

(e) LAW NO. 1 OF 4 MARCH 1950. SUPPLEMENT TO ORDINANCE ON CANCELLING OF IRAQ NATIONALITY NO. 62 OF 15 AUGUST 1933.

Article 1. The Council of Ministers may cancel the Iraq nationality of the Iraqi Jew who willingly desires to leave Iraq for good, pending putting his signature on a special form in the presence of the official whom the Minister of Interior designates.

Article 2. The Iraqi Jew who leaves Iraq, or tries to leave Iraq illegally, shall forfeit the Iraqi nationality by a decision of the Council of Ministers.

Article 3. The Iraqi Jew who had previously left Iraq illegally, shall be considered as if he had left Iraq for good, unless he comes back within a period of two months from enforcing this Law, and he shall forfeit his Iraqi nationality from the date of the expiry of this period.

Article 4. The Minister of Interior is charged with issuing orders to expel everyone who has forfeited his Iraqi nationality in accordance with the first and second Articles, unless he is duly convinced, according to satisfactory reasons, that his provisional staying in Iraq is a judicial or legal necessity, or to safeguard the rights of a third party which are officially documented.

Article 5. This Law shall be in force for one year from the date of its enforcing, and it is permissible to terminate it any time within this period by a Royal Irada published in the Official Gazette.

40. Ireland

(a) CONSTITUTION OF 1937.

Article 9. 1. (1) On the coming into operation of this Constitution any person who was a citizen of Saorstát Éireann immediately before the coming into operation of this Constitution shall become and be a citizen of Ireland.

(2) The future acquisition and loss of Irish nationality and citizenship shall be determined in accordance with law.

(3) No person may be excluded from Irish nationality and citizenship by reason of the sex of such person.

2. Fidelity to the nation and loyalty to the State are fundamental political duties of all citizens.

(b) NATIONALITY AND CITIZENSHIP ACT NO. 13 OF 1935.

An Act to provide for and regulate for all purposes, municipal and international, the acquisition by birth or otherwise of citizenship of Saorstát Éireann, and the forfeiture or loss of such citizenship, and to provide for divers matters connected with the matters aforesaid. [10th April, 1935.]

Be it enacted by the Oireachtas of Saorstát Éireann as follows:

1. In this Act:

The expression "the Minister" means the Minister for Justice; the word "legation" includes the office of a High Commissioner; the word "citizen" when used in relation to Saorstát Éireann includes (save where precluded by the context) a person who is a citizen of Saorstát Éireann by virtue of article 3 of the Constitution¹ and when used in relation to

¹ *Article 3.* Every person, without distinction of sex, domiciled in the area of the jurisdiction of the Irish Free State (Saorstát Éireann) at the time of

a country other than Saorstát Eireann includes a subject or national of such country, and the word "citizenship" shall be construed accordingly; the word "prescribed" means prescribed by regulations made by the Minister under this Act.

2. (1) The following persons shall be natural-born citizens of Saorstát Eireann, that is to say:

(a) Every person who was born in Saorstát Eireann on or after the 6th day of December, 1922, and before the date of the passing of this Act, and

(b) Every person who is born in Saorstát Eireann on or after the date of the passing of this Act, and

(c) Every person who was born on or after the 6th day of December 1922, and before the date of the passing of this Act in a ship registered in Saorstát Eireann, and

(d) Every person who is born on or after the date of the passing of this Act in a ship registered in Saorstát Eireann, and

(e) Every person who was born outside Saorstát Eireann on or after the 6th day of December, 1922, and before the date of the passing of this Act and whose father was, on the day of such person's birth, a citizen of Saorstát Eireann, and

(f) Subject to the subsequent provisions of this section, every person who is born outside Saorstát Eireann on or after the date of the passing of this Act and whose father was, on the day of such person's birth, a citizen of Saorstát Eireann.

(2) Where:

(a) A person is born outside Saorstát Eireann on or after the date of the passing of this Act, and

(b) Such person's father is, on the day of such person's birth, a natural-born citizen of Saorstát Eireann born outside Saorstát Eireann, or a naturalized citizen of Saorstát Eireann, and

(c) Such person's father is, on the day of such person's birth, not employed in the service of the Government of Saorstát Eireann, such person shall not be a natural-born citizen of Saorstát Eireann unless within one year or, where the Minister because of special circumstances so permits, within two years after the day of such person's birth the fact of such person's birth is registered:

(d) If such person is born in Northern Ireland, in the Northern Ireland births register, or (in any other case),

(e) If such person is born in a country in which there is, on the day of his birth, a Saorstát Eireann legation or consulate, in the foreign births entry book kept at such legation or consulate or in the foreign births register, or

(f) If such person is born in a country in which there is, on the day of his birth, neither a Saorstát Eireann legation nor a Saorstát Eireann consulate, in the foreign births register.

the coming into operation of this Constitution who was born in Ireland or either of whose parents was born in Ireland or who has been ordinarily resident in the area of the jurisdiction of the Irish Free State (Saorstát Eireann) for not less than seven years, is a citizen of the Irish Free State (Saorstát Eireann) and shall within the limits of the jurisdiction of the Irish Free State (Saorstát Eireann) enjoy the privileges and be subject to the obligations of such citizenship: Provided that any such person being a citizen of another State may elect not to accept the citizenship hereby conferred; and the conditions governing the future acquisition and termination of citizenship in the Irish Free State (Saorstát Eireann) shall be determined by law. (Constitution of the Irish Free State of 6 December 1922.)

(3) Every natural-born citizen of Saorstát Eireann whose right to such citizenship is conditional on the entry in the Northern Ireland births register or in the foreign births register or in a foreign births entry book of the fact of his birth shall cease to be a citizen of Saorstát Eireann at the expiration of one year or such longer period as the Minister (before or after the expiration of such year) shall, in any particular case because of special circumstances, permit after the day on which such person attains the age of twenty-one years, unless such person, after attaining that age and before the expiration of the said year or longer period aforesaid, makes in the prescribed form and registers with the Minister in the prescribed manner a declaration of retention of his citizenship of Saorstát Eireann and also, if he is a citizen of a foreign country, divests himself, in accordance with the laws of that country, of his citizenship thereof.

