

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.<sup>1</sup>

*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.<sup>2</sup>

*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.

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

<sup>2</sup> Translation by the Secretariat of the United Nations.

*Section 3.* (1) An alien born in Denmark and continually resident in the country shall acquire Danish citizenship if after attaining the age of twenty-one and before attaining the age of twenty-three he submits a written declaration of the particulars to the county administrative authority or, in Copenhagen, to the Executive Council. If he is not a national of any country or if he proves that he will lose his foreign nationality by acquiring Danish citizenship, the said declaration may be submitted as soon as he has attained the age of eighteen.

(2) If Denmark is at war, no national of an enemy State may acquire Danish citizenship under this section. The same provision applies to any person who is not a national of any State but whose last nationality was that of an enemy State.

*Section 4.* If a person who is a Danish citizen by birth and resided in Denmark until he was eighteen years of age subsequently loses his Danish citizenship, he shall, if he has resided in Denmark for the two years immediately preceding, reacquire such citizenship by submitting a written declaration of the particulars to the county administrative authority or, in Copenhagen, to the Executive Council. If he is a national of another country, he may submit such declaration only if he proves that by so doing he loses his foreign nationality.

*Section 5.* (1) Danish citizenship acquired by a man under section 3 or 4 shall extend to his unmarried legitimate children under eighteen years of age resident in Denmark. This provision shall not apply to any child who after the dissolution of his parents' marriage or after their separation is placed in the custody of his mother.

(2) The provisions of the first sentence of subsection 1 shall also apply to:

1. A woman and her illegitimate child, unless the father is an alien and has custody of the child;
2. A widow and her legitimate child;
3. A woman and her legitimate child if her marriage has been dissolved or she is separated from her husband and has custody of the child.

*Section 6.* (1) Danish citizenship may be acquired by naturalization as provided in the Constitution.

(2) If a naturalized person has children, the provisions of section 5 shall apply unless otherwise provided in a particular case.

*Section 7.* Danish citizenship shall be lost by:

1. Any person who acquires foreign nationality by request or formal consent;
2. Any person who acquires foreign nationality by entering the civil service of another country;
3. Any unmarried child under eighteen years of age who becomes a foreign national because one of his parents having sole or partial custody of him acquires foreign nationality as provided in paragraph 1. or 2. hereof, unless the other parent retains Danish citizenship and has partial custody of him;
4. Any unmarried child under eighteen years of age who becomes a foreign national through the marriage of his parents to one another. If the child resides in Denmark, he shall not lose Danish citizenship unless he removes from the country before attaining the age of eighteen years provided he is at that time a national of another country.

*Section 8.* (1) Any person who was born abroad and who never resided nor sojourned in Denmark in circumstances indicating attachment to Denmark shall lose Danish citizenship upon attaining the age of twenty-two years: Provided that upon application made before that time he may be permitted by Royal Resolution to retain Danish citizenship.

(2) The loss of Danish citizenship under this section by any person shall extend to his children if they have acquired that citizenship through him.

*Section 9.* Any person who is or wishes to become a foreign national may be released by Royal Resolution from allegiance to Denmark. Such release shall in the latter case be conditional upon the applicant becoming a national of another country within a certain time.

*Section 10.* The Crown may, by agreement with Finland, Iceland, Norway or Sweden, determine that one or more of the provisions of A-C shall apply. The term "contracting country" in this article means the State or States with which an agreement as aforesaid is concluded.

#### A

For the purposes of section 1, subsection 1, paragraph 2., and section 3, birth in a contracting country shall be equivalent to birth in Denmark.

For the purposes of sections 3 and 4, residence up to the age of twelve years in a contracting country shall be equivalent to residence in Denmark.

#### B

A national of a contracting country who:

1. Has acquired nationality otherwise than by naturalization;
2. Has attained 21 but not 60 years of age;
3. Has had his permanent residence in Denmark for the preceding ten years; and

4. Has not during that time been sentenced to deprivation of liberty, work house, preventive detention or detention as a psychopath; shall acquire Danish citizenship by submitting a written declaration of the particulars to the county administrative authority or, in Copenhagen, to the Executive Council. The provisions of section 5 shall apply *mutatis mutandis*.

#### C

Any person who, having lost his Danish citizenship, continues to be a national of a contracting country may, after he becomes permanently resident in Denmark, reacquire Danish citizenship by submitting a written declaration of the particulars to the county administrative authority or, in Copenhagen, to the Executive Council. The provisions of section 5 shall apply *mutatis mutandis*.

*Section 11.* A declaration in respect of acquisition of Danish citizenship under this Act may not be submitted by the guardian or by the person having custody of the applicant.

*Section 12.* (1) The Minister for Home Affairs may make regulations for the application of this Act.

(2) Any declaration relating to circumstances dealt with in this Act or in regulations made thereunder may be required to be made in solemn form; this shall apply also to declarations submitted in connexion with an application to become a citizen or as evidence of citizenship.

*Section 13.* (1) Any child under eighteen years of age who would have been a Danish citizen if the provisions of section 1, subsection 1, paragraph 2. had been in force before the commencement of the Act and who neither is nor has been a national of any country shall acquire Danish citizenship.

