

7. Any person who acquired citizenship rights under subsection (d) of article 4 of this Act under false statements and deceptions shall forfeit the right of citizenship and shall further be liable to a fine not exceeding 1,000 rupees. In such a case the citizenship shall be considered to be void from the day of its acquisition.

8. Any Nepalese national who acquires foreign citizenship cannot at the same time continue to retain Nepalese citizenship.

9. No person who acquired Nepalese citizenship by naturalization shall be eligible to hold the responsible posts of Prime Minister and Commander-in-Chief until ten years have passed since his acquisition of Nepalese citizenship.

10. As is provided in the Nepal-Tibet Treaty of 1855, sons of Nepalese fathers and Tibetan mothers shall be deemed to be Nepalese citizens whereas daughters of the same parents shall be deemed to be Tibetan.

11. The Government shall be authorized to issue rules and regulations regarding applications, the grant or the withholding of the grant of the rights of citizenship, as well as for the procedure to be followed in these matters.

55. Netherlands¹

(a) ACT OF THE 12TH OF DECEMBER 1892, A.O.D. No. 268, RELATIVE TO NETHERLANDERSHIP AND RESIDENTSHIP AS AMENDED BY THE ACT OF THE 8TH OF JULY 1907 (A.O.D. No. 177), 10TH OF FEBRUARY 1910 (A.O.D. No. 56), 15TH OF JULY 1910 (A.O.D. No. 216), 31ST OF DECEMBER 1920 (A.O.D. No. 955), 29TH OF NOVEMBER 1935 (A.O.D. No. 685), 21ST OF DECEMBER 1936 (A.O.D. Nos. 209 AND 913), 15TH OF DECEMBER 1938 (A.O.D. No. 204), 10TH OF JULY 1947 (A.O.D. No. H 232) AND 6TH OF AUGUST 1949 (A.O.D. No. J 359).

[Translation]

Article 1. The following are Netherlanders by birth:

(a) The lawful or legitimated child, or the natural child acknowledged by the father, if at the time of the birth the father possesses the status of a Netherlander;

(b) The lawful child of a Netherlander who died within three hundred days before the birth of the child;

(c) The illegitimate child that was not acknowledged and whose mother possessed the status of a Netherlander at the time of its birth;²

(d) The illegitimate child born in the Realm that was not acknowledged, unless it appears that, being an alien, it belongs to another country.²

Article 2. The following are also Netherlanders:

(a) The child of a resident of the Realm—either father or mother, according of the distinctions made in article 1—who himself or herself was born of a mother living in the Realm, unless it should appear that the child is an alien belonging to another country;

¹ English texts received from the Ministry for Foreign Affairs of the Netherlands.

² Amended by the Act of the 10th of July 1947 (A.O.D. No. H 232).

(b) The child left as a foundling or abandoned within the Realm, so long as its descent is not apparent;¹

(c) The lawful or legitimated child born in the Realm or the natural child born there that has been acknowledged by the father, if the mother at the time of the birth possesses Netherlands nationality, and the father is either without nationality or of unknown nationality, in the latter case so long as the father's nationality does not become known.²

Article 3. Netherlandership is acquired through naturalization by the entering into force of the Act by which it is granted.

For each naturalization a sum of at least two hundred and not exceeding one thousand guilders shall be due to the Treasury in proportion to the assessment in the national income tax, or in the income tax of Indonesia, Surinam and the Netherlands West Indies, for the last fiscal year elapsed when the petition is filed, in such a way that, when the taxable income amounts to three thousand guilders or less, the amount of two hundred guilders shall be due, whereas for each full amount of two thousand guilders of the taxable income in excess of three thousand guilders the amount shall be increased by one hundred guilders, on the understanding that the amount due shall not exceed one thousand guilders.

With respect to a person who has lost Netherlandership the fee shall be put at a fixed amount of two hundred guilders.

Together with the petition for naturalization the petitioner shall produce evidence to the effect:

- (1) That he is of age under Netherlands law;
- (2) That he has lost Netherlandership or that for the last five years he has resided or has had his principal place of abode in the Realm, Indonesia, Surinam or the Netherlands West Indies, or that he was born in the Realm from parents without nationality or of unknown nationality;
- (3) That he has deposited the amount due for naturalization with a receiver of registration dues.

The receiver of registration dues shall be authorized to demand the production of evidence showing the amount of the taxable income mentioned above.

If the petitioner belongs to another country, he may be required to produce evidence to the effect that the legislation of that country does not constitute any obstacle to his naturalization in the Netherlands.

Should the naturalization not be granted, seventy-five percent of the sum deposited shall be returned to the petitioner.³

Article 3bis. The sum mentioned in the preceding article shall not be due for the naturalization of a person who has lost Netherlandership by virtue of article 7, clause 5. It shall in that event be sufficient for the petitioner, when filing the petition for naturalization, to submit evidence to the effect that he did possess the status of a Netherlander.

The provision of the first section shall not apply to a person who by virtue thereof has already once been naturalized without paying a fee, nor to the person who after losing Netherlandership has taken any action

¹ Amended by the Act of the 10th of July 1947 (A.O.D. No. H 232).