(4) Every person who is not a citizen of Saorstát Eireann by virtue of Article 3 of the Constitution but was born before the 6th day of December, 1922, either in Ireland or of parents of whom at least one was born in Ireland shall:

(a) If such person is at the passing of this Act or becomes thereafter permanently resident in Saorstát Eireann, be deemed to be a natural-born citizen of Saorstát Eireann, or

(b) If such person at the passing of this Act is permanently resident outside Saorstát Eireann and is not a naturalized citizen of any other country, be deemed, upon being registered in accordance with the next following sub-section of this section, to be a natural-born citizen of Saorstát Eireann.

(5) No person whose right to be deemed to be a natural-born citizen of Saorstát Eireann under the next preceding sub-section of this section is made by that sub-section conditional on registration in accordance with this sub-section shall be deemed to be a natural-born citizen of Saorstát Eireann unless, within one year or, where the Minister (before or after the expiration of such year) because of special circumstances so permits, within two years after the passing of this Act, the name of such person is registered:

(a) If such person is, at the passing of this Act, permanently resident in a country in which there is a Saorstát Eireann legation or consulate, in the register of nationals kept at such legation or consulate or in the general register of nationals, or

(b) If such person is, at the passing of this Act, permanently resident in a country in which there is neither a Saorstát Eireann legation nor a Saorstát Eireann consulate, in the general register of nationals.

(6) Every person born before the 6th day of December, 1922, who is, at the passing of this Act, employed outside Saorstát Eireann in the civil service of the Government of Saorstát Eireann as an established officer but is not a citizen of Saorstát Eireann by virtue of Article 3 of the Constitution shall be deemed to be a natural-born citizen of Saorstát Eireann.

(7) Notwithstanding anything contained in the foregoing provisions of this section:

(a) A person who was or is born in Saorstát Eireann on or after the 6th day of December, 1922 (whether before or after the passing of this Act), shall not be a natural-born citizen of Saorstát Eireann if such person's father was or is, on the day of such person's birth, envoy extraordinary and minister plenipotentiary or the head of a foreign diplomatic mission established in Saorstát Eireann or is the secretary of legation, or other member of the diplomatic staff of such mission whose appointment as such has

been officially notified to the Minister for External Affairs or is otherwise entitled to diplomatic immunities and in any case possesses the nationality of the country by which such mission is accredited, and

(b) A person who was or is born in Saorstát Eireann on or after the 6th day of December, 1922 (whether before or after the passing of this Act), and whose father, on the day of the birth of such person, was or is a consul-general, consul, vice-consul, or other official of another country charged with an official mission in Saorstát Eireann and possessed or possesses the nationality of the country by which he was or is appointed, shall, if such person at his birth acquired or acquires by the laws of the said country by which his father was or is so appointed the nationality of such country, cease to be a citizen of Saorstát Eireann if and when a declaration of alienage is made and lodged with the Minister in the prescribed form and manner by such person's father on behalf of such person before such person has attained the age of twenty-one years or by such person after he has attained that age.

3. (1) Any person who is not a citizen of Saorstát Eireann may apply to the Minister in the prescribed form and manner for a certificate of naturalization.

(2) Every person who applies under this section for a certificate of naturalization shall furnish to the Minister, in his form of application or otherwise, all such information as the Minister shall, in such form or otherwise, require for the due consideration of such application, and shall, if and when required by the Minister so to do, verify all or any of such information by the statutory declaration of some person (whether the applicant or another person) having knowledge of the facts.

(3) If any person fails to furnish any information or any verification which he is required by the Minister under this section to furnish, the Minister may, on the ground of such failure and without prejudice to any other power of refusal conferred by this Act, refuse the application in relation to which such information or verification was so required.

(4) If any person, for the purposes of or in relation to an application under this section, gives or makes to the Minister any statement or information which is to his knowledge false or misleading in any material respect, such person shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding fifty pounds or, at the discretion of the court, to imprisonment for any term not exceeding six months or to both such fine and such imprisonment.

4. (1) Whenever an application is duly made to the Minister for a certificate of naturalization, the Minister may, at his absolute discretion but subject to the limitations imposed by this section, either:

(a) Grant such application and issue to the applicant a certificate of naturalization accordingly, or

(b) Refuse such application.

(2) A certificate of naturalization shall not be issued to a person of unsound mind, nor (save as is expressly authorised by this Act) to a person who has not attained the age of twenty-one years.

(3) The Minister shall not issue to any person a certificate of naturalization unless or until he is satisfied:

(a) That such person is of good character, and

(b) That, save as is otherwise provided by the Act, such person resided continuously in Saorstát Eireann for the period of one year expiring on the date of his application for such certificate and also resided, during the eight years next preceding the said period of one year, in Saorstát

Eireann for a continuous period of four years or for a number of discontinuous periods amounting in the aggregate to four years, and

(c) That such person *bona fide* intends, if and when such certificate is issued to him, to have his usual or principal place of residence in Saorstát Eireann, and

(d) That such person has made, in the prescribed form and manner, a declaration of acceptance of citizenship of Saorstát Eireann.

(4) Where the applicant for a certificate of naturalization is the spouse of a person who is under this Act deemed (in virtue of permanent residence in Saorstát Eireann) to be a natural-born citizen of Saorstát Eireann, the Minister may, if he so thinks proper, dispense in the case of such applicant with compliance by such applicant with so much of this section as relates to residence in Saorstát Eireann prior to the application for a certificate of naturalization.