(2) For the purposes of section 4 any person acquiring Danish citizenship under Act No. 474 of 5 September 1920 respecting acquisition of Danish citizenship in connexion with the incorporation of the districts of South Jutland into Denmark (cf. Act No. 247 of 12 June 1922) shall be deemed to be Danish by birth. Residence in the districts of South Jutland before 15 June 1920 shall be equivalent to residence in Denmark.

(3) A woman who under the law previously in force has lost Danish citizenship through marriage with an alien or by acquiring foreign nationality either through marriage or through the acquisition by her husband of foreign nationality, but would have permanently retained her Danish citizenship if this Act had previously been in force, shall reacquire Danish citizenship by submitting a written declaration of the particulars to the county administrative authority or, in Copenhagen, to the Executive Council, or to any other authority by the Minister for Home Affairs. Such declaration may not be validly submitted after 31 December 1955.

(4) Any woman who attains the age of twenty-two years before 1 January 1954 and who upon attaining such age is or has been married shall not lose her Danish citizenship under section 8, subsection 1, until the end of 1953.

(5) The provisions of section 3 and 4 and of subsection 3 of this section shall not apply to any person referred to in Act No. 379 of 12 July 1946, as amended by Act No. 528 of 22 December 1947 (cf. Act No. 518 of 22 December 1948), who is not entitled under a special enactment to acquire or retain Danish citizenship irrespective of the provisions of the said Act of 12 July 1946; or to any person who would have been affected by the said Acts if he had been born and continued to reside in Denmark.

(6) Any person who has become a national of another country but has retained Danish citizenship as provided in the second sentence of article 5 of Act No. 123 of 18 April 1925 shall not lose Danish citizenship by reason only of removing from Denmark, unless he continues to be a national of another country and would lose or have lost Danish nationality under the provisions of section 7 of this Act if they had been previously in force.

(7) Otherwise, the provisions of this Act shall apply where the facts resulting in acquisition or loss of Danish citizenship occur after the coming into force of this Act.

*Section 14.* This Act, which repeals Act No. 123 of 18 April 1925 respecting acquisition and loss of Danish citizenship, shall apply to every part of the Danish State.

*Section 15.* This Act shall come into force on 1 January 1951.

(b) AN ACT TO RESOLVE CERTAIN QUESTIONS OF DANISH CITIZENSHIP.  
No. 504 DATED 20 DECEMBER 1950.<sup>1</sup>

#### CHAPTER I. GRANT OF DANISH CITIZENSHIP TO CERTAIN PERSONS

*Section 1.* A Danish citizen who on 1 December 1918 was resident in Iceland but had not acquired Icelandic nationality shall not be considered

<sup>1</sup> Translation by the Secretariat of the United Nations.

to have lost his Danish citizenship on the severance of Iceland from Denmark in 1918.

*Section 2.* A person who in accordance with the law on acquisition and loss of Danish citizenship in force at any time would be a Danish citizen, if the provisions of section 1 hereof had been in force previously, shall acquire Danish citizenship. Such acquisition shall be deemed to have occurred at the time when he would have acquired Danish citizenship if section 1 had been in force previously.

#### CHAPTER II. REVOCATION OF NATURALIZATION IN CERTAIN CASES

*Section 3.* (1) British and French nationals whose names have during the period between 9 April 1940 and 4 May 1945 been included in an Act granting Danish citizenship must in order to retain that nationality submit a written declaration in respect thereof.

The same shall apply to any person who has acquired Danish citizenship through one of the persons mentioned in subsection 1, provided that if he is unmarried and under the age of eighteen, the provisions of section 4 shall apply.

A person failing to submit a declaration at the latest on 31 December 1952 shall be deemed not to have acquired Danish citizenship.

*Section 4.* (1) If pursuant to section 3 a person is deemed not to have acquired Danish citizenship, the same shall apply to his unmarried children under eighteen years of age in accordance with the following rules:

1. A legitimate child shall follow his father unless after the dissolution of his parents' marriage or after their separation he is placed in the custody of his mother.
2. A child born out of wedlock shall follow his mother.
3. A legitimate child shall follow his mother if she is a widow.
4. A legitimate child shall follow his mother if after the dissolution of his parents' marriage or after their separation he is placed in her custody.

*Section 5.* A male French national must, in order that the declaration referred to in section 3 may be valid, satisfy the Ministry for Home Affairs at the time of submitting the declaration or not later than two years thereafter that he has received the French Government's consent thereto for himself and for any children following him in accordance with section 4.

*Section 6.* The Minister for Home Affairs may make regulations prescribing the form of the declaration mentioned in section 3 and the authority to whom it shall be submitted.

#### CHAPTER III. OTHER PROVISIONS

*Section 7.* The relations existing between Denmark and Germany at the coming into force of this Act shall not prevent German nationals and stateless persons whose last nationality was German from acquiring Danish citizenship under section 3, subsection 1, of the Danish Citizenship Act, No. 252 of 27 May 1950.

*Section 8.* This Act shall come into force on 1 January 1951.