² Added by the Act of the 21st of December 1936 (A.O.D. No. 209).

³ This article was again laid down by the Act of the 31st of December 1920, A.O.D. No. 955 and amended by the Acts of the 21st of December 1936, A.O.D. Nos. 209 and 913 and the 15th of December 1938, A.O.D. No. 204.

by which he would have lost Netherlandership, had he been a Netherlander.¹

Article 4. Naturalization may also be granted for reasons of state. In this case article 3 shall not apply.

In each case the Act by which this naturalization is granted shall state the conditions attached thereto.

Article 5. During marriage the wife shall share the status of her husband, except that the wife of a Netherlander who is naturalized in another country and a Netherlands woman who marries an alien shall possess the status of a Netherlander independently, when they neither do nor can acquire a foreign nationality, in the former case by the naturalization of the husband, in the latter case by contracting the marriage.

During marriage the woman who under the first section of this article possesses the status of a Netherlander independently shall share the status of her husband from the time when both possess the same nationality.

A petition for naturalization cannot be filed by a married woman.

Naturalization granted to the husband shall extend by right to the wife.

After dissolution of the marriage article 8 or article 9 shall apply.²

Article 6. The lawful or legitimated child of a father who was naturalized as a Netherlander, born previous to the naturalization of the latter, as also the natural child acknowledged by a father naturalized as a Netherlander, born previous to the naturalization of the latter, shall be deemed to be included in the naturalization. On attaining majority within the meaning of Netherlands law the child loses the status of a Netherlander provided that before the lapse of one year thereafter, the child shall have given notice of its desire not to be included in the naturalization any longer, either to the mayor of its last residence in the Realm, or to the Governor (General) for the district comprising its last place of residence in Indonesia, Surinam or the Netherlands West Indies, or to the diplomatic representative or a Netherlands consular officer in the country in which the child resides.

The same shall apply to the lawful or legitimated child, if the mother, having become a widow, was naturalized, and to the illegitimate child that was not acknowledged and that was born before the naturalization of the mother.³

Article 7. Netherlandership is lost:

(1) By naturalization in another country or, in the case of a minor, by the acquisition of a foreign nationality through naturalization of the father or the mother in another country, according to the distinctions made in article 1;

(2) By a pronouncement of divestiture to be made by Us at the request of a person who is of age, be it a man or an unmarried woman, and who possesses a foreign nationality in addition to the status of a Nether-

¹ This article was added to the Act of the 8th of July 1907, A.O.D. No. 177.

² This article was amended by the Act of the 21st of December 1936, A.O.D. No. 209.

³ This article was amended by the Acts of the 21st of December 1936, A.O.D. No. 913, 10th of July 1947, A.O.D. No. H 232 and 6th of August 1949, A.O.D. No. J 359.

See Terms Act Netherlandership.

lander, having obtained both these nationalities without having stated the desire to possess them, and having his or her usual residence and principal place of abode abroad.

(3) By the acquisition of a foreign nationality through the will of the acquirer;

(4) By entering into foreign military or State service without Our permission;

(5) With respect to Netherlands subjects born outside the Realm, Indonesia, Surinam or the Netherlands West Indies, by a residence of ten consecutive years outside the territory of the Realm, Indonesia, Surinam or the Netherlands West Indies, except in the service of the State, unless the person so residing shall, before the expiration of that term, give notice to the mayor of his last place of residence in the Realm, or to the authority designated by the Governor (General) for the district comprising his last residence in Indonesia, Surinam or the Netherlands West Indies, or to the Netherlands diplomatic representative or a Netherlands consular officer in the country in which he resides, that he desires to remain a Netherlander.

A fresh term of ten years begins to run from the day on which the notice is received.

With regard to minors, the term of ten years begins to run from the day of their coming of age under Netherlands law.¹

Article 8. The woman who has lost the status of a Netherlander through her marriage or in consequence thereof, shall regain it by the dissolution of the marriage, provided that within one year thereafter she shall give notice of her desire to regain it, either to the mayor of her place of residence in the Realm or to the authority designated by the Governor (General) for the district comprising her last residence in Indonesia, Surinam or the Netherlands West Indies, or to the Netherlands diplomatic representative or a Netherlands consular officer in the country in which she resides.²

Article 9. The woman who through her marriage or in consequence thereof has acquired the status of a Netherlander loses this through the dissolution of the marriage, provided that within one year thereafter she gives notice of her desire not to retain it any longer, either to the mayor of her place of residence in the Realm or to the authority designated by the Governor (General) for the district comprising her last residence in Indonesia, Surinam or the Netherlands West Indies, or to the Netherlands diplomatic representative or a Netherlands consular officer in the country in which she resides.³

Article 10. The lawful, legitimated, or acknowledged natural child of a Netherlander, born before the latter was naturalized in another country,

¹ This article was amended by the Acts of the 16th of February 1910, A.O.D. No. 56, 15th of July 1910, A.O.D. No. 216 and 21st of December 1936, A.O.D. Nos. 209 and 913.

See Terms Act Netherlandership.

