

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Nationality Act of 8 August 1924 and the Act of 13 December 1946 to amend the Norwegian Nationality Act shall be repealed upon the entry into force of this Act.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

4. (1) Every application for a certificate of naturalization shall be in writing and shall state, to the best of the knowledge and belief of the applicant—

- (a) His age;
- (b) His place of birth;
- (c) His place of residence;
- (d) His profession, trade, or occupation;
- (e) Full particulars regarding his qualifications in respect of the matters referred to in clauses (a) to (f) of subsection (1) of section 3;
- (f) Whether he has at any time previously applied for the grant of a certificate of naturalization under the British Nationality and Status of Aliens Act, 1914, or the Indian Naturalization Act, 1852, or this Act [or the British Nationality Act, 1948];
- (g) Whether any such application has been rejected;
- (h) Whether any such certificate has been granted to him; and
- (i) Whether any such certificate granted to him has been revoked [or whether he has been deprived of his citizenship under [the Pakistan Citizenship Act, 1951] or the British Nationality Act, 1948].

(2) Every such application shall be signed by the applicant and shall be accompanied by an affidavit sworn by him verifying that the statements contained therein are true to the best of his knowledge and belief.

(3) [The Central Government] shall satisfy itself as to the truth of the statements contained in the application, and for this purpose may cause to be made such further inquiry, if any, and may require such further evidence, if any, either by affidavit or otherwise as it thinks necessary.

5. (1) If [the Central Government] is satisfied that the applicant is qualified under section 3 for the grant of a certificate of naturalization and is otherwise a fit person for the grant of such certificate, it may grant a certificate reciting the qualifications of the applicant for such grant and conferring upon him all the rights, privileges and capacities of naturalization under this Act, except such rights, privileges or capacities, if any, as may specifically be withheld by the certificate.

(2) Any such certificate may, if the applicant so requests, include the name of any minor child of the applicant, not being by birth a British subject, who was born before the date of the certificate and is for the time being resident in [Pakistan] and under the control of the applicant; and shall grant to any child so included all the rights, privileges and capacities of naturalization under this Act, except such rights, privileges or capacities, if any, as may specifically be withheld by the certificate.

(3) The grant of a certificate of naturalization shall be in the absolute discretion of [the Central Government], and no appeal shall lie from any refusal to grant any such certificate or to include in any such grant any particular right, privilege or capacity.

6. Every person to whom a certificate of naturalization has been granted shall, within thirty days from the date of the grant thereof, take and subscribe the following oath, namely:

“I, A. B., of do hereby swear (or affirm) that I will be faithful and bear true allegiance to [the Constitution of Pakistan]:

Provided that [the Central Government] may extend the time allowed under this section in any case in which it is satisfied that failure to take and subscribe the oath within that time was due to sufficient cause.

7. (1) No certificate of naturalization shall have effect until the person to whom it is granted has taken and subscribed the oath prescribed by section 6, but upon the taking and subscribing of such oath such person, and any child of any such person who has been included in the certificate under subsection (2) of section 5, shall, when in [Pakistan] be deemed to be British subjects and be entitled to all the rights, privileges and capacities of a British subject born within [Pakistan], except such rights, privileges or capacities, if any, as may have been withheld from them respectively by the certificate, and shall within [Pakistan] be subject to all the obligations, duties and liabilities of a British subject; [and the wife of any such person to whom a certificate of naturalization is granted after the commencement of the Indian Naturalization (Amendment) Act, 1935, shall, if not already a British subject, in like manner be so deemed and be so entitled and so subject, if within one year, or such longer period as [the Central Government] may in special circumstances allow, from the date of the taking and subscribing of such oath by her husband, she makes to [the Central Government] a declaration that she desires to be deemed to be a British subject].

(2) When the person to whom a certificate of naturalization has been granted has taken and subscribed the oath prescribed by section 6, any wife thereafter married by, and any child thereafter born to, such person shall, if she or he is not a British subject and if such person aforesaid at the date of the marriage or birth, as the case may be, retains any rights, privileges or capacities of a British subject under this Act, be entitled to the same rights, privileges and capacities, and be subject to the same obligations, duties and liabilities, to which such person aforesaid was at that date entitled and subject.