(5) Where the applicant for a certificate of naturalization satisfies the Minister:

(a) That she is a widow, and

(b) That her husband, immediately before his death, was not a citizen of Saorstát Eireann, and

(c) That she was, immediately before her marriage, a citizen of Saorstát Eireann, and

(d) That she relinquished under this Act her citizenship of Saorstát Eireann on account of her marriage to a person who was not a citizen of Saorstát Eireann, and

(e) That she was at the date of the death of her husband and is at the date of such application ordinarily resident outside Saorstát Eireann, the Minister may, if he so thinks proper, dispense in the case of such applicant with compliance by her with so much of this section as relates to residence or to intended residence in Saorstát Eireann.

(6) The Minister may, if he so thinks fit in the case of any particular applicant for a certificate of naturalization, deem any particular period of service by such applicant outside Saorstát Eireann in the employment of the Government of Saorstát Eireann to be residence in Saorstát Eireann for the purposes of this section.

5. (1) The Executive Council may, if and whenever they so think proper, cause a certificate of naturalization to be issued under this Act to any person or to a child or grandchild of any person who, in the opinion of the Executive Council, has done signal honour or rendered distinguished service to the Irish Nation.

(2) The Executive Council may authorise the Minister to dispense, in relation to the issue of a certificate of naturalization under this section, with compliance by the person to whom such certificate is issued with all or such one or more as the Executive Council shall think proper of the conditions which are by virtue of this Act conditions precedent to the grant of a certificate of naturalization.

6. (1) Where a person applies under this Act to the Minister for a certificate of naturalization and states in such application that he claims to be a citizen of Saorstát Eireann, and that some doubt has arisen as to whether he is or is not entitled to such citizenship, and that he makes such application solely for the purpose of removing such doubt, the Minister may, if he thinks proper so to do having regard to all the circumstances of the case, issue to such person a certificate of naturalization containing an express statement that it is issued solely to remove doubts.

(2) The issue to any person of a certificate of naturalization under this section shall not be evidence or an admission that such person was not a citizen of Saorstát Éireann prior to the issue of such certificate and shall not prejudice or affect any claim by such person to have been a citizen of Saorstát Éireann at any time prior to such issue.

7. (1) The Minister may at any time, if in his absolute discretion he thinks proper so to do on account of the Irish descent or Irish associations of a person who has not attained the age of twenty-one years and having regard to the other circumstances of the case, issue to such person a certificate of naturalization notwithstanding that such person has not attained the said age, and whether such person does or does not comply with the conditions which are by virtue of this Act conditions precedent to the grant to him of a certificate of naturalization.

(2) A certificate of naturalization shall be issued under this section only on the application, in the prescribed form and manner, of a parent or guardian of the person to whom such certificate is intended to relate.

(3) A person to whom a certificate of naturalization has been issued under this section may, within one year after attaining the age of twenty-one years, make and lodge with the Minister in the prescribed form and manner a declaration of alienage, and thereupon such person shall cease to be a citizen of Saorstát Éireann.

8. (1) Every certificate of naturalization issued under this Act shall be in the prescribed form and sealed with the official seal of the Minister and shall be expressed and shall, as from the issue thereof and so long as it remains unrevoked, operate to confer on the person named therein the same status as a natural-born citizen of Saorstát Éireann.

(2) There shall be charged and paid on the issue of every certificate of naturalization under this Act such fee as may be prescribed.

(3) The Minister may, on application being made to him in the prescribed form and manner, issue, on payment of the prescribed fee, a copy, certified in the prescribed manner to be a correct copy, of any certificate of naturalization issued under this Act.

(4) A person to whom a certificate of naturalization is issued under this Act shall, as from the issue of such certificate and so long as such certificate remains unrevoked, be entitled to and have (subject to the provisions of this Act) all the political and other rights, powers, and privileges of a natural-born citizen of Saorstát Éireann and be subject to all the obligations, duties, and liabilities of such natural-born citizen, but, in the case of a certificate of naturalization issued to a person who has not attained the age of twenty-one years, without prejudice while he is under that age to the limitations arising from the fact of his not having attained the said age.

(5) As soon as may be after the issue, under this Act, of a certificate of naturalization, the Minister shall publish in the *Iris Oifigiúil* notice of the fact of the issue of such certificate and of the name of the person to whom it was issued and such other (if any) particulars thereof as the Minister shall think proper.

9. (1) Every certificate of naturalization issued under this Act shall state the name of every child of the person to whom it relates who, at the date of the issue of such certificate, is under the age of twenty-one years and is not a citizen of Saorstát Éireann.

(2) The statement in a certificate of naturalization in pursuance of this section of the name of a child of the person to whom such certificate

relates shall operate to confer on such child the status of a natural-born citizen of Saorstát Eireann, but any such child may, within one year after attaining the age of twenty-one years, make and lodge with the Minister in the prescribed manner a declaration of alienage in the prescribed form, and thereupon such child shall cease to be a citizen of Saorstát Eireann.

10. (1) The Minister may at any time, on his own motion and at his absolute discretion, by order revoke any certificate of naturalization issued under this Act.

(2) The Minister shall revoke a certificate of naturalization whenever he is satisfied:

(a) That the issue of such certificate was procured by fraud, or by misrepresentation (whether fraudulent or innocent), or by concealment of material facts or circumstances, or

(b) That within five years after the issue of such certificate the person to whom such certificate relates was sentenced by any court (including a court in a country in which, by convention or by law, citizens of Saorstát Eireann enjoy or are entitled to enjoy the same status as citizens of such country) to a fine of not less than one hundred pounds or to imprisonment for a term of not less than twelve months or to penal servitude for any term, or

(c) That such person was not of good character at the date of the issue of such certificate, or

(d) That (except in the case of a person who has not attained the age of twenty-one years and the case of a person to whom the Executive Council have caused a certificate of naturalization to be issued) such person has, for a continuous period of not less than seven years subsequent to the issue of such certificate, been ordinarily resident outside Saorstát Eireann (otherwise than in the course of employment in the service of the Government of Saorstát Eireann or as agent for or representative of a person resident or carrying on business in Saorstát Eireann) without maintaining substantial connection with Saorstát Eireann, or

(e) That such person is, under the law of a country which is at war with Saorstát Eireann, a citizen of such country.

