whose conduct raises the presumption that he will be a reputable Czechoslovak State citizen, a certificate stating that until his application has been decided he shall be deemed to be a Czechoslovak State citizen.

(2) The district people's committee may at any time revoke such a certificate.

(3) The district people's committee shall carry out its duties in pursuance of paragraphs (1) and (2) under the direction of the Ministry of the Interior.

Article 6. (1) The provisions of articles 2, 3 (2) and 5 shall not apply to a person who has applied for the restoration of Czechoslovak State citizenship within the period of which the commencing date was laid down in the Proclamation of the Minister of the Interior of 25 August 1945, No. 51 *Sb.*, concerning the time-limit governing applications for the restoration of Czechoslovak State citizenship to wives and children of Czechoslovak State citizens.

¹ *Sbírka zákonů a nařízení*, part 31, 26 April 1948, p. 781. Translation by the Secretariat of the United Nations.

(2) The provisions of articles 2 and 5 shall not apply to a person who has applied for restoration of Czechoslovak State citizenship within the period of which the commencing date was laid down in the Proclamation of the Minister of the Interior of 20 December 1946, No. 254 *Sb.*, concerning the time-limit governing applications for the restoration of Czechoslovak State citizenship to husbands of Czechoslovak State citizens.

Article 7. This Decree shall enter into force on the date of its promulgation, and shall be carried into effect by the Minister of the Interior in agreement with the other Ministers concerned.

(g) PROCLAMATION NO. 77 BY THE MINISTER OF THE INTERIOR, DATED 16 APRIL 1948, CONCERNING THE TIME-LIMIT GOVERNING APPLICATIONS FOR THE RESTORATION OF CZECHOSLOVAK STATE CITIZENSHIP.¹

Article 1. (1) A person of Hungarian ethnic origin who on the date on which this proclamation enters into force resides, or has been resident for not less than one year, with his family, within the territory of Bohemia, Moravia and Silesia, may, together with his family, within six months from the said date, apply for the restoration of Czechoslovak State citizenship if he had lost this citizenship pursuant to Constitutional Decree No. 33, 1945, *Sbírka Zákonů*.

(2) A person of Hungarian nationality, who, after the date of entry into force of this proclamation transfers his and his family's residence to a commune of Bohemia, Moravia and Silesia, may together with his family apply for the restoration of Czechoslovak State citizenship within six months from the day of their arrival.

Article 2. Applications submitted prior to this announcement are void.

Article 3. This proclamation shall enter into force on the date of its publication.

(h) CONSTITUTIONAL ACT NO. 107 OF 28 APRIL 1948 TO EXTEND THE TIME-LIMIT GOVERNING APPLICATIONS FOR THE GRANT OF CZECHOSLOVAK STATE CITIZENSHIP TO REPATRIATED PERSONS².

Article 1. The time-limit within which applications for the grant of Czechoslovak State citizenship, made under articles 1 and 2 of the Constitutional Act of 12 April 1946, may be accepted is hereby extended to 31 December 1949. Any further extension of this time-limit shall require legislation.

Article 2. This Act shall enter into force on 29 April 1948. It shall be carried into effect by the Ministry of the Interior in consultation with the other Ministers concerned.

(i) ACT NO. 245 OF 25 OCTOBER 1948 CONCERNING THE CZECHOSLOVAK STATE CITIZENSHIP OF PERSONS OF HUNGARIAN ETHNIC ORIGIN.³

Article 1. (1) Every person of Hungarian ethnic origin who on 1 November 1938 was a Czechoslovak State citizen and who is resident in the

¹ Translation by the Secretariat of the United Nations.

² *Sbírka zákonů a nařízení*, No. 43 of 29 May 1948. Translation by the Secretariat of the United Nations.

³ *Sbírka zákonů a nařízení*, part 93, 17 November 1948, p. 1529. Translation by the Secretariat of the United Nations.

Czechoslovak Republic and is not a national of a foreign State shall without further formality acquire Czechoslovak State citizenship on the date of the entry into force of this Act, but shall be required to take an oath of allegiance to the Czechoslovak Republic not later than ninety days from the said date (article 2 (2)).