8. (1) [Where the Central Government is satisfied that a certificate of naturalization granted under this Act, or the Indian Naturalization Act, 1852] was obtained by false representation or fraud or by concealment of material circumstances, or that the person to whom the certificate has been granted has shown himself by act or speech to be disaffected or disloyal to [Pakistan] [the Central Government] shall, by order in writing, revoke the certificate.

(2) Without prejudice to the foregoing provisions, [the Central Government] shall, by order in writing, revoke such a certificate of naturalization as aforesaid in any case in which it is satisfied that the person to whom the certificate was granted:

(a) Has, during any war in which [Pakistan] is engaged unlawfully traded or communicated with the enemy, or with a subject of an enemy state, or been engaged in, or associated with, any business which is to his knowledge carried on in such a manner as to assist the enemy in such war; or

(b) Has, within five years of the date of the grant of the certificate, been sentenced by any Court in His Majesty's dominions to transportation or to penal servitude, or to imprisonment for a term of not less than twelve months, or to pay a fine of not less than one thousand rupees; or

(c) Was not of good character at the date of the grant of the certificate; or

(d) Has since the date of the grant of the certificate been, for a period of not less than seven years, ordinarily resident out of His Majesty's dominions otherwise than as a representative of a British subject, firm or company carrying on business, or of an institution established, in His

Majesty's dominions, or in the service of the Crown, and has not maintained substantial connection with His Majesty's dominions; or

(*e*) remains, according to the law of a state at war with [Pakistan], a subject of that state; and that the continuance of the certificate is not conducive to the public good.

* * * * *

(4) [The Central Government] may, if it thinks fit, before making an order under this section, refer the case for such inquiry as is hereinafter specified, and, in any case to which subsection (1) or clause (*a*), clause (*c*) or clause (*e*) of subsection (2) applies, [the Central Government] shall, by notice given to, or sent by post to the last known address of, the holder of the certificate, give him an opportunity of claiming that the case be referred for such inquiry, and, if the holder so claims in accordance with the notice, [the Central Government] shall refer the case for inquiry accordingly.

(5) An inquiry under this section shall be held by such person or persons and in such manner as [the Central Government] may direct in each case.

(6) Where a certificate is revoked under this section, the revocation shall have effect from such date as may be directed by [the Central Government], and thereupon the certificate shall be given up and cancelled; and any person who, without reasonable cause the burden of proving which shall lie upon him, fails to give up his certificate within one month from the aforesaid date, shall be punishable with fine, which may extend to one thousand rupees.

(7) For the purposes of this section, any person who has acquired any of the rights, privileges or capacities of naturalization under subsection (2) of section 5 or subsection (2) of section 7 by reason of the grant to his parent of a certificate of naturalization may, after he has attained majority, be deemed to be a person to whom a certificate of naturalization has been granted.

9. (1) Where a certificate is revoked under section 8, the former holder thereof shall cease to be deemed to be a British subject.

(2) On such revocation, [the Central Government] may, by order in writing, direct that the wife and minor children (or any of them) of the person whose certificate is revoked shall cease to be deemed to be British subjects; but where no such direction is made, the status of the wife and minor children of the person whose certificate is revoked shall not be affected by the revocation:

[Provided that no such order shall be made in the case of a wife unless by reason of the acquisition by her husband of a new nationality she has also acquired that nationality:]

Provided [further] that, in the case of a wife who was at birth a British subject, no such order as aforesaid shall be made, unless [the Central Government] is satisfied that, if she had held a certificate of naturalization in her own right, the certificate could properly have been revoked under section 8, and the provisions of that section as to referring cases for inquiry shall apply to the making of any such order as they apply to the revocation of a certificate.