² This article was amended by the Act of the 21st of December 1936, A.O.D. No. 913.

See Terms Act Netherlandership.

³ This article was amended by the Acts of the 21st of December 1936, A.O.D. No. 913, and 6th of August 1949, A.O.D. No. J 359.

See Terms Act Netherlandership.

in consequence whereof the child also lost the status of a Netherlander, shall regain that status on coming of age under Netherlands law provided that within one year thereafter it gives notice of its desire to regain that status, either to the mayor of its place of residence in the Realm or to the authority designated by the Governor (General) for the district comprising its last residence in Indonesia, Surinam or the Netherlands West Indies or to the Netherlands diplomatic representative or a Netherlands consular officer in the country in which it resides.

The same shall apply to the lawful or legitimated child, if the mother, having become a widow, was naturalized in another country, and to the illegitimate child that was not acknowledged and whose mother was naturalized in another country.¹

Article 11. Once a year the Minister of Justice shall cause all notices given abroad in pursuance of this Act to be published in the State Gazette.

Article 12. All persons not possessing the status of a Netherlander or who are not Netherlands subjects on other grounds shall be deemed to be aliens.

Article 13. Persons having their abode within the Realm and having resided during the last eighteen months in the Realm, Indonesia, Surinam or the Netherlands West Indies shall be deemed to be residents of the Realm.

Article 14. Residency of the Realm shall cease by taking up residence outside the Realm.

Article 15. A person who is a minor under Netherlands law, and whose father or guardian is a resident of the Realm shall likewise be deemed to be one.

On coming of age, he shall retain the status of a resident of the Realm, if he takes up residence in the Realm.

Article 16. The definitions of residency appearing in separate Acts shall be valid only in so far as they apply to the subjects dealt with in those acts.

Transitional Article. With the exception of those persons who in Indonesia, by virtue of the Act of the 2nd of September 1854, A.O.D. No. 129, are deemed to be autochthonous persons and persons assimilated thereto, all those who at the time when the present Act comes into force possess the status of Netherlanders, shall be Netherlanders within the meaning of the present Act, until they lose Netherlandship under the provisions of this Act. With respect to those who at the time referred to reside outside the Realm and its colonies or possessions in other parts of the World, the term of ten years referred to in article 7, clause 5, shall begin to run from that time.

A person born in the Realm from parents not residing there who at the time when this Act comes into force, has not attained the age of 24 years, shall acquire the status of a Netherlander by giving notice of his intention to continue residing in the Realm to the mayor of his place of residence within one year after that time, or, if he is still a minor under Netherlands law, within one year after he has come of age.

¹ This article was amended by the Acts of the 21st of December 1936, A.O.D. No. 913, 10th of July 1947, A.O.D. No. H 232 and 6th of August 1949, A.O.D. No. 359.

See Terms Act Netherlandship.

The assimilation to Netherlanders of aliens who at the time when this Act comes into force shall have conformed to article 8 of the Civil Code, is maintained with respect to the application of Civil Law so long as they retain their residence within the Realm.

FINAL ARTICLE. Save for the provisions of the preceding Transitional Clause, articles 5 to 12 forming the second title of the first book of the Civil Code, as well as the Acts of the 28th of July 1850, A.O.D. No. 44, of the 3rd of May 1851, A.O.D. No. 46, and of the 21st of December 1850, A.O.D. No. 75, shall be repealed.

In Acts in which mention is made of Netherlanders, either pursuant to the provisions of the Civil Code or to those of the Act implementing article 7 of the Constitution (Acts of the 28th of July 1850, A.O.D. No. 44, and of the 3rd of May 1851, A.O.D. No. 46) the words "Netherlanders pursuant to the provisions of the Act relative to Netherlandership and residentship", shall be read in lieu thereof, except in article 22 of the Act of the 6th of April 1875, A.O.D. No. 66, in which the words "pursuant to the provisions of the Civil Code" shall be substituted by the words "pursuant to the provisions of the Act relative to Netherlandership and Residentship as well as those born in the Netherlands colonies or possessions in other parts of the world from parents residing there."

This Act shall come into force on the 1st of July, 1893.

TRANSITIONAL PROVISION OF THE AMENDING ACT OF THE 15th OF JULY 1910,
A.O.D. NO. 216

Persons born in the Realm or its Colonies or possessions in other parts of the world who have lost Netherlandership in virtue of the provision of Article 7, clause 5 of the Act of the 12th of December 1892 (A.O.D. No. 268), as it read unamended, regain their Netherlandership on the date of the coming into force of this Act unless at that time they belong to another country.

The preceding paragraph is not applicable to married women.

The reacquisition of Netherlandership referred to in the first paragraph of this transitional provision has the same consequences for the person concerned and for his wife and children as naturalization granted in virtue of article 3 of the aforesaid Act of the 12th of December 1892 (A.O.D. No. 268).

The Act of the 15th of July 1910, A.O.D. No. 216 came into force the 16th of August 1910.

(b) ACT OF THE 10TH OF FEBRUARY 1910, A.O.D. NO. 55, RELATIVE
TO THE NETHERLANDS NATIONALITY OF PERSONS WHO ARE NOT
NETHERLANDERS (AS AMENDED).