(2) An undivorced wife shall acquire Czechoslovak State citizenship together with her husband, and a minor child together with his father or mother, if she or he has not already done so under paragraph (1) and is resident in the Czechoslovak Republic.

(3) The provisions of paragraphs (1) and (2) shall not apply to persons who have committed serious offences against the Czechoslovak Republic or its people's democratic régime. The Ministry of the Interior shall compile a list of such persons not later than thirty days after the publication of this Act, and shall communicate it to the proper district people's committees. The provisions of paragraphs (1) and (2) shall not apply to persons designated for exchange under the Agreement of 27 February 1946 between Czechoslovakia and Hungary, No. 145 *Sb.*, concerning exchange of population.

Article 2. (1) Orders concerning the acquisition of Czechoslovak State citizenship under this Act shall be made by the district people's committee.

(2) The taking of the oath of allegiance to the Czechoslovak Republic shall be governed by the ordinary rules of law.

Article 3. This Act shall enter into force on the date of its publication, and shall be carried into effect by the Minister of the Interior.

(j) PROCLAMATION NO. 119 OF 18 MAY 1949 BY THE MINISTER OF THE INTERIOR CONCERNING APPLICATIONS FOR THE RESTORATION OF STATE CITIZENSHIP TO PERSONS OF GERMAN ETHNIC ORIGIN.¹

Article 1. A person of German ethnic origin who lost Czechoslovak State citizenship by virtue of article 1 of Decree No. 33/1945, *Sb.*, and who resides permanently in the Czechoslovak Republic may during the period from 1 June 1949 to 30 November 1949 apply to the district people's committee of his place of residence for the restoration of the said citizenship.

Article 2. This Proclamation shall enter into force on 1 June 1949.

(k) ACT NO. 194 OF 13 JULY 1949 CONCERNING THE ACQUISITION AND LOSS OF CZECHOSLOVAK STATE CITIZENSHIP.²

PART I. ACQUISITION OF CZECHOSLOVAK STATE CITIZENSHIP

Article 1. By birth. (1) A child who is born in the territory of the Czechoslovak Republic and whose father or mother is a Czechoslovak State citizen acquires Czechoslovak State citizenship by birth.

(2) A child who is born abroad acquires Czechoslovak State citizenship by birth if his mother and father are Czechoslovak State citizens. A child who is born abroad and whose father or mother is a Czechoslovak State

¹ *Sbírka zákonů a nařízení*, No. 119/1949, p. 400. Translation by the Secretariat of the United Nations.

² *Sbírka zákonů a nařízení*, 1949, No. 58, 10 August. Translation by the Secretariat of the United Nations.

citizen and whose other parent is an alien acquires Czechoslovak State citizenship if the provincial people's committee approves an application made therefor by the parent who is a Czechoslovak State citizen. The application must be made within one year after the birth.

(3) A child found in the territory of the Czechoslovak Republic at a tender age shall be a Czechoslovak State citizen until proved to have another nationality.

Article 2. By marriage. (1) An alien woman who marries a Czechoslovak State citizen acquires Czechoslovak State citizenship if the people's provincial committee approves her application therefor. The application may be made before the marriage but not later than six months thereafter. Where approval is given after the marriage, the alien woman shall be deemed to have acquired Czechoslovak State citizenship on the date of the marriage.

(2) The children of an alien woman who are under the age of fifteen years and are included in her application acquire Czechoslovak State citizenship with her.

Article 3. By grant. (1) The Ministry of the Interior shall grant Czechoslovak State citizenship to applicants who:

(a) Have not committed an offence against the Czechoslovak Republic or its people's democratic régime, and

(b) Have lived in Czechoslovak territory continuously for at least five years, and

(c) On acquiring Czechoslovak State citizenship renounce, unless stateless, their previous national allegiance.

(2) The Ministry of the Interior shall grant Czechoslovak State citizenship in its full discretion; in special cases it may grant the said citizenship to a person who does not fulfil the conditions of paragraph (1) (b) or (c).

