

provided that he has been resident in Nicaragua for at least one year. Regulations governing the application of this provision shall be enacted by statute.

Article 20. Neither marriage nor the dissolution of marriage shall affect the nationality of the spouses or that of their children.

Article 21. Nicaraguan nationality is lost:

(1) By voluntary naturalization in a foreign country other than a Central American country. A Nicaraguan national who loses his nationality by virtue of this provision recovers it if at any time he should return to Nicaragua;

(2) By cancellation of the certificate of naturalization;

(3) In the case of a Nicaraguan national by naturalization, by voluntary absence for more than five consecutive years, unless he can produce evidence of his continuous connection with the country.

If any person who acquired Nicaraguan nationality by naturalization advocates political doctrines which are incompatible with the ideal of the Fatherland, or affect its national sovereignty, or tend to destroy the Republican system of Government, he shall lose Nicaraguan nationality and shall not be able to recover it.

Article 22. All matters relating to naturalization and the mode of acquiring, losing or recovering Nicaraguan nationality shall be regulated by statute.

58. Norway

NATIONALITY ACT NO. 3 OF 8 DECEMBER 1950.¹

CHAPTER I. ACQUISITION OF NATIONALITY

Article 1. A person is a Norwegian national by birth if he was born:

1. In wedlock and his father was at the time a Norwegian national;

2. In wedlock in Norway to a Norwegian mother, if the father was not at the time a national of any State or if that person did not acquire at birth the nationality of the father;

3. Out of wedlock to a woman who is a Norwegian national.

A foundling child found in Norway shall, in the absence of proof to the contrary, be deemed to be a Norwegian national.

Article 2. A child born out of wedlock to a Norwegian father and an alien mother shall, if under the age of eighteen years and unmarried, acquire Norwegian nationality on the marriage of his parents to one another.

Article 3. An alien who was born in Norway and who has resided in Norway continuously may acquire Norwegian nationality by submitting to the county governor, after attaining the age of twenty-one but before attaining the age of twenty-three years, a written declaration to the effect that he wishes to become a Norwegian national. If he is not a national of any country or can prove that he will lose his foreign nationality on acquiring Norwegian nationality he may make the aforesaid declaration upon attaining the age of eighteen years.

If Norway is at war, no enemy national or stateless person lately an enemy national may acquire Norwegian nationality under this article.

Article 4. A person who acquired Norwegian nationality at birth and who, after residing continuously in Norway until the age of eighteen years,

¹ Translation by the Secretariat of the United Nations.

lost his nationality may, if he has resided in Norway during the two years immediately preceding the declaration, recover Norwegian nationality by submitting to the county governor a written declaration to the effect that he wishes to become a Norwegian national. If he is a national of another country, he may not submit such a declaration unless he proves that he will lose his foreign nationality upon acquiring Norwegian nationality.

Article 5. The unmarried children of a person who acquires Norwegian nationality under article 3 or 4 shall also thereby acquire Norwegian nationality, provided that they were born in wedlock, reside in Norway and are under the age of eighteen years. This provision shall not apply, however, to children in the custody of their mother after the marriage has been declared void or annulled or the spouses have been divorced or separated by a judicial decision or administrative decree.

If a woman acquires Norwegian nationality as aforesaid, the provisions of the first paragraph hereof shall apply as appropriate to a child born to her:

1. Out of wedlock, unless the father is an alien and has custody of the child;
2. In wedlock if she is widowed;
3. In wedlock who is in her custody, if the marriage has been declared void or annulled or the spouses have been divorced or separated by a judicial decision or administrative decree.

Article 6. His Majesty, or any person authorized by His Majesty thereto, may deliver a certificate of Norwegian naturalization to an alien who applies for naturalization if the alien:

1. Is not under the age of eighteen years;
2. Has resided in Norway for the seven years immediately preceding the application;
3. Is of good repute; and
4. Is able to support himself and his dependants.

An applicant who has previously been a Norwegian national, or is married to and living with a Norwegian national, or in other special circumstances, may be naturalized even if he does not fulfil these conditions. The conditions stipulated in item 2 hereof may be waived also in other cases if the applicant is a Finnish, Icelandic or Swedish national.

