

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.

(1) By a person who came as an "*oleh*" into, or was born in, the country before the establishment of the State—with effect from the day of the establishment of the State;

(2) By a person having come to Israel as an "*oleh*" after the establishment of the State—with effect from the day of his "*aliyah*";

(3) By a person born in Israel after the establishment of the State—with effect from the day of his birth;

(4) By a person who has received an "*oleh's*" certificate under section 3 of the Law of Return, 5710-1950, with effect from the day of the issue of the certificate.

(c) This section does not apply:

(1) To a person having ceased to be an inhabitant of Israel before the coming into force of this Law;

(2) To a person of full age who, immediately before the day of the coming into force of this Law or, if he comes to Israel as an "*oleh*" thereafter, immediately before the day of his "*aliyah*" or the day of the issue of his "*oleh's*" certificate is a foreign national and who, on or before such day, declares that he does not desire to become an Israel national;

(3) To a minor whose parents have made a declaration under paragraph (2) and included him therein.

3. (a) A person who, immediately before the establishment of the State, was a Palestinian citizen and who does not become an Israel national under section 2, shall become an Israel national with effect from the day of the establishment of the State if:

(1) He was registered on the 4th Adar, 5712 (1st March, 1952) as an inhabitant under the Registration of Inhabitants Ordinance, 5709-1949; and

(2) He is an inhabitant of Israel on the day of the coming into force of this Law; and

(3) He was in Israel, or in an area which became Israel territory after the establishment of the State, from the day of the establishment of the State to the day of the coming into force of this Law, or entered Israel legally during that period.

(b) A person born after the establishment of the State who is an inhabitant of Israel on the day of the coming into force of this Law, and whose father or mother becomes an Israel national under subsection (a), shall become an Israel national with effect from the day of his birth.

4. A person born while his father or mother is an Israel national shall be an Israel national from birth; where a person is born after his father's death, it shall be sufficient that his father was an Israel national at the time of his death.

5. (a) A person of full age, not being an Israel national, may obtain Israel nationality by naturalization if:

(1) He is in Israel; and

(2) He has been in Israel for three years out of the five years immediately preceding the day of the submission of his application; and

(3) He is entitled to reside in Israel permanently; and

(4) He has settled, or intends to settle, in Israel; and

(5) He has some knowledge of the Hebrew language, and

(6) He has renounced his prior nationality or has proved that he will cease to be a foreign national upon becoming an Israel national.

(b) Where a person has applied for naturalization, and he meets the requirements of subsection (a), the Minister of the Interior, if he thinks fit to do so, shall grant him Israel nationality by the issue of a certificate of naturalization.

(c) Prior to the grant of nationality, the applicant shall make the following declaration:

“I declare that I will be a loyal national of the State of Israel.”

(d) Nationality is acquired on the day of the declaration.

6. (a) (1) A person who has served in the regular service of the Defence Army of Israel or who, after the 16th Kislev, 5708 (29th November, 1947) has served in some other service which the Minister of Defence, by declaration published in *Reshumot*, has declared to be military service for the purposes of this section, and who has been properly discharged from such service; and

(2) A person who has lost a son or daughter in such service, are exempt from the requirements of section 5 (a), except the requirement of section 5 (a) (4).

(b) A person applying for naturalization after having made a declaration under section 2 (c) (2) is exempt from the requirement of section 5 (a) (2).

(c) A person who immediately before the establishment of the State was a Palestinian citizen is exempt from the requirement of section 5 (a) (5).

(d) The Minister of the Interior may exempt an applicant from all or any of the requirements of section 5 (a) (1), (2), (5) and (6) if there exists in his opinion a special reason justifying such exemption.

7. The spouse of a person who is an Israel national or who has applied for Israel nationality and meets or is exempt from the requirements of section 5 (a) may obtain Israel nationality by naturalization even if she or he is a minor or does not meet the requirements of section 5 (a).

8. Naturalization confers Israel nationality also upon the minor children of the naturalized person.

9. (a) Where a minor, not being an Israel national, is an inhabitant of Israel, and his parents are not in Israel or have died or are unknown, the Minister of the Interior, on such conditions and with effect from such day as he may think fit, may grant him Israel nationality by the issue of a certificate of naturalization.

(b) Nationality may be granted as aforesaid upon the application of the father or mother of the minor or, if they have died or are unable to apply, upon the application of the guardian or person in charge of the minor.

PART TWO. LOSS OF NATIONALITY

10. (a) An Israel national of full age, not being an inhabitant of Israel, may declare that he desires to renounce his Israel nationality; such renunciation is subject to the consent of the Minister of the Interior; the declarant's Israel nationality terminates on the day fixed by the Minister.

(b) The Israel nationality of a minor, not being an inhabitant of Israel, terminates upon his parents' renouncing their Israel nationality; it does not terminate so long as one of his parents remains an Israel national.