(3) As soon as may be after the revocation of a certificate of naturalization, the Minister shall publish in the *Iris Oifigiúil* notice of the revocation of such certificate.

(4) Whenever a certificate of naturalization is revoked, the person to whom such certificate related shall deliver such certificate to the Minister within three months after such revocation, and if he fails so to do he shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding five pounds and a further fine not exceeding one pound for every day during which such failure is continued.

(5) It shall be a good defence to a charge of having committed an offence under this section to prove that the certificate in relation to which such offence is alleged to have been committed has been destroyed.

11. Whenever the Minister revokes a certificate of naturalization, then, if the person to whom such certificate related is, at the time of such revocation, married and his wife or her husband (as the case may be) was immediately before such revocation a citizen of Saorstát Eireann, the following provisions shall have effect, that is to say:

(a) Such revocation shall not of itself prejudice or affect such citizenship of such wife or husband;

(b) If such wife or husband (as the case may be) was, immediately before such revocation, a citizen of Saorstát Eireann by virtue of a certificate of naturalization issued to her or him, the Minister may, by the order effecting such revocation or by a subsequent order made within one year after such revocation, revoke the certificate of naturalization so issued to such wife or husband;

(c) Such wife or husband may (unless her or his certificate of naturalization has been revoked under the foregoing provisions of this section) make and lodge with the Minister in the prescribed form and manner within one year after such revocation a declaration of alienage, and thereupon such wife or husband (as the case may be) shall cease to be a citizen of Saorstát Eireann.

12. Whenever the Minister revokes a certificate of naturalization, then, if the person to whom such certificate related had, at the time of such revocation, a child under the age of twenty-one years who was, immediately before such revocation, a citizen of Saorstát Eireann, the following provisions shall have effect, that is to say:

(a) Such revocation shall not of itself prejudice or affect such citizenship of such child;

(b) The Minister may, by the order effecting such revocation or by a subsequent order made within one year after such revocation, terminate the citizenship of such child and thereupon such child shall cease to be a citizen of Saorstát Eireann.

13. Every foundling who was or is first found as a deserted infant in Saorstát Eireann shall, until the contrary is proved, be deemed to have been born in Saorstát Eireann.

14. Where a woman satisfies the Minister:

(a) That she is a widow, and

(b) That her husband, immediately before his death, was not a citizen of Saorstát Eireann, and

(c) That she was, immediately before her marriage, a citizen of Saorstát Eireann, and

(d) That she relinquished under this Act her citizenship of Saorstát Eireann on account of her marriage to a person who was not a citizen of Saorstát Eireann, and

(e) That she is ordinarily resident in Saorstát Eireann, such woman shall be entitled to make and lodge with the Minister in the prescribed form and manner a declaration that she intends to continue to be ordinarily resident in Saorstát Eireann and desires to resume her citizenship of Saorstát Eireann, and upon so making and lodging such declaration such woman shall be deemed to have resumed her citizenship of Saorstát Eireann.

15. (1) The marriage, after the 6th day of December, 1922, and before the date of the passing of this Act, of a citizen of Saorstát Eireann to a person who was not a citizen of Saorstát Eireann shall not of itself operate or be deemed ever to have operated to deprive the party to such marriage who was previous thereto a citizen of Saorstát Eireann of his said citizenship or to confer citizenship of Saorstát Eireann on the party to the said marriage who was not a citizen of Saorstát Eireann previous thereto.

(2) The marriage, on or after the date of the passing of this Act, of a citizen of Saorstát Eireann to a person who is not a citizen of Saorstát Eireann shall not of itself operate to deprive the party to such marriage who is previous thereto a citizen of Saorstát Eireann of his said citizenship

or to confer citizenship of Saorstát Éireann on the party to the said marriage who is not a citizen of Saorstát Éireann previous thereto.

16. (1) Where either:

(a) One of the parties to a marriage solemnised (whether in or outside Ireland) before the 6th day of December, 1922, became a citizen of Saorstát Éireann by virtue of Article 3 of the Constitution and the other of such parties did not become a citizen of Saorstát Éireann by virtue of the said Article, or

(b) One of the parties to a marriage solemnised (whether in or outside Saorstát Éireann) on or after the 6th day of December, 1922, and before the date of the passing of this Act was, immediately before such marriage, a citizen of Saorstát Éireann by virtue of Article 3 of the Constitution and the other of the said parties was not, immediately before such marriage, a citizen of Saorstát Éireann by virtue of the said Article, and in either such case the parties to such marriage have for at least two years before the passing of this Act or, where such marriage was solemnised within those two years, continuously since such solemnisation been ordinarily resident outside Saorstát Éireann and intend to continue ordinarily resident outside Saorstát Éireann, the party to such marriage who (as the case may be) became a citizen of Saorstát Éireann by virtue of Article 3 of the Constitution or was, immediately before such marriage, a citizen of Saorstát Éireann by virtue of the said Article shall, at the time appointed by the next following sub-section of this section cease to be a citizen of Saorstát Éireann unless he or she shall before the expiration of two years after the passing of this Act make and lodge with the Minister in the prescribed form and manner a declaration of election to retain Saorstát Éireann citizenship as his or her post-nuptial citizenship.

(2) The time at which any particular person shall cease to be a citizen of Saorstát Éireann by virtue of the next preceding sub-section of this section shall be whichever of the following times is applicable to his or her case, that is to say:

(a) If such person has, before the passing of this Act, acquired the nationality of his or her spouse—the expiration of two years after the passing of this Act, or

(b) If such person, within two years after the passing of this Act, acquires the nationality of his or her spouse—the expiration of such period, or

(c) If such person has not, before the expiration of two years from the passing of this Act, acquired the nationality of his or her spouse—the date on which he or she acquires such nationality.