(3) Spouses may apply jointly for Czechoslovak State citizenship, but the application of each spouse shall be considered separately. A child under the age of fifteen years who is included in the application of his father or mother acquires Czechoslovak State citizenship with his father or mother.

Article 4. Oath of allegiance. (1) The acquisition of Czechoslovak State citizenship by marriage or grant by a person over the age of fifteen years shall not become effective until he has taken the following oath:

"I swear on my honour and conscience to be always faithful and devoted to the Czechoslovak Republic and its people's democratic régime and to fulfil all my duties as a citizen thereof."

(2) The Ministry of the Interior may waive the oath of allegiance in exceptional cases only.

PART II. LOSS OF CZECHOSLOVAK STATE CITIZENSHIP

Article 5. By marriage. If a Czechoslovak woman by her marriage to an alien acquires his nationality under the law of his country, she shall thereupon lose her Czechoslovak State citizenship. The provincial people's committee may, however, on an application made by her before or not later than six months after the marriage, declare that she retains her Czechoslovak State citizenship. Even if the application is not granted until after the marriage she shall be deemed never to have lost the said citizenship.

Article 6. By release. (1) A person released from his Czechoslovak allegiance on his own application shall lose his Czechoslovak State citizenship upon the delivery of the certificate of release.

(2) Spouses may apply jointly for release from Czechoslovak State citizenship but the application of each spouse shall be considered separately. Children under the age of fifteen years who are included in the application of their father or mother shall lose Czechoslovak State citizenship together with their father or mother.

Article 7. Withdrawal. (1) The Ministry of the Interior may withdraw Czechoslovak State citizenship from a person resident abroad if that person

(a) Has acted or is acting in a manner hostile to the State or likely to prejudice its interests, or

(b) Has left the territory of the Czechoslovak Republic unlawfully, or

(c) Fails to return to the country within the prescribed time-limit of not less than thirty days (if overseas ninety days) from the date on which he receives a summons to return from the Ministry of the Interior.

(2) The Ministry of the Interior may withdraw Czechoslovak State citizenship from any person who retains another national allegiance.

(3) Where personal service of notice of withdrawal of this citizenship or of a summons under paragraph (1) (c) would be difficult, public notice may be given in lieu thereof.

Article 8. Members of families. Except as otherwise provided in this Act, the loss of Czechoslovak State citizenship by one spouse shall not affect the citizenship of the other spouse or of the children. This provision shall also apply in any case in which a competent court orders the withdrawal of citizenship as a penalty.

PART III. JURISDICTION

Article 9. (1) Except as otherwise provided in this Act, the provincial people's committee shall have jurisdiction in all matters relating to Czechoslovak State citizenship. The said committee shall administer the oath of allegiance and shall furnish citizens with certificates of citizenship in a form to be determined by the Ministry of the Interior. This provision shall not affect the certification of citizenship by documents of citizenship under the Act of 19 July 1948 relating to documents of citizenship (No. 198 Sb.).

(2) Local jurisdiction shall be determined by reference to residence. Where a person has no residence in Czechoslovakia, jurisdiction shall be determined by reference to his last residence in Czechoslovakia; if he has never resided in Czechoslovakia or if his residence is unknown or in doubt, questions relating to Czech citizenship shall be decided by the competent people's committee in Prague and questions relating to Slovak citizenship by the competent people's committee at Bratislava. Local jurisdiction in questions relating to some citizenship other than Czech or Slovak citizenship shall be determined by the Ministry of the Interior.

PART IV. FINAL PROVISIONS

Article 10. (1) All legislative provisions which hitherto governed the acquisition or loss of Czechoslovak State citizenship shall lapse on the

entry into force of this Act. In particular the following enactments are hereby repealed:

(1) Article 28, second sentence, and articles 29, 30, 31 and 32 of the Civil Code.

(2) The decree of 24 March 1832 (No. 2557, Statute Book), relating to emigration.