Article 1. Of those who are not Netherlanders under the Act relative to Netherlandership and Residentship are Netherlands subjects:

1. Those who were born in Indonesia, Surinam or the Netherlands West Indies of parents residing there, or, if the father is not known, of a mother residing there, except children either of professional consuls of foreign powers or of officials of foreign powers entrusted by their government with an official task, if such children possess a foreign nationality by birth.

2. Those born in Indonesia, Surinam and the Netherlands West Indies
 - (a) Whose parents are not known;
 - (b) Whose parents are not established there and are without nationality;
 - (c) Whose parents are not established there and are of unknown nationality—so long as their nationality remains unknown;
 - (d) Whose father, although not established there, is a subject under this article;
 - (e) Whose mother, although not established there, is a subject under this article, when

1. The father is without nationality;

2. The father is unknown or of unknown nationality—so long as the father or his nationality remains unknown;

A child left as a foundling in Indonesia, Surinam or the Netherlands West Indies is considered to have been born in the territory in which it was found, until the contrary is proved.

3. The wife of a person who is a subject under section 1 or section 2. The woman who, by her marriage or as a consequence thereof, lost her nationality and acquired Netherlands nationality, shall, after the dissolution of the marriage, lose Netherlands nationality, if, at her request, she regains her former nationality.

4. The unmarried child of a person who is a subject under this article, if that child was born outside Indonesia, Surinam or the Netherlands West Indies, so long as it has not attained the age of eighteen years.

5. The child born outside Indonesia, Surinam or the Netherlands West Indies from parents who are subjects under this article, when after its marriage or after attaining the age of eighteen years it is established in the Kingdom or establishes itself there, as well as its spouse and its unmarried children who have not attained the age of eighteen years, if they also establish themselves in the Kingdom.

Article 2. Netherlands nationality as provided for by article 1 is lost:

1. By naturalization of a man or an unmarried woman in a foreign country.

This loss extends

- (a) To the woman married to the person naturalized unless she neither does nor can acquire a foreign nationality through the naturalization of her husband;

- (b) To the unmarried children who have not attained the age of eighteen years, if they acquire a foreign nationality in a foreign country through the naturalization of the father, or—if he is unknown or deceased—through that of the mother.

2. By marrying a man who does not come under article 1, section 1, 2 or 5, unless the wife, upon concluding the marriage with an alien, neither does nor can acquire his foreign nationality.

3. By entering into foreign military or state service without permission of the King or in Indonesia, Surinam or the Netherlands West Indies without the permission of him who in name of the King administers general government there.

4. In respect of persons (not belonging to the autochthonous population of Indonesia) who are in a foreign country, by omitting to report to a Netherlands consular officer in that country within three months after

arrival, and in the event of a continued stay by omitting to report within the first three months of each calendar year.

5. When the wife who has retained Netherlands nationality in the cases referred to in section 1 or 2 of this article, yet acquires the foreign nationality of her husband.

6. By a pronouncement of divestiture to be made either by Us or by Our Governor (General) according as the person concerned is born outside Indonesia, Surinam or the Netherlands West Indies or in one of these Parts of the Kingdom—at the request of the man or the unmarried woman who is of age and who possesses a foreign nationality in addition to Netherlands nationality, having obtained both these nationalities without having stated his desire to possess them and having had his usual residence and principal abode abroad for the last five years.

(x) A report made in pursuance to section 4 by a husband or father on behalf of his wife or children, or by a widow on behalf of her children, shall be considered as their own report.

(xx) The woman who, by her marriage or as a consequence thereof, lost Netherlands nationality shall regain it by the dissolution of her marriage, provided that within one year thereafter she gives notice of her desire to regain that nationality to the mayor of her place of residence in the Realm, or to the officer designated by Our Governor (General) for the district comprising her residence in Indonesia, Surinam or the Netherlands West Indies or to the diplomatic or a consular officer in the country in which she resides.

(xxx) He who under the provisions of section 4 has lost Netherlands nationality and whose position has not since become such as defined in section 1, 2 or 3, shall regain that nationality by establishing himself in the Kingdom.

Article 3. This act shall also be binding upon Indonesia, Surinam and the Netherlands West Indies.

(c) STATUTORY ORDER OF 22 MAY 1943, A.O.D. No. D 16.

Article 1. Except through Our explicit pronouncement neither the status of a Netherlander nor that of a Netherlands subject shall be lost by the acquisition after the 9th of May 1940 of the nationality of a State with which, at the time of the acquisition, The Netherlands did not entertain diplomatic relations, unless such relations were established between the 9th of May 1940 and the time when this Order enters into force.

A pronouncement referred to in the preceding section shall be announced in the State Gazette.

Article 2. This Order shall also be binding for Indonesia, Surinam and the Netherlands West Indies and shall enter into force the day following the day of its promulgation.

(d) ROYAL DECREE OF 4 OCTOBER 1944, A.O.D. No. E 127.