10. (1) A declaration of alienage in such manner as may be prescribed by rules made under this Act may be made—

(a) Within one year of his attaining majority, by any child who has acquired any of the rights, privileges or capacities of naturalization under subsection (2) of section 5, or subsection (2) of section 7; or

(b) Within six months from the date of the revocation of a certificate under section 8, or of the death of, or of the dissolution of her marriage with, the holder of any such certificate as is therein referred to, by the wife of the person whose certificate has been revoked, or who has died, or whose marriage to her has been dissolved, as the case may be.

(2) Where a declaration of alienage has been made in the manner aforesaid, the person making the same, and the wife of any such person, and any children of any such person who are minors and are not by birth British subjects, shall cease to be deemed to be British subjects:

[Provided that the wife of any such person shall not cease to be deemed to be a British subject under this subsection, unless by reason of the acquisition by her husband of a new nationality she has also acquired that nationality.]

11. Every person making an inquiry under the orders of [the Central Government] under subsection (3) of section 4, and every person appointed to hold an inquiry under subsection (5) of section 8, shall be deemed to be a public servant within the meaning of the [Pakistan] Penal Code, and shall for the purposes of such inquiry have the same powers as are vested in a Court under the Code of Civil Procedure, 1908, when trying a suit, in respect of the following matters:

(i) Enforcing the attendance of any person and examining him on oath;

(ii) Compelling the production of documents and material objects; and

(iii) Issuing commissions for the examination of witnesses; and every such inquiry shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228 of the [Pakistan] Penal Code.

12. (1) All oaths and affidavits for the purposes of this Act shall be sworn before a Magistrate or such other person as may be appointed in this behalf by [the Central Government].

(2) The Magistrate or other person by whom an oath of allegiance is administered under section 6 shall grant to the person making the same a certificate in writing of his having taken and subscribed such oath and of the date of his taking and subscribing the same, and shall forward to [the Central Government] the oath so taken and subscribed, together with a copy of such certificate.

13. (1) [The Central Government] may, * * * * ; by notification in the [official Gazette], make rules to give effect to the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely:

(a) The form or forms in which certificates of naturalization shall be granted, and the manner in which they shall be recorded;

(b) The manner in which declarations of alienage shall be made and recorded;

(c) The recording of oaths of allegiance; and

(d) The fees which may be imposed for the issue of any certificate, whether of naturalization or otherwise, granted under this Act.

14. Nothing contained in this Act shall be deemed to entitle to any of the rights, privileges or capacities of a British subject the child of any person who is himself so entitled by reason only of the inclusion of his name in a certificate of naturalization under subsection (2) of section 5 or of the grant of a certificate of naturalization to his parent.

[14A. The provisions of this Act shall, after the separation of Burma and Aden from India, continue to apply, as respects [Pakistan] to certificates granted under this Act, or the Indian Naturalization Act, 1852, before the said separation by the Local Governments of Burma and Aden and any such certificates may after the said separation be revoked as respects [Pakistan] accordingly.]

[14B. The provisions of this Act shall, on or after the fifteenth day of August 1947, continue to apply, as respects * * * Pakistan, to certificates granted under this Act or under the Indian Naturalization Act, 1852, before that day by the Local Government or Provincial Government of any Province which or any part of which was included in the Dominion of India on that day, and any such certificates may after that day be revoked as respects * * * Pakistan accordingly.]

15. [*Repeals.*] *Rep. by the Repealing Act, 1927 (XII of 1927), s. 2 and Schedule.*

THE SCHEDULE.—[*Enactments Repealed.*] *Rep. by the Repealing Act, 1927 (XII of 1927), s. 2 and Sch.*

(b) PAKISTAN CITIZENSHIP ACT, NO. II, OF 13 APRIL 1951.¹

An Act to provide for Pakistan citizenship

1. (1) This Act may be called the Pakistan Citizenship Act, 1951.

(2) It shall come into force at once.

2. In this Act:

“alien” means a person who is not a citizen of Pakistan or a Commonwealth citizen;

“Indo-Pakistan sub-continent” means India as defined in the Government of India Act, 1935, as originally enacted;

“minor” means, notwithstanding anything in the Majority Act, 1875, any person who has not completed the age of twenty-one years;

“prescribed” means prescribed by rules made under this Act; and

“Commonwealth citizen” means a person described as such in the British Nationality Act, 1948.