(3) The decrees of the Chancellery relating to citizenship.

(4) Act No. L/1879 concerning the acquisition and loss of citizenship and Act No. IV/1886 concerning the collective naturalization of repatriated persons.

(5) Articles 2 and 3 of the Act of 9 April 1920 (No. 236 *Sb.*) to supplement and amend the law relating to the acquisition and loss of citizenship and of the right of domicile in the Czechoslovak Republic.

(6) The proclamation of the Ministry of the Interior of 15 December 1926 (No. 225 *Sb.*) relating to citizenship documents of the Czechoslovak Republic, re-enacted by the proclamation of 1 July 1928 (No. 108 *Sb.*).

(7) The Act of 29 May 1947 (No. 122 *Sb.*) relating to the acquisition and loss of Czechoslovak State citizenship by marriage.

(2) This Act shall not affect the Act of 29 April 1930 (No. 60 *Sb.*) to give effect to the Naturalization Agreement of 16 July 1928 between Czechoslovakia and the United States of America, nor the Act of 12 April 1946 (No. 74 *Sb.*) concerning the grant of Czechoslovak State citizenship to repatriated persons, nor the Act of 13 September 1946 (No. 179 *Sb.*) concerning the grant of Czechoslovak State citizenship to persons repatriated from Hungary, nor the Act of 28 April 1948 (No. 107 *Sb.*) to extend the time-limit governing applications for the grant of State citizenship to repatriated persons.

Article 11. The Minister of the Interior may by order make regulations for giving effect to this Act.

Article 12. This Act shall enter into force on 1 October 1949 and shall be carried into effect by the Minister of the Interior in agreement with the other Ministers concerned.

(1) EXECUTIVE DECREE NO. 252 OF 29 NOVEMBER 1949 CONCERNING THE RESTORATION OF CZECHOSLOVAK STATE CITIZENSHIP TO PERSONS OF GERMAN ETHNIC ORIGIN.¹

Article 1. A provincial people's committee may, on a motion of a district people's committee, restore Czechoslovak State citizenship lost in virtue of article 1 of Decree No. 33/1945 *Sb.* to persons of German ethnic origin who have a permanent residence in the territory of the Czechoslovak Republic and have not committed any breach of their duty as Czechoslovak State citizens, and in particular have not acted in a hostile manner towards the people's democratic régime.

Article 2. (1) If a person applies to the district people's committee competent for the area in which he is resident for the restoration of Czechoslovak State citizenship, then, provided that he is not disqualified for any of the reasons mentioned in article 1 and that he has shown by his conduct that he is likely to become a good citizen and to participate in the constructive effort of the Czechoslovak working people, the said committee shall issue to him a certificate stating that pending a final

¹ *Sbírka zákonů a nařízení*, 1949, 13 December, p. 707. Translation by the Secretariat of the United Nations.

decision on his application he shall be deemed to be a Czechoslovak State citizen. Subject to the same conditions, a similar certificate shall be issued to any member of the applicant's family who is included in his application.

(2) Where a provincial or district people's committee finds that an applicant does not satisfy all the conditions laid down in the preceding paragraph, and in article 1, it may revoke the certificate during the inquiry.

Article 3. (1) Spouses may apply jointly for the restoration of Czechoslovak State citizenship, but the application of each shall be considered separately. A child under the age of fifteen years who is included in an application made by one of its parents acquires Czechoslovak State citizenship with that parent.

(2) Restoration of Czechoslovak State citizenship to a person over the age of fifteen years shall not become effective until he has taken the following oath:

"I swear on my honour and conscience to be always faithful and devoted to the Czechoslovak Republic and its people's democratic régime and to fulfil all my duties as a citizen thereof."

The Ministry of the Interior may waive this oath of allegiance in exceptional cases only.

Article 4. A district people's committee shall exercise the powers conferred by articles 1 and 2 in accordance with the directions of the Ministry of the Interior.

Article 5. The Executive Decree of 13 April 1948 (No. 76 *Sb.*) concerning the restoration of Czechoslovak State citizenship to persons of German and Hungarian ethnic origin is hereby repealed.