Article 1. Neither the status of a Netherlander nor that of a Netherlands subject shall be lost by entering the military or State service of an allied power after the 9th of May 1940, even if We or the proper authority in

the Overseas Parts of the Kingdom had not yet given permission to do so before this Decree enters into force.

Article 2. For the application of article 1 an allied power is deemed to be any non-enemy power, any non-enemy administration recognized by Us, and any organized armed force not subject to the authority of an enemy power, which wages war or engages in hostilities against an enemy power.

Article 3. In cases not provided for by article 1 We reserve the authority to give permission to enter the military or State service of a foreign country to Netherlanders and other Netherlands subjects who have done so after the 9th of May 1940, even if no petition for this purpose has been addressed to Us.

With respect to Netherlands subjects born in one of the Overseas Parts of the Kingdom who do not possess the status of a Netherlander, like authority is vested in the person who in Our name administers general government in the respective Overseas Part.

Article 4. The provisions of the preceding articles leave intact the duty imposed or to be imposed on Netherlanders and other Netherlands subjects either by Law or by Us or, in the Overseas Part of the Kingdom, by the proper authorities, to perform military or civilian service, including service on behalf of shipping.

Article 5. This Decree shall be binding for the entire Kingdom and shall enter into force on the day following the day of its promulgation, save that in Surinam and the Netherlands West Indies it shall enter into force on the day following the day of its promulgation in the respective Part of the Kingdom.

Came into force in Surinam the 31st of Dec. 1944.

Came into force in Curaçao the 6th of Jan. 1945.

(e) DECREE OF 12 OCTOBER 1944 CONTAINING REGULATIONS FOR PROVISIONALLY REGARDING AS NETHERLANDERS FOREIGNERS WITHOUT NATIONALITY WHO ARE IN NETHERLANDS MILITARY SERVICE OR WHO BELONG TO THE SAILING PERSONNEL OF THE NETHERLANDS MERCANTILE FLEET (A.O.D. No. E 128).

Article 1. 1. At the request for naturalization of a person who is in Netherlands military service and who does not possess any foreign nationality We may determine that he shall be regarded as a Netherlander until the time when, after the end of the present emergency, and the States General shall again be assembled, a decision shall be given regarding the grant of naturalization.

2. Until the said time Our declaration referred to in the preceding paragraph has the same effect as if the applicant had been granted naturalization.

Article 2. The provision of article 3, paragraph four, 2nd and 3rd clauses of the Act of the 12th of December 1892 (A.O.D. No. 268) as this Act has since been amended shall not be applicable with respect to a request of the nature referred to in Article 1.

Article 3. The provisions of the preceding articles are also applicable in respect of a request for naturalization addressed to Us by a person

working as a member of the crew on board a sea-going vessel entitled to fly the Netherlands flag.

Article 4. This Decree comes into force with effect from the day following that of its publication in A.O.D.

(f) ROYAL DECREE NO. II, RELATIVE TO THE EFFECT OF MARRIAGES WITH ENEMY NATIONALS, OF THE 17TH OF NOVEMBER 1945, A.O.D. No. F 278.

Section 1. General Dispositions

Article 1. For the application of this decree the terms mentioned below shall be interpreted as follows:

1. Enemy state: Germany;
2. Enemy territory: the German Reich as at 31st of December 1937;
3. Enemy nationals: persons who are nationals of an enemy state or have been such nationals at any time after the 9th of May 1940;
4. Aliens: persons who are aliens under article 12 of the Act relative to Netherlandship and Residency;
5. Commission: the Commission referred to in article 4;
6. Our Minister: the Minister responsible for carrying out this decree.

Section 2. Of Marriages

Article 2. 1. A woman who is an enemy national and who between the 10th of May 1940 and the day on which this decree enters into force was married to a Netherlander shall lose her Netherlandship on the day on which this decree enters into force.

2. A woman who is an enemy national and who contracts a marriage with a Netherlander does not acquire Netherlandship through that marriage.

Article 3. 1. A woman who between the 10th of May 1940 and the day on which this decree enters into force was married in enemy territory to a Netherlander and who on the day on which the marriage was contracted was a non-enemy alien shall lose Netherlandship on the day on which this decree enters into force.

2. The same applies to the woman married to a Netherlander, if on the day on which the marriage was contracted she was a non-enemy alien and if she was married, either in territory occupied or annexed by the enemy—not being the territory of the Realm—or in territory of a state that had joined an enemy state, between the 10th of May 1940 and the date of the liberation of that territory.

3. A woman, non-enemy alien, who in enemy territory contracts a marriage with a Netherlander, does not acquire Netherlandship through that marriage.

4. Married women referred to in section 1, section 2 and section 3, may independently file a petition for naturalization in accordance with provisions to be made by law.

*Section 3. Of the Commission for marriages with
women of enemy or other alien nationality*

Article 4

Article 5

Section 4. Final Provisions

Article 6

Article 7

- (g) ACT OF THE 6TH OF AUGUST 1949, CONTAINING FURTHER PROVISIONS RELATING TO THE TERMS LAID DOWN IN THE ACT RELATING TO NETHERLANDERSHIP AND RESIDENTSHIP (TERMS ACT NETHERLANDERSHIP) A.O.D. No. J 359.