3. At the commencement of this Act every person shall be deemed to be a citizen of Pakistan:

(a) Who or any of whose parents or grandparents was born in the territory now included in Pakistan and who after the fourteenth day of August, 1947, has not been permanently resident in any country outside Pakistan; or

(b) Who or any of whose parents or grandparents was born in the territories included in India on the thirty-first day of March, 1937, and has or had his domicile within the meaning of Part II of the Succession

¹ Gazette of Pakistan, No S. 1033 of 13 April 1951.

Act, 1925, as in force at the commencement of this Act, in Pakistan or in the territories now included in Pakistan; or

(c) Who is a person naturalised as a British subject in Pakistan; and who, if before the date of the commencement of this Act he has acquired the citizenship of any foreign State, has before that date renounced the same by depositing a declaration in writing to that effect with an authority appointed or empowered to receive it:

Provided that if any person, being at the commencement of this Act ordinarily resident in a country outside Pakistan makes to the prescribed authority a declaration in the prescribed form within one year of the commencement of this Act:

(a) That he is not a national or citizen of that or any other country outside Pakistan, and

(b) That on the faith of that declaration, and by reason of his own birth, or that of any of his parents or grandparents, he claims to be a citizen of Pakistan,

he may, if the authority is satisfied that he is not a national or citizen of such country as aforesaid and that he or any of his parents or grandparents was born in the territory now included in Pakistan, be granted a certificate in the prescribed form by the authority and shall thereupon be deemed under this section to be a citizen of Pakistan.

4. Every person born in Pakistan after the commencement of this Act shall be a citizen of Pakistan by birth:

Provided that a person shall not be such a citizen by virtue of this section if at the time of his birth:

(a) His father possesses such immunity from suit and legal process as is accorded to an envoy of an external sovereign power accredited in Pakistan and is not a citizen of Pakistan; or

(b) His father is an enemy alien and the birth occurs in a place then under occupation by the enemy.

5. Subject to the provisions of section 3 a person born after the commencement of this Act shall be a citizen of Pakistan by descent if his father is a citizen of Pakistan at the time of his birth:

Provided that if the father of such person is a citizen of Pakistan by descent only, that person shall not be a citizen of Pakistan by virtue of this section unless:

(a) That person's birth having occurred in a country outside Pakistan the birth is registered at a Pakistan Consulate or Mission in that country, or where there is no Pakistan Consulate or Mission in that country at a Pakistan Consulate or Mission in the country nearest to that country; or

(b) That person's father is, at the time of the birth, in the service of any Government in Pakistan.

6. (1) The Central Government may, upon his obtaining a certificate of domicile under this Act, register as a citizen of Pakistan by migration any person who before the commencement of this Act migrated to the territories now included in Pakistan from any territory in the Indo-Pakistan sub-continent outside those territories, with the intention of residing permanently in those territories:

Provided that the Central Government may, by general or special order, exempt any person or class of persons from obtaining a certificate of domicile required under this sub-section.

(2) Registration granted under the preceding sub-section shall include, besides the person himself, his wife, if any, unless his marriage with her has been dissolved, and any minor child of his dependent whether wholly or partially upon him.

7. Notwithstanding anything in sections 3, 4 and 6, a person who has after the first day of March, 1947, migrated from the territories now included in Pakistan to the territories now included in India shall not be a citizen of Pakistan under the provisions of these sections:

Provided that nothing in this section shall apply to a person who, after having so migrated to the territories now included in India has returned to the territories now included in Pakistan under a permit for resettlement or permanent return issued by or under the authority of any law for the time being in force.