Article 6. This Decree shall enter into force on the date of its publication and shall be carried into effect by the Minister of the Interior in agreement with the members of the Government concerned.

(m) ACT NO. 25 OF 22 FEBRUARY 1950 TO EXTEND THE TIME-LIMIT GOVERNING APPLICATIONS FOR THE GRANT OF CZECHOSLOVAK STATE CITIZENSHIP TO REPATRIATED PERSONS.¹

Article 1. The time-limit, extended by Act No. 107/1948 *Sb.*, governing applications for the grant of Czechoslovak State citizenship, made under articles 1 and 2 of Act No. 74/1946 *Sb.* concerning the grant of Czechoslovak State citizenship to repatriated persons, is hereby extended to 31 December 1950.

Article 2. This Act shall enter into force on 1 January 1950 and shall be carried into effect by the Minister of the Interior in consultation with the other Ministers concerned.

(n) PROCLAMATION NO. 40 OF 5 APRIL 1950 BY THE MINISTER OF THE INTERIOR CONCERNING THE TIME-LIMIT GOVERNING APPLICATIONS FOR THE RESTORATION OF CZECHOSLOVAK STATE CITIZENSHIP.²

Article 1. (1) Persons of German ethnic origin who lost Czechoslovak State citizenship by virtue of article 1 of Decree No. 33/1945 *Sb.* and

¹ *Sbírka zákonů a nařízení*, Vol. 12, 23 March 1950. Translation by the Secretariat of the United Nations.

² *Sbírka zákonů a nařízení*, No. 40/1950, p. 74. Translation by the Secretariat of the United Nations.

who reside permanently in the Czechoslovak Republic may apply during the period from 1 May 1950 to 31 October 1950 to the district people's committee of their place of residence for the restoration of the said citizenship.

(2) An application may also be submitted by such a person if his application was barred or rejected under article 1 (3) or (4), article 2, article 3 or article 4 of the aforesaid Decree, or if for any reason no order has yet been made on his application.

Article 2. Applications for the restoration of Czechoslovak State citizenship submitted during the period from 1 December 1949 to 30 April 1950 shall be deemed to have been submitted during the period mentioned in article 1.

Article 3. This Proclamation shall enter into force on 1 May 1950.

(o) ACT NO. 34 OF 24 APRIL 1953, TO GRANT CZECHOSLOVAK STATE CITIZENSHIP TO CERTAIN PERSONS.¹

Article 1. (1) Persons of German ethnic origin who lost Czechoslovak State citizenship by virtue of Decree No. 33/1945 *Sb.* and who are resident in the Czechoslovak Republic on the date on which this Act enters into force and have not already acquired the said citizenship, shall become Czechoslovak State citizens.

(2) A married woman shall become a Czechoslovak State citizen together with her husband, and a minor child together with his father or mother, if the husband (or father or mother) is a person to whom the preceding paragraph applies and if the wife or child has not already become a Czechoslovak State citizen under that paragraph, is resident in the Czechoslovak Republic and is not a national of any other State.

Article 2. This Act shall enter into force on the date of its publication, and shall be carried into effect by the Minister of the Interior.

21. Denmark

(a) CITIZENSHIP ACT NO. 252 OF 27 MAY 1950.²

Section 1. (1) Danish citizenship shall be acquired at birth by:

1. A legitimate child whose father is Danish;
2. A legitimate child born of a Danish mother in Denmark if the father is not a national of any country or the child does not acquire the father's nationality by birth;
3. An illegitimate child whose mother is Danish.

(2) A foundling found in Denmark shall, until evidence to the contrary is forthcoming, be deemed to possess Danish citizenship.

Section 2. Children born out of wedlock to a Danish man and an alien woman shall, on the marriage of their parents, if they are under eighteen years of age and unmarried, acquire Danish citizenship.

¹ *Sbirka zákonů a nařízení*, 1953, p. 198. Translation by the Secretariat of the United Nations.

² Translation by the Secretariat of the United Nations.