Article 1. The terms expired after the 31st of August 1938, laid down in articles 6, 7, paragraph one clause 5, 8, 9 and 10 of the Act relating to Netherlandership and residentship, shall be extended up to January 1st 1953. The extension is retroactive up to the end of the day of expiration.

Article 2. Notices referred to in articles 6, 7, paragraph one clause 5, 8, 9 and 10 of the Act relating to Netherlandership and residentship, given to foreign ambassadors or consuls or to offices for the furtherance of Netherlands interests, who after the 10th of May 1940 took charge of these interests in enemy territory or in territory occupied by the enemy, or to representatives or officials of Netherlands military missions with allied occupation authorities, shall be deemed to have been given to a Netherlands ambassador or consular officer authorised to receive such notices.

Article 3. With effect from the 1st of July 1893

1. In article 6 of the Act relating to Netherlandership and residentship the words "and retains the status of a Netherlander until attaining majority within the meaning of Netherlands law" shall be substituted by "on the attainment of majority within the meaning of Netherlands law, loses the status of a Netherlander, provided it".

2. In article 9 of the aforesaid Act the part of the sentence reading "retains this after the dissolution of the marriage unless" shall be substituted by "loses it through the dissolution of the marriage, provided".

3. In article 10 of the aforesaid Act the part of the sentence reading "provided it has become of age within the meaning of Netherlands law", shall be substituted by "on the attainment of majority within the meaning of Netherlands law, provided it".

Article 4. This Act becomes operative on the day following its promulgation, and may be cited as "Terms Act Netherlandership".

- (h) ACT OF 29 DECEMBER 1950 REPEALING ROYAL DECREE No. II RELATIVE TO THE EFFECT OF MARRIAGES WITH ENEMY NATIONALS (A.O.D. No. F 278).

Article 1. Royal Decree No. II relative to the effect of Marriages with Enemy Nationals has been repealed.

Article 2. A woman of foreign nationality who was married to a Netherlander after 10 May, 1940, but who does not possess Netherlandership

as a result of the Decree referred to in Article 1, shall be deemed to have acquired Netherlandship on the day of the marriage.

Article 3. 1. The provisions of the previous Article do not apply to a woman who possesses German nationality or would have possessed German nationality if she had not been married to a Netherlander.

2. A woman as referred to in the previous paragraph shall acquire Netherlandship by means of a relevant notification with retroactive effect from the day of the marriage:

(a) If for a period of one year immediately preceding the notification she has had her principal place of residence in the Kingdom, or

(b) If the marriage continues to exist and was concluded at least a year ago.

3. The woman should address the notification to an authority which under the Act of 12th December 1892 (A.O.D. No. 268) relative to Netherlandship and Residency is entitled to receive notifications in connection with Netherlandship. We reserve the right to make regulations in this respect, as well as to determine the date on which the power granted in the second paragraph of this Article terminates.

Article 4. The provisions of Article 2 and of the opening lines and subparagraph 2a. of paragraph 2 of Article 3 shall not apply to the woman who after the dissolution of her marriage to a Netherlander which was concluded after 10 May, 1940, has acquired another nationality either by her own will or through marriage.

Article 5. This Act shall come into force on the day after its promulgation.

(i) ACT OF 21ST DECEMBER 1951, A.O.D. No. 593, CONTAINING FURTHER RULES CONCERNING NATIONALITY AND RESIDENCY.

As We have taken into consideration that it is desirable to lay down rules concerning nationality in connection with the agreement between the Kingdom of The Netherlands and the Republic of the United States of Indonesia concerning the assignment of citizens, and in order to extend Netherlandship to the whole of the national population of Surinam and of the Netherlands Antilles;

Article 1. All persons who in virtue of the agreement concerning the assignment of citizens between the Kingdom of The Netherlands and the Republic of the United States of Indonesia possess or shall possess Netherlands nationality, are or shall be Netherlanders within the meaning of the act of 12th December 1892, A.O.D. No. 268, relative to Netherlandship and Residency.

Article 2. The act of 12th December 1892, A.O.D. No. 268, relative to Netherlandship and Residency, as amended by the act of 6th August 1949, A.O.D. No. J 359, is amended as follows:

I

Article 1 is amended as follows:

1. Under *d* the word "Realm" is replaced by "Kingdom".

2. Under *d* the words "that being an alien it belongs to another country" are replaced by "that it possesses the nationality of another State".

3. A second paragraph is added, reading as follows: In the foregoing paragraph "Kingdom" does not include New Guinea.

II

Article 2 is amended as follows:

1. Under *a* the words "a resident of the Realm" are replaced by "a resident of The Netherlands, of Surinam or of the Netherlands Antilles".
2. Under *a* the words "that the child is an alien belonging to another country" are replaced by "that the child possesses the nationality of another State".
3. Under *a*, *b* and *c* instead of "Realm" should be read "Kingdom".
4. A second paragraph is added reading as follows: "In the foregoing paragraph 'Kingdom' does not include New Guinea."