(3) Where one of the parties to a marriage solemnised (whether in or outside Saorstát Éireann) on or after the date of the passing of this Act is, immediately before such marriage, a citizen of Saorstát Éireann and the other of such parties is, immediately before such marriage, not a citizen of Saorstát Éireann, and such parties intend permanently to have their ordinary residence outside Saorstát Éireann after such marriage, the said party who is, immediately before such marriage, a citizen of Saorstát Éireann shall at the time appointed by the next following sub-section of this section cease to be a citizen of Saorstát Éireann unless he or she shall before the expiration of one year after such marriage make and lodge with the Minister in the prescribed form and manner a declaration of election to retain Saorstát Éireann citizenship as his or her post-nuptial citizenship.

(4) The time at which any particular person shall cease to be a citizen of Saorstát Eireann by virtue of the next preceding sub-section of this section shall be whichever of the following times is applicable to his or her case, that is to say:

(a) If such person shall, on or within one year after his or her marriage, acquire the nationality of his or her spouse—the expiration of such year, or

(b) If such person has not, before the expiration of one year after his or her marriage, acquired the nationality of his or her spouse—the date on which he or she acquires such nationality.

17. Where—

(a) Either—

(i) One of the parties to a marriage solemnised (whether in or outside Ireland) before the 6th day of December, 1922, became a citizen of Saorstát Eireann by virtue of Article 3 of the Constitution and the other of such parties did not become a citizen of Saorstát Eireann by virtue of the said Article, or

(ii) One of the parties to a marriage solemnised (whether in or outside Saorstát Eireann) on or after the 6th day of December, 1922, and before the date of the passing of this Act was, immediately before such marriage, a citizen of Saorstát Eireann by virtue of Article 3 of the Constitution and the other of such parties was not, immediately before such marriage, a citizen of Saorstát Eireann by virtue of the said Article, and

(b) The party to such marriage who (as the case may be) did not become a citizen of Saorstát Eireann by virtue of Article 3 of the Constitution or was not, immediately before such marriage, a citizen of Saorstát Eireann by virtue of the said Article duly applies under this Act for a certificate of naturalization and lodges with the Minister with the application for such certificate a declaration in the prescribed form electing to take citizenship of Saorstát Eireann as his or her post-nuptial citizenship, and proves in the prescribed form and manner to the satisfaction of the Minister that he or she has ceased or will, upon the acquisition of citizenship of Saorstát Eireann, cease to be a citizen of any other country, and

(c) The Minister is satisfied that the said parties are at the date of the said application ordinarily resident in Saorstát Eireann and have been so ordinarily resident continuously since the passing of this Act and for at least two years before such passing or, where such marriage was solemnized within those two years, for the period between such solemnization and such passing,

the Minister shall, in respect of the said party so applying for a certificate of naturalization, dispense with compliance with the provisions of this Act in relation to residence in Saorstát Eireann before the application as a condition precedent to the issue of a certificate of naturalization.

18. Where:

(a) One of the parties to a marriage solemnized (whether in or outside Saorstát Eireann) on or after the date of the passing of this Act is, immediately before such marriage, a citizen of Saorstát Eireann and the other of such parties is, immediately before such marriage, not a citizen of Saorstát Eireann, and

(b) Such parties intend permanently to have their ordinary residence in Saorstát Eireann, and

(c) The party to such marriage who, immediately before such marriage, was not a citizen of Saorstát Eireann duly applies under this Act for a

certificate of naturalization and lodges with the Minister with the application for such certificate a declaration in the prescribed form electing to take citizenship of Saorstát Eireann as his or her post-nuptial citizenship, and proves in the prescribed form and manner to the satisfaction of the Minister that he or she has ceased or will, upon the acquisition of citizenship of Saorstát Eireann, cease to be a citizen of any other country,

the provisions of this Act in relation to residence in Saorstát Eireann before the application as a condition precedent to the issue of a certificate of naturalization shall, in respect of the said party so applying for such certificate, be subject to the following modifications, that is to say, if the said party is a man the said condition in relation to residence shall be that such party shall have been ordinarily resident in Saorstát Eireann for a period of two years ending on the date of such application, and if such party is a woman the Minister shall dispense with compliance by such party with the said condition in relation to residence.

19. (1) The death of a person shall not effect any change in or loss of the citizenship of the surviving wife or husband of such person.

(2) The acquisition of citizenship of Saorstát Eireann by a person shall not of itself confer citizenship of Saorstát Eireann on the wife or husband of such person, and the loss of citizenship of Saorstát Eireann by a person shall not deprive the wife or husband of such person of such citizenship.

(3) The acquisition by a person of citizenship of a country other than Saorstát Eireann shall not of itself deprive the wife or husband of such person of citizenship of Saorstát Eireann.

20. Where a person who is a citizen of Saorstát Eireann ceases to be a citizen of Saorstát Eireann, such cesser shall not deprive any child of such person who is, at the date of such cesser, under the age of twenty-one years of citizenship of Saorstát Eireann.

21. (1) Save as is otherwise provided by this Act, every citizen of Saorstát Eireann who, after he has attained the age of twenty-one years, becomes a citizen of another country shall thereupon cease to be a citizen of Saorstát Eireann.

(2) Every natural-born citizen of Saorstát Eireann who is at birth or becomes before he attains the age of twenty-one years a citizen of another country and within one year after attaining the age of twenty-one years makes and lodges with the Minister in the prescribed form and manner a declaration of alienage shall, as from the lodgment of such declaration, cease to be a citizen of Saorstát Eireann, but without prejudice to any previous loss of such citizenship.

22. Whenever a person ceases to be a citizen of Saorstát Eireann, such cesser shall not, by itself and without more, operate to discharge any obligation, duty, or liability undertaken, imposed, or incurred before such cesser.