If the application is granted, the applicant shall be notified in writing that a certificate of naturalization will be issued to him provided that he takes within one year an oath of allegiance to the Constitution. He shall take this oath before a judge of a district or town court or before a Norwegian authority abroad.

If the applicant is under the age of eighteen years or of unsound mind, no oath shall be required.

If under the law of the applicant's country he cannot cease to be a national of that country except by release, it shall also be a condition that he shall within one year prove that he has been so released.

If the applicant has unmarried children under the age of eighteen years, the authority issuing the certificate of naturalization shall decide whether the certificate shall apply also to such children.

CHAPTER II. LOSS OF NATIONALITY

Article 7. A person shall cease to be a Norwegian national if he:

1. Acquires a foreign nationality by application or express consent;

2. Acquires a foreign nationality by entering the public service of another country;

3. Being unmarried and under the age of eighteen years, acquires a foreign nationality because one of his parents has acquired it in the manner described in item 1 or item 2 hereof while having custody of him alone or jointly with the other parent and that other parent is not a Norwegian national;

4. Being unmarried and under the age of eighteen years, acquires a foreign nationality by the marriage of his parents with one another; provided that if he resides in Norway he shall not cease to be a Norwegian national unless he goes abroad before he attains the age of eighteen years and acquires a foreign nationality.

Article 8. A Norwegian national who was born abroad and has never resided in Norway, nor sojourned in Norway in such a manner as to indicate association with Norway, shall cease to be a Norwegian national on attaining the age of twenty-two years. If, however, he applies for naturalization before attaining the said age, His Majesty or the person appointed by His Majesty may grant him a certificate thereof.

If a person ceases to be a Norwegian national by virtue of this article, his children who acquired Norwegian nationality through him shall likewise cease to be Norwegian nationals.

Article 9. A person who is or wishes to become a national of another country may on application be released from Norwegian nationality by His Majesty or by a person authorized by His Majesty to grant the release. If the applicant is not already a national of another country, it shall be a condition of his release that he shall acquire foreign nationality within a certain time.

CHAPTER III. SPECIAL PROVISIONS RELATING TO AGREEMENTS WITH OTHER STATES

Article 10. His Majesty may enter into agreements with Denmark, Finland, Iceland and Sweden for the purpose of giving effect to one or more of the provisions in paragraphs A, B and C below. The term "other contracting State" in this article means any State with which such an agreement has been concluded.

A. For the purposes of article 1, item 1, and article 3, birth in another contracting State shall be equivalent to birth in Norway.

For the purposes of articles 3 and 4, residence until the age of twelve years in another contracting State shall be equivalent to residence in Norway.

B. A national of another contracting State who:

1. Has not acquired the nationality of that State by certificate of naturalization;

2. Has attained the age of twenty-one but has not yet attained the age of sixty years;

3. Has been domiciled in Norway for the ten years immediately preceding the declaration; and

4. Has not during that time been sentenced to imprisonment or detention under article 39 or 39 (a) of the Penal Code, shall acquire Norwegian nationality on submitting to the county governor a written declaration to the effect that he wishes to become a Norwegian national. The provisions of article 5 shall apply as appropriate.

C. If a person has ceased to be a Norwegian national and has subsequently become a national of another contracting State, he shall be granted Norwegian nationality if he settles in Norway and thereafter submits to the county governor a written declaration to the effect that he wishes to become a Norwegian national. The provisions of article 5 shall apply as appropriate.

CHAPTER IV. SUPPLEMENTARY PROVISIONS

Article 11. If a minor to whom the provisions of article 1, first paragraph, item 2, apply is under the age of eighteen years at the entry into force of this Act, that minor shall thereupon acquire Norwegian nationality if he is not and has not been a national of any other country.

Article 12. A person who attains the age of twenty-two years within one year after the entry into force of this Act may submit an application under article 3 before attaining the age of twenty-four years.