8. The Central Government may, upon application made to it in this behalf, register as a citizen of Pakistan any person who, or whose father or whose father's father, was born in the Indo-Pakistan sub-continent and who is ordinarily resident in a country outside Pakistan at the commencement of this Act, if he has, unless exempted by the Central Government in this behalf, obtained a certificate of domicile:

Provided that a certificate of domicile shall not be required in the case of any such person who is out of Pakistan under the protection of a Pakistan passport, or in the case of any such person whose father or whose father's father is at the commencement of this Act residing in Pakistan or becomes, before the aforesaid application is made, a citizen of Pakistan.

9. The Central Government may, upon an application made to it in that behalf by any person who has been granted a certificate of naturalisation under the Naturalisation Act, 1926, register that person as a citizen of Pakistan by naturalisation:

Provided that the Central Government may register any person as a citizen of Pakistan without his having obtained a certificate of naturalisation as aforesaid.

10. (1) Any woman who by reason of her marriage to a Commonwealth citizen before the first day of January, 1949, has acquired the status of a Commonwealth citizen shall, if her husband becomes a citizen of Pakistan, be a citizen of Pakistan.

(2) Subject to the provisions of subsection (1) and subsection (4) a woman who has been married to a citizen of Pakistan or to a person who but for his death would have been a citizen of Pakistan under section 3, 4 or 5 shall be entitled, on making application therefor to the Central Government in the prescribed manner, and, if she is an alien, on obtaining a certificate of domicile and taking the oath of allegiance in the form set out in the Schedule to this Act, to be registered as a citizen of Pakistan whether or not she has completed twenty-one years of her age and is of full capacity.

(3) Subject as aforesaid, a woman who has been married to a person who, but for his death, could have been a citizen of Pakistan under the provisions of subsection (1) of section 6 (whether he migrated as provided in that subsection or is deemed under the proviso to section 7 to have so migrated) shall be entitled as provided in subsection (2) subject further, if she is an alien, to her obtaining the certificate and taking the oath therein mentioned.

(4) A person who has ceased to be a citizen of Pakistan under section 14 or who has been deprived of citizenship of Pakistan under this Act shall not be entitled to be registered as a citizen thereof under this section but may be so registered with the previous consent of the Central Government.

11. (1) The Central Government may, upon application to it in this behalf made in the prescribed manner by a parent or guardian of a minor child of a citizen of Pakistan, register the child as a citizen of Pakistan.

(2) The Central Government may, in such circumstances as it thinks fit, register any minor as a citizen of Pakistan.

12. Any person registered as a citizen of Pakistan shall be such a citizen from the date of his registration.

13. If any territory becomes a part of Pakistan the Governor-General may, by order, specify the persons who shall be citizens of Pakistan by reason of their connection with that territory; and those persons shall be citizens of Pakistan from such date and upon such conditions, if any, as may be specified in the order.

14. (1) Subject to the provisions of this section if any person is a citizen of Pakistan under the provisions of this Act, and is at the same time a citizen or national of any other country, he shall, unless within one year of the commencement of this Act or within six months of attaining twenty-one years of his age, whichever is later, he makes a declaration according to the laws of that other country renouncing his status as citizen or national thereof, cease to be a citizen of Pakistan.

(2) Nothing in this section shall apply to any person who is a subject of an acceding State so far as concerns his being a subject of that State.

15. Every person becoming a citizen of Pakistan under this Act shall have the status of a Commonwealth citizen.

16. (1) A citizen of Pakistan shall cease to be a citizen of Pakistan if he is deprived of that citizenship by an order under the next following sub-sections.

(2) Subject to the provisions of this section the Central Government may by order deprive any such citizen of his citizenship if it is satisfied that he obtained his certificate of domicile or certificate of naturalisation by means of fraud, false representation or the concealment of any material fact, or if his certificate of naturalisation is revoked.

(3) Subject to the provisions of this section the Central Government may by order deprive any person who is a citizen of Pakistan by naturalisation of his citizenship of Pakistan if it is satisfied that that citizen:

(a) Has shown himself by any act or speech to be disloyal or disaffected to the Constitution of Pakistan; or

(b) Has, during a war in which Pakistan is or has been engaged, unlawfully traded or communicated with the enemy or engaged in or associated with any business that was to his knowledge carried on in such a manner as to assist the enemy in that war; or

(c) Has within five years of being naturalised been sentenced in any country to imprisonment for a term of not less than twelve months.