III

Article 3 is amended as follows:

1. In the second paragraph the words "national income tax, or in the ncome tax of the Netherlands East Indies, Surinam or Curaçao"¹ are replaced by "income tax of one of the parts of the Kingdom".
2. In the fourth paragraph, under 2, the words "Realm, the Netherlands East Indies, Surinam or Curaçao, or that he was born in the Realm"² are replaced by "Kingdom, or that he was born in the Kingdom".
3. In the fourth paragraph, under 3, the words "registration dues" are replaced by "taxes".
4. In the fifth paragraph the words "registration dues" are replaced by "taxes".
5. In the sixth paragraph the words "The Netherlands" are replaced by "the Kingdom".

IV

A transitory provision is added to article 3 reading as follows:

Transitory provision

When dealing with petitions for naturalization pending at the moment of transfer of sovereignty in pursuance of the Act relative to the transfer of sovereignty of Indonesia, or presented within two years after the moment referred to above, instead of the words "has had his principal place of abode in the Kingdom" in article 3, the fourth paragraph, under 2, should be read, "has had his principal place of abode in the Kingdom or in the Indonesian Republic."

V

In the first paragraph of article 5 the word "alien" is replaced by "non-Netherlander" and the words "a foreign" by "another".

¹ In the Consular Manual 1951, Volume 2, Chapter 34-a, ANN. A this text reads: "national income tax, or in the income tax of Indonesia, Surinam and the Netherlands West Indies".

² In the Consular Manual, 1951, Volume 2, Chapter 34-a, ANN. A this text reads: "Realm, Indonesia, Surinam or the Netherlands West Indies, or that he was born in the Realm".

VI

After "provided that before the lapse of one year thereafter" the first paragraph of article 6 should be read as follows: "the child gives notice of its desire not to be included in the naturalization any longer, to the authority designated in virtue of article 12a".

VII

Article 7 is amended as follows:

1. In the first paragraph, under (1), the words "a foreign" are replaced by "another".

2. In the first paragraph, under (2), the words "a foreign" are replaced by "another", and the word "abroad" is replaced by "outside the Kingdom".

3. In the first paragraph, under (3), the words "a foreign" are replaced by "another".

4. The first paragraph, under (5), should be read as follows: "with respect to Netherlanders born outside the Kingdom and outside the Indonesian Republic by a residence of ten consecutive years outside the Kingdom and outside the Indonesian Republic, unless the absent person was in the service of the Kingdom, and unless¹ the absent person, before this period of ten years expires, gives notice to the authority designated in virtue of article 12a that he desires to remain a Netherlander".

VIII

After "to regain it", article 8 should be read: "to the authority designated in virtue of article 12a".

IX

After "not to retain it any longer", article 9 should be read: "to the authority designated in virtue of article 12a".

X

After "to regain that status", the first paragraph of article 10 should be read: "to the authority designated in virtue of article 12a".

XI

In article 11 "abroad" should be omitted.

XII

After article 12 a new article is inserted, reading:

Article 12a. The notices to be given in virtue of this act, may be directed:
In The Netherlands to the burgomasters,
In Surinam to the officials designated by Our Governor,
In the Netherlands Antilles to the officials designated by Our Governor,

¹In the Consular Manual 1951, Volume 2, Chapter 34-a, ANN. A these words read: "unless the person so residing".

In New Guinea to the officials designated by the functionary charged with the public administration,

In the Republic of the United States of Indonesia to Our High Commissioner or to Our Commissioners,

Abroad to the Netherlands diplomatic representatives and consular officers.

XIII

Article 13 should be read:

Persons residing in The Netherlands and having resided in the Kingdom or in the Indonesian Republic during the preceding eighteen months, are residents of The Netherlands.

XIV

Article 14 should be read:

Residency of The Netherlands shall cease by taking up residence outside The Netherlands.

XV

Article 15 should be read:

A person who is a minor under Netherlands law and whose father or guardian is a resident of The Netherlands, shall be one likewise.

On coming of age he shall retain the status of a resident of The Netherlands if he takes up residence in The Netherlands.

Article 3. The applicability of the Act of 10th February 1910, A.O.D. No. 55, relative to the regulation of the Netherlands nationality of not-Netherlanders, as amended by the Act of 21st December 1936, A.O.D. No. 912, shall be restricted to the inhabitants of New Guinea.

Article 4. The text of the Act of 12th December 1892, A.O.D. No. 268, relative to Netherlandship and Residency, as amended by the present act, is made known by Us with due observance of the official spelling of the Netherlands language.

Article 5. The present Act which may be referred to as "Act relative to further regulations regarding nationality and residency 1951" shall come into force as from the day of promulgation with retroactive effect as from the time of transfer of sovereignty in pursuance of the Act transfer of sovereignty of Indonesia.

(j) ACT OF 15TH MAY 1953 AMENDING ARTICLE 2 OF THE ACT RELATIVE TO NETHERLANDSHIP AND RESIDENCY.