23. (1) Whenever a convention made, whether before or after the passing of this Act, between Saorstát Eireann and any other country or between the Government of Saorstát Eireann and the Government of any other country provides for the enjoyment in such other country (either absolutely or subject to compliance with conditions) by citizens of Saorstát Eireann of all or any of the rights and privileges of citizens of such other country and for the enjoyment in Saorstát Eireann (either absolutely or subject to such compliance as aforesaid) by citizens of such other country

of all or any of the rights and privileges of citizens of Saorstát Eireann, then and in every such case citizens of such other country shall, so long as such convention continues in force, enjoy in Saorstát Eireann, in accordance with and subject to the terms of such convention, such of the rights and privileges of citizens of Saorstát Eireann as are secured to them in that behalf by such convention.

(2) Whenever the Executive Council is satisfied that, by virtue of the law for the time being in force in any country, citizens of Saorstát Eireann enjoy in such country (either absolutely or subject to compliance with conditions) all or any of the rights and privileges of citizens of such country, the Executive Council may by order declare that citizens of such country shall enjoy in Saorstát Eireann such rights and privileges similar to those so conferred by such law on citizens of Saorstát Eireann in such country as shall be specified in such order, but subject to compliance with such (if any) conditions (similar to the conditions (if any) imposed by such law) as shall be specified in such order.

(3) So long as an order made by the Executive Council under the next preceding sub-section of this section remains in force, citizens of the country to which such order relates shall enjoy in Saorstát Eireann in accordance with such order the rights and privileges specified in that behalf in such order but subject to compliance with the conditions (if any) specified in such order.

(4) The Executive Council may at any time by order amend or revoke any order previously made by them under this section.

(5) Nothing in this section or any order made under this section shall operate :

(a) To confer on any person any right or privilege which is conferred, by any Act of the Oireachtas (whether passed before or after this Act) on any class or group of persons, whether defined as citizens or as nationals of Saorstát Eireann or in any other manner whatsoever of which such person is, at the relevant time, not a member, or

(b) To confer any right or privilege on any woman who is the wife of a citizen of Saorstát Eireann and did not, on account of her marriage to such citizen, become a citizen of Saorstát Eireann and was not, immediately before such marriage, a citizen of Saorstát Eireann or of any of the other countries to which this section relates, or

(c) To entitle any person to become or be the owner of a ship or of a share in a ship registered in Saorstát Eireann and having the status of a ship registered under the Merchant Shipping Act, 1894, unless such person is a citizen of a country between which and Saorstát Eireann or between the Government of which and the Government of Saorstát Eireann a convention exists and is in force by virtue of which citizens of such country are entitled to own any such ship or a share in any such ship as aforesaid.

(6) Every order made by the Executive Council under this section shall be laid before each House of the Oireachtas as soon as may be after it is made, and if a resolution is passed by either House of the Oireachtas within the next subsequent twenty-one days on which such House has sat after the order is laid before it annulling such order, such order shall be annulled accordingly, but without prejudice to the validity of anything previously done under such order.

24. (1) The Minister for External Affairs shall cause to be kept in every legation and every consulate a book to be called and known and in this Act referred to as the foreign births entry book.

(2) The birth in any country outside Saorstát Eireann of a child whose father is, on the day of such birth, a citizen of Saorstát Eireann shall be registrable, in accordance with regulations made under this section, in the foreign births entry book kept in the legation (if any) or any consulate (if any) in such country.

(3) From time to time, but not less than once in every year, there shall be transmitted, in accordance with regulations made under this section, from every legation and every consulate to the Minister for External Affairs a copy of every entry (if any) made in the foreign births entry book kept in such legation or consulate of which a copy was not previously so transmitted to the said Minister.

(4) Every document which purports to be a copy of an entry in a foreign births entry book and to be duly authenticated in accordance with regulations made under this section shall be admitted in evidence in every court of justice without proof of the seal or signature by which such document purports to be so authenticated or of the authority of the person by whom such seal was affixed or such signature was made and, until the contrary is proved, shall be deemed to be a true copy of such entry and be accepted as good and sufficient proof of the fact and terms of such entry.

(5) The Minister for External Affairs may by order make regulations in respect of all or any of the following matters that is to say:

(a) The form of the foreign births entry book and the officer by whom and the manner generally in which such book is to be kept;

(b) The persons by whom and the manner in which births may be registered in a foreign births entry book;

(c) The particulars to be entered in the foreign births entry book in respect of every birth registered therein;

(d) The inspection of foreign births entry books by members of the public;

(e) The furnishing to members of the public of copies of entries in foreign births entry books and the authentication of such copies;

(f) The transmission in pursuance of this section of copies of entries in the foreign births entry book to the Minister for External Affairs;

(g) With the consent of the Minister for Finance, the fees (if any) to be charged for the registration of births in a foreign births entry book, for the inspection of entries in such book, and for copies of entries in such book.

25. (1) The Minister for External Affairs shall cause to be kept:

(a) A register to be called and known and in this Act referred to as the Northern Ireland births register, and

(b) A register to be called and known and in this Act referred to as the foreign births register.

(2) The birth in Northern Ireland of a child whose father is, on the day of such birth, a citizen of Saorstát Eireann shall be registrable, in accordance with regulations made under this section, in the Northern Ireland births register.

(3) The birth outside Ireland of a child whose father is, on the day of such birth, a citizen of Saorstát Eireann shall be registrable, in accordance with regulations made under this section, in the foreign births register.

(4) The Minister for External Affairs shall cause to be registered in the foreign births register every birth which is entered in a foreign births entry book and a copy of the entry of which in such book is transmitted to the said Minister in pursuance of this Act.