(4) The Central Government may on an application being made or on its own motion by order deprive any citizen of Pakistan of his citizenship if it is satisfied that he has been ordinarily resident in a country outside Pakistan for a continuous period of seven years and during that period has neither:

(i) Been at any time in the service of any Government in Pakistan or of an international organisation of which Pakistan has, at any time during that period been a member; nor

(ii) Registered annually in the prescribed manner at a Pakistan Consulate or Mission or in a country where there is no Pakistan Consulate or Mission at a Pakistan Consulate or Mission in a country nearest to the country of his residence his intention to retain Pakistan citizenship.

(5) The Central Government shall not make an order depriving a person of citizenship under this section unless it is satisfied that it is in the public interest that that person should not continue to be a citizen of Pakistan.

(6) Before making an order under this section the Central Government shall give the person against whom it is proposed to make the order notice in writing informing him of the grounds on which it is proposed to make the order and calling upon him to show cause why it should not be made.

(7) If it is proposed to make the order on any of the grounds specified in subsections (2) and (3) of this section and the person against whom it is proposed to make the order applies in the prescribed manner for an inquiry, the Central Government shall, and in any other case may, refer the case to a committee of inquiry consisting of a chairman, being a person possessing judicial experience, appointed by the Central Government and of such other members appointed by the Central Government as it thinks proper.

17. The Central Government may upon an application being made to it in the prescribed manner containing the prescribed particulars grant a certificate of domicile to any person in respect of whom it is satisfied that he has ordinarily resided in Pakistan for a period of not less than one year immediately before the making of the application, and has acquired a domicile therein.

18. The Central Government may, by order notified in the official Gazette, direct that any power conferred upon it or duty imposed on it by this Act shall, in such circumstances, and under such conditions, if any, as may be specified in the direction, be exercised or discharged by such authority or officer as may be specified.

19. (1) Where a person with respect to whose citizenship a doubt exists, whether on a question of law or fact, makes application in that behalf to the Central Government, the Central Government may grant him a certificate that at the date of the certificate he is a citizen of Pakistan.

(2) The certificate, unless it is proved to have been obtained by fraud, false representation or concealment of any material fact, shall be conclusive evidence of the fact recorded in it.

20. The Central Government may upon such terms and conditions as it may by general or special order specify register a citizen of a Commonwealth country as a citizen of Pakistan.

21. Any person who in order to obtain or prevent the doing of anything under the Act makes any statement or furnishes any information which is false in any material particular and which he knows or has reasonable cause to believe to be false, or does not believe to be true, shall be deemed to have committed an offence punishable under section 177 of the Pakistan Penal Code.

22. (1) For the purposes of this Act a person born aboard a registered ship or aircraft, or aboard an unregistered ship or aircraft of the Government

of any country shall be deemed to have been born in the place in which the ship or aircraft was registered or as the case may be in that country.

(2) Any reference in this Act to the status or description of the father of a person at the time of that person's birth shall, in relation to a person born after the death of his father be construed as a reference to the status or description of the father at the time of the father's death; and where that death occurred before, and the birth occurs after the commencement of this Act, the status or description which would have been applicable to the father had he died after the commencement of this Act shall be deemed to be the status or description applicable to him at the time of his death.

23. (1) The Central Government may frame rules for carrying into effect the provisions of this Act.

(2) No rule framed under this Act shall have effect unless published in the official Gazette.

SCHEDULE

(FORM OF OATH OR AFFIRMATION)

(Section 10)

"I (name) of (address) do hereby swear (or affirm) that I will be faithful and bear true allegiance to the Constitution of Pakistan".

(c) NATURALIZATION (AMENDMENT) ACT, 1952.

1. *Short title.*

This Act may be called the *Naturalization (Amendment) Act, 1952*.

2. *Amendment of section 2, Act VII of 1926.*

In section 2 of the Naturalization Act, 1926, hereinafter referred to as the said Act, clause (a) shall be omitted.