11. (a) Where a person, having acquired Israel nationality by naturalization:

- (1) Has done so on the basis of false particulars; or
 - (2) Has been abroad for seven consecutive years and has no effective connexion with Israel, and has failed to prove that his effective connexion with Israel was severed otherwise than by his own volition; or
 - (3) Has committed an act constituting a breach of allegiance to the State of Israel,
- a District Court may, upon the application of the Minister of the Interior, revoke such person's naturalization.

(b) The Court may, upon such application, rule that the revocation shall apply also to such children of the naturalized person as acquired Israel nationality by virtue of his naturalization and are domiciled abroad.

(c) Israel nationality terminates on the day on which the judgment revoking naturalization ceases to be appealable or on such later day as the Court may fix.

12. Loss of Israel nationality does not relieve from a liability arising out of such nationality and created before its loss.

PART THREE. FURTHER PROVISIONS

13. In this Law:

"of full age" means of the age of eighteen years or over;

"minor" means a person under eighteen years of age;

"child" includes an adopted child, and "parents" includes adopters;

"foreign nationality" includes foreign citizenship, and "foreign national" includes a foreign citizen, but does not include a Palestinian citizen.

14. (a) Save for the purposes of naturalization, acquisition of Israel nationality is not conditional upon renunciation of a prior nationality.

(b) An Israel national who is also a foreign national shall, for the purposes of Israel law, be considered as an Israel national.

(c) An inhabitant of Israel residing abroad shall, for the purposes of this Law, be considered as an inhabitant of Israel so long as he has not settled abroad.

15. An Israel national is entitled to obtain from the Minister of the Interior a certificate attesting his Israel nationality.

16. A person who knowingly gives false particulars as to a matter affecting his own or another person's acquisition or loss of Israel nationality is liable to imprisonment for a term not exceeding six months or to a fine not exceeding five hundred pounds, or to both such penalties.

17. (a) The Minister of the Interior is charged with the implementation of this Law and may make regulations as to any matter relating to its implementation, including the payment of fees and exemption from the payment thereof.

(b) The Minister of Justice may make regulations as to proceedings in District Courts under this Law, including appeals from decisions of such Courts.

18. (a) The Palestinian Citizenship Orders, 1925-1942, are repealed with effect from the day of the establishment of the State.

(b) Any reference in any provision of law to Palestinian citizenship or Palestinian citizens shall henceforth be read as a reference to Israel nationality or Israel nationals.

(c) Any act done in the period between the establishment of the State and the day of the coming into force of this Law shall be deemed to be

valid if it were valid had this Law been in force at the time it was done.
 19. (a) This Law shall come into force on the 21st Tamuz, 5712 (14th July, 1952).

(b) Even before that day, the Minister of the Interior may make regulations as to declarations under section 2 (c) (2).

42. Italy

NATIONALITY ACT OF 13 JUNE 1912.¹

Article 1. Is a citizen by birth:

(1) The son of an Italian citizen;

(2) The son of a mother who is an Italian citizen if his father is unknown or is neither an Italian citizen nor a citizen of any other State, or if that person does not follow the citizenship of the alien father in conformity with the law of the country of which the father is a citizen;

(3) A person born in the kingdom if both parents are unknown or are neither Italian citizens nor citizens of any other State, or if that person does not follow the citizenship of his alien parents in conformity with the law of the country of which they are citizens.

A child of unknown parents found in Italy shall, until the contrary be proved, be deemed to have been born in the kingdom.

Article 2. If during the minority of a person who is not *sui juris* that person is acknowledged by his father or by his mother, or if his parental relationship is established by a judicial decision, then that acknowledgment or decision shall determine that person's citizenship in conformity with the provisions of this Act.

For this purpose, the father's citizenship shall prevail even if his acknowledgment, or the judicial decision establishing parental relationship with the father, is given subsequently to acknowledgment by the mother.

If the person to whom the acknowledgment or the judicial decision relates has attained the age of majority or is *sui juris*, he shall retain his citizenship, but within one year from the date of the said acknowledgment or decision he may make a declaration to the effect that he opts for the citizenship which is derived from parental relationship.

The provisions of this article shall be applicable also to a person whose paternity or maternity is established pursuant to article 193² of the Civil Code.

Article 3. An alien who was born in the kingdom, or whose parents had at the date of his birth been resident in the kingdom for not less than ten years, shall become an Italian citizen:

¹ As amended by Royal Legislative Decree No. 1997 of 1 December 1934. Translation by the Secretariat of the United Nations.

² Now article 279, which reads as follows:

"*Article 279.* In the circumstances listed in the preceding article (Prohibition of investigation of paternal or maternal relationship) and whenever a claim for a judicial decision of paternity is barred, an illegitimate child shall be entitled to maintenance, provided that

"(1) a paternal or maternal relationship is implicitly established by an order of a civil or criminal court; or

"(2) such relationship derives from a marriage which has been annulled; or

"(3) such relationship is evidenced by an unambiguous declaration executed by the parents in writing."