(5) Every document which purports to be a copy of an entry in either of the registers kept in pursuance of this section and to be duly authenticated in accordance with regulations made in respect of such register under this section shall be admitted in evidence in every court of justice without proof of the seal or signature by which such document purports to be so authenticated or of the authority of the person by whom such seal was affixed or such signature was made and, until the contrary is proved, shall be deemed to be a true copy of such entry and be accepted as good and sufficient proof of the fact and terms of such entry.

(6) The Minister for External Affairs may by order make regulations relating to all or any of the following matters in respect of each of the registers kept in pursuance of this section, that is to say:

(a) The form of such register and the officer by whom and the place and manner generally in which such register is to be kept;

(b) The persons by whom and the manner in which births may be registered in such register;

(c) The particulars to be entered in such register in respect of every birth registered therein;

(d) The inspection of such register by members of the public;

(e) The furnishing to members of the public of copies of entries in such register and the authentication of such copies;

(f) In the case of the foreign births register, the entry in such register of births copies of the entry of which in the foreign births entry book are transmitted to the Minister for External Affairs under this Act;

(g) With the consent of the Minister for Finance, the fees (if any) to be charged for the registration of births in such register, for the inspection of entries in such register, and for copies of entries therein.

26. (1) The Minister for External Affairs shall cause to be kept in every legation and every consulate a register to be called and known and in this Act referred to as the register of nationals.

(2) The name:

(a) Of every person who is a citizen of Saorstát Eireann and is residing either temporarily or permanently in a country in which a register of nationals is kept, and

(b) Of every person permanently resident in a country in which a register of nationals is kept whose right to be deemed a natural-born citizen of Saorstát Eireann is under this Act conditional upon registration in the register of nationals or in the general register of nationals, shall be registrable, in accordance with regulations made under this section, in the register of nationals kept in the legation (if any) or any consulate (if any) in the country in which he is so resident.

(3) From time to time, but not less than once in every year, there shall be transmitted, in accordance with regulations made under this section, from every legation and every consulate to the Minister for External Affairs a copy of every entry (if any) made in the register of nationals kept in such legation or consulate of which a copy was not previously so transmitted to the said Minister.

(4) Every document which purports to be a copy of an entry in a register of nationals and to be duly authenticated in accordance with

regulations made under this section shall be admitted in evidence in every court of justice without proof of the seal or signature by which such document purports to be so authenticated or of the authority of the person by whom such seal was affixed or such signature was made and, until the contrary is proved, shall be deemed to be a true copy of such entry and be accepted as good and sufficient proof of the fact and terms of such entry.

(5) The Minister for External Affairs may by order make regulations in respect of all or any of the following matters, that is to say:

(a) The form of the register of nationals and the officer by whom and the manner generally in which such register is to be kept;

(b) The persons by whom and the manner in which names may be registered in a register of nationals;

(c) The particulars to be entered in the register of nationals in respect of every name registered therein;

(d) The inspection of registers of nationals by members of the public;

(e) The furnishing to members of the public of copies of entries in registers of nationals and the authentication of such copies;

(f) The transmission in pursuance of this section of copies of entries in the register of nationals to the Minister for External Affairs;

(g) With the consent of the Minister for Finance, the fees (if any) to be charged for the registration of names in a register of nationals, for the inspection of entries in such register, and for copies of entries in such register.

(6) As soon as may be after the entry in a register of nationals of the name of any person whose right to natural-born citizenship of Saorstát Eireann is under this Act conditional upon registration in such register or in the general register of nationals, the Minister for External Affairs shall publish in the *Iris Oifigiúil* notice of the fact of such entry and the name of the person to whom such entry relates and such other particulars (if any) as the said Minister may think proper.

27. (1) The Minister for External Affairs shall cause to be kept a register to be called and known and in this Act referred to as the general register of nationals.

(2) The name of every person who is permanently resident outside Saorstát Eireann and whose right to be deemed a natural-born citizen of Saorstát Eireann is under this Act conditional upon registration in the general register of nationals or in either that register or a register of nationals shall be registrable, in accordance with regulations made under this section, in the general register of nationals.

(3) The Minister for External Affairs shall cause to be registered in the general register of nationals every name which is entered in a register of nationals and a copy of the entry of which in such register is transmitted to the said Minister in pursuance of this Act.

(4) Every document which purports to be a copy of an entry in the general register of nationals and to be duly authenticated in accordance with regulations made under this section shall be admitted in evidence in every court of justice without proof of the seal or signature by which such document purports to be so authenticated or of the authority of the person by whom such seal was affixed or such signature was made and, until the contrary is proved, shall be deemed to be a true copy of such entry and be accepted as good and sufficient proof of the fact and terms of such entry.

(5) The Minister for External Affairs may by order make regulations in respect of all or any of the following matters, that is to say:

(a) The form of the general register of nationals and the officer by whom and the place and manner generally in which the general register of nationals is to be kept;

(b) The persons by whom and the manner in which names may be registered in the general register of nationals;

(c) The particulars to be entered in the general register of nationals in respect of every name registered therein;

(d) The inspection of the general register of nationals by members of the public;

(e) The furnishing to members of the public of copies of entries in the general register of nationals and the authentication of such copies;

(f) The entry in the general register of nationals of names, copies of the entry of which in a register of nationals are transmitted to the Minister for External Affairs in pursuance of this Act;

(g) With the consent of the Minister for Finance, the fees (if any) to be charged for the registration of names in the general register of nationals, for the inspection of entries in such register, and for copies of entries in such register.

(6) As soon as may be after the entry in the general register of nationals of the name of any person whose right to be deemed a natural-born citizen of Saorstát Éireann is under this Act conditional upon registration in the general register of nationals or in either that register or a register of nationals, the Minister for External Affairs shall, in every case where the name of such person has not been entered in a register of nationals, publish in the *Iris Oifigiúil* notice of the fact of such entry in the general register of nationals and the name of the person to whom such entry relates and such other particulars (if any) as the said Minister may think proper.