3. *Amendment of section 3, Act VII of 1926.*

In section 3 of the said Act, in subsection (1):

(a) For clause (b) the following shall be substituted, namely:

"(b) That he is neither a citizen of Pakistan nor a subject of any state of which a citizen of Pakistan is prevented by or under any law from becoming a subject by naturalization";

(b) In the proviso, for the words "British subject" the words "citizen of Pakistan" shall be substituted at both places.

4. *Amendment of section 4, Act VII of 1926*

In section 4 of the said Act, in subsection (1):

(a) In clause (f) the words and figures "or the British Nationality Act, 1948," shall be omitted;

(b) In clause (i) the words "or the British Nationality Act, 1948," shall be omitted.

5. *Amendment of section 5, Act VII of 1926.*

In section 5 of the said Act, in subsection (2) for the words "a British subject" the words "a citizen of Pakistan" shall be substituted.

6. *Substitution of new section 7, Act VII of 1926.*

For section 7 of the said Act, the following shall be substituted, namely:

“7. (1) No certificate of naturalization shall have effect until the person to whom it is granted has taken and subscribed the oath prescribed by section 6, but upon the taking and subscribing of such oath such person, and any child of any such person who has been included in the certificate under subsection (2) of section 5, shall be deemed to be citizens of Pakistan and be entitled to all the rights, privileges and capacities of a citizen of Pakistan born within Pakistan, except such rights, privileges or capacities, if any, as may have been withheld from them respectively by the certificate, and shall within Pakistan be subject to all the obligations, duties and liabilities of a citizen of Pakistan; and the wife of any such person to whom a certificate of naturalization is granted after the commencement of the Indian Naturalization (Amendment) Act, 1935, shall, if not already a citizen of Pakistan, in like manner be so deemed and be so entitled and so subject, if within one year, or such longer period as the Central Government may in special circumstances allow, from the date of the taking and subscribing of such oath by her husband, she makes to the Central Government a declaration that she desires to be deemed to be a citizen of Pakistan, and if she is an alien as defined in the Pakistan Citizenship Act, 1951, obtains a certificate of domicile under that Act, and takes and subscribes the oath, prescribed by section 6 of this Act.

“(2) When the person to whom a certificate of naturalization has been granted has taken and subscribed the oath prescribed by section 6, any wife thereafter married by, and any child thereafter born to, such person shall, if she or he is not a citizen of Pakistan and if such person aforesaid at the date of the marriage or birth, as the case may be, retains any rights, privileges or capacities of a citizen of Pakistan under this Act, be entitled, subject, in the case of a wife, to her making to the Central Government a declaration as provided in subsection (1) and, if necessary, upon obtaining the certificate of domicile and making and subscribing the oath as further provided in that subsection, to the same rights, privileges and capacities, and be subject to the same obligations, duties and liabilities, to which such person aforesaid was at that date entitled and subject”.

7. *Amendment of section 8, Act VII of 1926.*

In section 8 of the said Act, in subsection (2), for clause (d) the following shall be substituted, namely:

“(d) Has since the grant of the certificate been, for a period of not less than seven years, ordinarily resident out of Pakistan otherwise than as a representative of a citizen of Pakistan, or of a Pakistan firm or company or a Pakistan institution, or in the service of a Government in Pakistan or in the armed forces of Pakistan, and has not maintained substantial connection with Pakistan”.

8. *Amendment of section 9, Act VII of 1926.*

In section 9 of the said Act:

(a) In subsection (1) for the words “British subject” the words “citizen of Pakistan” shall be substituted;

(b) In subsection (2) for the words “British subjects” the words “citizens of Pakistan” shall be substituted;

(c) In the second proviso to subsection (2) for the words "was at birth a British subject" the words "was, or, if the Pakistan Citizenship Act, 1951, had been in force at the date of her birth, would have been, by birth a citizen of Pakistan" shall be substituted.