Article 1. Article 2 of the Act of 12th December 1892 (A.O.D. No. 268) relative to Netherlandship and Residency, as amended, shall read as follows:

"*Article 2.* The following are also Netherlanders:

"(a) The child of a father or mother, according to the distinctions made in Article 1, who at the time of its birth was living in the Netherlands, Surinam or the Netherlands Antilles and who himself or herself was born of a mother living in the Kingdom;

"(b) The child left as a foundling or abandoned within the Kingdom so long as its descent is not apparent;

“(c) The legitimate or legitimized child born in the Kingdom or the illegitimate child born there that has been acknowledged by the father, if at the time of its birth the mother possesses Netherlands nationality and the father is either without nationality or of unknown nationality, in the latter case so long as the father’s nationality remains unknown.

“In the preceding paragraph ‘Kingdom’ does not include New Guinea.”

Article II. This Act shall come into force on the day following its promulgation.

(k) ACT OF 30 JULY, 1953, CONTAINING PROVISIONS TERMINATING
‘STATELESSNESS.

Article I. 1. At their request persons who are of age and who are stateless through the operation of the provision contained in sub-paragraph 4 of Article 7 of the Act relative to Netherlandership and Residentship, insofar as this provision refers to military or State service of an enemy country, may be granted Netherlandership by the Minister of Justice, provided they have had their principal place of residence in the Kingdom for an uninterrupted period of two years immediately preceding the application.

2. The wife of a person who has thus re-acquired Netherlands nationality also acquires the status of a Netherlander. The same applies to their minor children who, but for the operation of the provision referred to under 1, would have been Netherlanders.

3. For each acquisition of Netherlandership a fee is due to the Treasury of at least twenty-five guilders and not exceeding one thousand guilders, in proportion to the assessment for income tax in any part of the Realm for the last fiscal year elapsed when the application is filed, it being understood that the following fees are due:

An amount of twenty-five guilders if the taxable income is less than one thousand guilders;

An amount of fifty guilders if the taxable income is one thousand guilders but less than two thousand guilders;

An amount of seventy-five guilders if the taxable income is two thousand guilders but less than three thousand guilders;

An amount of one hundred guilders if the taxable income is three thousand guilders but less than four thousand guilders;

An amount of two hundred guilders if the taxable income is four thousand guilders but less than five thousand guilders;

while for every full amount of two thousand guilders of the taxable income in excess of three thousand guilders the amount of two hundred guilders will be increased by one hundred guilders, it being understood that the fee due shall not exceed an amount of one thousand guilders.

4. The application to be filed by the applicant must be accompanied by the following documents:

(a) The applicant’s birth certificate;

(b) A certificate proving that he has had his principal place of residence in the Realm for an uninterrupted period of two years immediately preceding the application;

(c) A certificate proving that he has deposited with the collector of direct taxes the amount due in respect of his being granted Netherlandership or a declaration issued by the inspector of taxes to the effect that the applicant

has not had a taxable income for the last fiscal year elapsed when the application is filed.

5. Article 3, paragraphs 5 and 7, of the Act relative to Netherlandership and Residentship shall similarly apply.

6. As a rule Netherlandership can be granted only if:

(a) During a period of two years immediately preceding the application the applicant was neither detained in custody pursuant to a final judgment by virtue of the "Besluit Buitengewoon Strafrecht" (Special Criminal Law Decree, A.O.D. D 61) nor interned as provided in the "Tribunaal-besluit" (Tribunal Decree);

(b) It appears that the applicant has been of good conduct during the period referred to under (a).

7. When deciding on the application for granting Netherlandership the seriousness of the actions having led to the punishment or internment of the applicant by virtue of the "Besluit Buitengewoon Strafrecht" (A.O.D. D 61) or of the "Tribunaal besluit" shall, if necessary, be taken into account.

8. Through the medium of the Minister of Justice each decision granting Netherlandership shall be published in the State Gazette.

9. We reserve the right to make regulations by general administrative order necessary for the implementation of this Article.

Article II. The second paragraph of Article 5 of the Act relative to Netherlandership and Residentship shall read as follows:

"During marriage the woman who possesses the status of a Netherlander independently shall share the status of her husband from the time when both possess the same nationality."

Article III. (This Article contains a number of provisions relative to the exclusion, either temporary or permanent, from the electoral franchise.)

Article IV. (This Article sets forth the conditions to be fulfilled by a person who has re-acquired Netherlands nationality after he had become stateless as a result of his entering the military or State service of an enemy country, before he may be restored to the electoral franchise.)

Article V. This Act shall come into force on the day following its promulgation.

56. New Zealand

(a) BRITISH NATIONALITY AND NEW ZEALAND CITIZENSHIP ACT,
NO. 15 OF 6 SEPTEMBER 1948.

1. (1) This Act may be cited as the British Nationality and New Zealand Citizenship Act, 1948.

(2) This Act shall come into force on the first day of January, nineteen hundred and forty-nine.

2. (1) In this Act, unless the context otherwise requires,

"Alien" means a person who is not a British subject, a British protected person, or an Irish citizen;

"Australia" includes the territories of Papua and the territory of Norfolk Island;

"British protected person" means a New Zealand protected person; and includes any person who under any enactment for the time being in force in any country mentioned in subsection three of section three of this Act is a British protected person or a protected person of that country;