28. (1) The Minister may by order make regulations in relation to any matter or thing referred to in this Act as prescribed or to be prescribed, but no such regulation shall be made in relation to the amount or collection of fees without the consent of the Minister for Finance.

(2) Every regulation made by the Minister under this section shall be laid before each House of the Oireachtas as soon as may be after it is made, and if a resolution annulling such regulation is passed by either such House within the next subsequent twenty-one days on which that House has sat after such regulation is so laid before it, such regulation shall be annulled accordingly but without prejudice to the validity of anything previously done thereunder.

29. The Minister for External Affairs, or any diplomatic or consular officer authorized in that behalf by the Minister for External Affairs may, upon the application of any person who is a citizen (other than a naturalized citizen) of Saorstát Éireann and upon such payment by such person of the prescribed fee, issue to such person a certificate in writing stating that such person is, at the date of such certificate, a citizen of Saorstát Éireann.

30. All expenses incurred by the Minister or by the Minister for External Affairs in carrying this Act into effect shall, to such extent as may be sanctioned by the Minister for Finance, be paid out of moneys provided by the Oireachtas.

31. Whenever any person is by this Act required or empowered to make a declaration for the purposes of this Act, regulations made under this Act may require that such persons shall pay, on the making of such declaration, such fee as may be prescribed.

32. (1) All fees payable under this Act shall be collected and taken in such manner as the Minister for Finance shall, from time to time, direct and shall be paid into or disposed of for the benefit of the Exchequer in accordance with the directions of the said Minister.

(2) The Public Offices Fees Act, 1879, shall not apply in respect of any fees payable under this Act.

33. (1) The British Nationality and Status of Aliens Act, 1914, and the British Nationality and Status of Aliens Act, 1918, if and so far as they respectively are or ever were in force in Saorstát Eireann, are hereby repealed.

(2) The common law relating to British nationality, if and so far as it is or ever was, either wholly or in part, in force in Saorstát Eireann, shall cease to have effect.

(3) The facts or events by reason of which a person is at any time a natural-born citizen of Saorstát Eireann shall not of themselves operate to confer on such person any other citizenship or nationality.

34. Every person who is a citizen of Saorstát Eireann by virtue of Article 3 of the Constitution and every person who is or becomes a citizen of Saorstát Eireann by or under this Act shall be such citizen for all purposes, municipal and international.

35. This Act may be cited as the Irish Nationality and Citizenship Act, 1935.

(c) NATIONALITY AND CITIZENSHIP (AMENDMENT) ACT NO. 39 OF 1937.
AN ACT TO AMEND SECTION 2 OF THE IRISH NATIONALITY AND CITIZENSHIP ACT, 1935, BY REMOVING THE LIMITATION ON THE TIME WITHIN WHICH REGISTRATION IN ACCORDANCE WITH SUBSECTION (5) OF THAT SECTION MAY BE EFFECTED AND BY REQUIRING THE CONSENT OF THE MINISTER FOR JUSTICE TO EVERY SUCH REGISTRATION [15th December, 1937].

1. In this Act the expression "the Principal Act" means the Irish Nationality and Citizenship Act, 1935 (No. 13 of 1935).

2. (1) So much of subsection (5) of section 2 of the Principal Act as limits the time within which registration in accordance with that subsection may be effected is hereby repealed as from the passing of the Principal Act and in lieu thereof it is hereby enacted that:

(a) Registration in accordance with the said subsection (5) may (subject to the provisions of the next following paragraph of this subsection) be effected and shall be deemed always to have been capable of being effected at any time after the passing of the Principal Act, whether before or after the passing of this Act, and

(b) No person shall be registered in accordance with the said subsection (5) after the passing of this Act without the consent of the Minister for Justice.

(2) The reference, in paragraph (b) of subsection (4) of the said section 2 of the Principal Act, to the next following subsection of that section shall

be construed and have effect and be deemed always to have had effect as referring to that subsection as amended by this section.

3. (1) This Act may be cited as the Irish Nationality and Citizenship (Amendment) Act, 1937.

(2) The Principal Act and this Act may be cited together as the Irish Nationality and Citizenship Acts, 1935 and 1937.

41. Israel

(a) LAW OF RETURN, OF 6 JULY, 5710-1950.

1. Every Jew has the right to come to this country as an "oleh" (plural olim—a Jew immigrating to Israel permanently, translator).

2. (a) Aliyah shall be by oleh's visa.

(b) An oleh's visa shall be granted to every Jew who expresses his desire to settle in Israel, unless the Minister of Immigration is satisfied that the applicant:

(1) Is acting against the Jewish people, or

(2) Is likely to endanger public health or the security of the State.

3. (a) A Jew who comes to Israel and subsequent to his arrival expresses his desire to settle in Israel is entitled, while in Israel, to receive an oleh's certificate.

(b) The restrictions specified in section 2 (b) shall also apply to the grant of an oleh's certificate, but a person shall not be considered to be endangering public health on account of an illness contracted after his arrival in Israel.

4. Every Jew who came to this country as an oleh before the coming into force of this Law and every Jew born in this country, whether before or after the coming into force of this Law, shall have the same status as a person who comes to this country as an oleh under this Law.

5. The Minister of Immigration is charged with the implementation of this Law and may make regulations as to all matters relating to its implementation and also as to the grant of oleh's visas and oleh's certificates to minors up to the age of 18 years.

(b) NATIONALITY LAW, OF 1 APRIL, 5712-1952.

PART ONE: ACQUISITION OF NATIONALITY

1. Israel nationality is acquired:

By return (section 2),

By residence in Israel (section 3),

By birth (section 4), or

By naturalization (sections 5 to 9).

There shall be no Israel nationality save under this Law.

2. (a) Every "oleh"¹ under the Law of Return, 5710-1950, shall become an Israel national.

(b) Israel nationality by return is acquired:

¹ Translator's Note: "oleh" and "aliyah" mean respectively a Jew immigrating, and the immigration of a Jew, to the Land of Israel.