9. *Amendment of section 10, Act VII of 1926.*

In section 10 of the said Act:

(a) In subsection (2) for the words "British subject" the words "citizen of Pakistan" shall be substituted;

(b) In the proviso to subsection (2) for the words "British subject" the words "citizen of Pakistan" shall be substituted.

10. *Amendment of section 14, Act VII of 1926.*

In section 14 of the said Act, for the words "British subject" the words "citizen of Pakistan" shall be substituted.

11. *Addition of new section 14C, Act VII of 1926.*

After section 14B of the said Act, the following new section shall be added, namely:

"14C. Any certificate granted under the Indian Naturalization Act, 1852, or under this Act before the commencement of the Naturalization (Amendment) Act, 1952, and standing unrevoked as respects Pakistan at the commencement of the last-named Act, shall be deemed to be a certificate of naturalization under this Act as amended by the Naturalization (Amendment) Act, 1952".

(d) **PAKISTAN CITIZENSHIP (AMENDMENT) ACT, NO. V, OF 8 APRIL 1952.**

1. (1) This Act may be called the Pakistan Citizenship (Amendment) Act, 1952.

(2) It shall come into force at once.

2. In section 2 of the Pakistan Citizenship Act, 1951, hereinafter referred to as the said Act, the word "and" at the end of the clause containing the definition of the term "prescribed" shall be omitted and for the clause containing the definition of the term "Commonwealth citizen" the following two clauses shall be substituted, namely:

"'Commonwealth citizen' means a person who has the status of a Commonwealth citizen under the British Nationality Act, 1948;

"'British protected person' means a person who has the status of a British protected person for the purposes of the British Nationality Act, 1948."

3. In section 3 of the said Act:

(a) In clause (b), for the words "and has" the following shall be substituted, namely:

"and who, except in the case of a person who was in the service of Pakistan or of any Government or Administration in Pakistan at the commencement of this Act, has";

(b) After clause (c) the following conjunction and new clause shall be inserted, namely:

"or (d) who before the commencement of this Act migrated to the territories now included in Pakistan from any territory in the Indo-

Pakistan sub-continent outside those territories with the intention of residing permanently in those territories"; and
 (c) The proviso shall be omitted.

4. In clause (a) of the proviso to section 5 of the said Act, after the words "no Pakistan Consulate or Mission in that country" the words "at the prescribed Consulate or Mission or" shall be inserted.

5. In subsection (1) of section 6 of the said Act, for the words "before the commencement of this Act migrated" the words "after the commencement of this Act and before the first day of January 1952 has migrated" shall be substituted.

6. In subsection (1) of section 10 of the said Act, for the words "Commonwealth citizen" the words "British subject" shall be substituted at both places.

7. In section 14 of the said Act:

(a) In subsection (1), the words and commas "within one year of the commencement of this Act or within six months of attaining twenty-one years of his age, whichever is later," shall be omitted;

(b) After subsection (1), the following new subsection shall be inserted, namely:

"(1A) Nothing in subsection (1) applies to a person who has not attained twenty-one years of his age.";

(c) In subsection (2), for the words "this section" the words, brackets and figure "subsection (1)" shall be substituted.

8. In section 16 of the said Act:

(a) In subsection (2), after the words "certificate of naturalisation" the words and figures "under the Naturalisation Act, 1926" shall be inserted; and

(b) In subsection (4):

(i) After the words "seven years" the words "beginning not earlier than the commencement of this Act"; and

(ii) After the words "no Pakistan Consulate or Mission" the words "at the prescribed Consulate or Mission or" shall be inserted.

9. In section 20 of the said Act, for the words "citizen of a Commonwealth country" the words "Commonwealth citizen or a British protected person" shall be substituted.

60. Panama

(a) CONSTITUTION OF 1 MARCH 1946.¹

TITLE II. NATIONALITY AND ALIENS

Article 8. A person may be a Panamanian national by birth in accordance with the provisions of this Constitution, or may become a Panamanian national by naturalization.

Article 9. A person is a Panamanian national by birth if:

(a) His father or his mother is a Panamanian national and he was born in the territory of the Republic; or

¹ Translation by the Secretariat of the United Nations.