Article 13. A woman who ceased to be a Norwegian national under the Act of 21 April 1888 or the Act of 8 August 1924 by marriage to a person who was at that time or later became a national of another country, may recover Norwegian nationality provided that she would not have ceased to be a Norwegian national if this Act had been in force, and that within five years after the entry into force of this Act she submits to the authority thereto appointed by His Majesty a written declaration to the effect that she wishes to become a Norwegian national. If she ceased to be a Norwegian national through marriage to a national of an enemy State during the period 9 April 1940 to 31 December 1948, this provision shall not apply unless she is resident in Norway when this Act enters into force or settles here before the expiry of the said period of five years.

Article 14. A person who ceased to be a Norwegian national under article 6 (b) of the Act of 21 April 1888 by leaving Norway permanently but would not have ceased to be a Norwegian national under article 8 of this Act shall recover Norwegian nationality if he submits to the authority thereto appointed by His Majesty a written declaration to the effect that he wishes to become a Norwegian national. A person who has acquired a foreign nationality may not submit such a declaration.

The provisions of article 5 shall apply as appropriate except that the children shall not be required to reside in this country.

Article 15. A woman who is married or who has been married, and who attains the age of twenty-two years in the three years next after this Act enters into force, shall not cease to be a Norwegian national under article 8 until the expiry of the said period of three years.

Article 16. An application made under article 6, 8 or 9 by a person who is under the age of eighteen years or unable by reason of unsoundness of mind to enter into a legally binding contract, shall be submitted on his behalf by his guardian; but all other applicants must submit their application; in person.

A guardian may not submit a declaration under article 3 (cf. article 12), article 4, article 10B or C, article 13 or article 14.

Article 17. His Majesty or the person authorized by His Majesty may make such regulations as may be necessary for giving effect to this Act.

Article 18. This Act shall enter into force on 1 January 1951. In case of conflict between a provision of this Act and a provision of any treaty, the provision of the treaty shall prevail.

This Act shall apply to Spitzbergen and Jan Mayer, but articles 3 and 4 shall apply only for such time as His Majesty may determine.

The Norwegian Nationality Act of 8 August 1924 and the Act of 13 December 1946 to amend the Norwegian Nationality Act shall be repealed upon the entry into force of this Act.

59. Pakistan

(a) NATURALIZATION ACT NO. VII OF 26 FEBRUARY 1926.

An Act to consolidate and amend the law relating to the naturalization in [Pakistan] of aliens resident therein.

1. (1) This Act may be called the Naturalization Act, 1926.

[(2) It extends to the whole of Pakistan.]

(3) It shall come into force on such date as the [Central Government] may by notification in the [official Gazette] appoint.

2. In this Act, unless there is anything repugnant in the subject or context—

(a) “British subject” means a British subject as defined in section 27 of the British Nationality and Status of Aliens Act, 1914;

(b) “certificate of naturalization” means a certificate of naturalization granted under this Act; and

[(c) “minor” means, notwithstanding anything in the Majority Act, 1875, any person who has not completed his age of twenty-one years.]

3. (1) [The Central Government] may grant a certificate of naturalization to any person who makes an application in this behalf and satisfies [the Central Government]:

(a) That he is not a minor;

(b) That he is neither a British subject nor [a subject of any Acceding State or a native of the tribal areas or] a subject of any state in Europe or America or of any State of which [a] [Pakistan] British subject is prevented by or under any law from becoming a subject by naturalization;

[(c) That he has, during a period of not less than five years immediately preceding the date of the publication, either resided in a territory which on or after the fifteenth day of August 1947 has become a territory of Pakistan, or been in the service of the Crown therein;]

(d) That he is of good character;

(e) That he has an adequate knowledge of a language which has been declared by [the Central Government], by notification in the [official Gazette], to be [one of the principal vernaculars of Pakistan]; and

(f) That he intends, if the application is granted, to reside in [Pakistan] or to enter or continue in the service of the Crown [in Pakistan]:

Provided that nothing in clause (c) or clause (f) shall apply in the case of a woman who was a British subject previously to her marriage to a person not a British subject and whose husband has died or whose marriage has been dissolved.

(2) Nothing in this section shall be deemed to prevent the grant of a certificate of naturalization to any person to whom a certificate of naturalization has been issued under the Indian Naturalization Act, 1852.