

66. Romania

DECREE NO. 33 OF 24 JANUARY 1952 CONCERNING CITIZENSHIP OF THE ROMANIAN PEOPLE'S REPUBLIC.¹

Article 1. The following persons are citizens of the Romanian People's Republic:

(a) A person who has legally acquired and has not lost Romanian citizenship;

(b) A person who has not complied with the formalities required by previous legislation to prove his status as a Romanian citizen under the said legislation or who cannot prove that he has complied with the said formalities, provided:

—That he is domiciled in the territory of the Romanian People's Republic on the date of publication of this Decree;

—That he has no other citizenship;

—That he has not acquired the citizenship of another State since 26 September 1920.

(c) A person who has been or who may be repatriated to the Romanian People's Republic.

Article 2. A person is a citizen of the Romanian People's Republic by birth if both his parents are citizens of the Romanian People's Republic.

If at the date of that person's birth only one of the parents is a citizen of the Romanian People's Republic, that person's citizenship shall be determined as follows:

(a) If both parents are resident in the territory of the Romanian People's Republic on the date of the birth or if one parent is so resident, that person is a citizen of the Romanian People's Republic;

(b) If both parents are resident outside the territory of the Romanian People's Republic on the date of the birth, that person's citizenship shall be determined by agreement between the parents.

Article 3. A citizen of a foreign country and a stateless person, without distinction of sex, national origin, race, religion or degree of education, may, on application, be granted citizenship of the Romanian People's Republic by the Presidium of the Grand National Assembly.

Article 4. Citizenship of the Romanian People's Republic can neither be acquired nor lost by marriage or adoption.

Article 5. In the case of a change of citizenship as a result of which both parents acquire or renounce citizenship of the Romanian People's Republic, the change shall apply to the citizenship of their children under the age of fourteen years. Any change in the citizenship of children over the age of fourteen and under the age of eighteen shall require their consent.

In other cases, no change in the citizenship of children under the age of eighteen may take place except in accordance with the general provisions of this Decree.

Article 6. Citizenship of the Romanian People's Republic may not be renounced except with the approval of the Presidium of the Grand National Assembly.

¹ Translation by the Secretariat of the United Nations. Bulletin official of the Romanian People's Republic No. 5 of 24 January 1952.

Article 7. Citizenship of the Romanian People's Republic may be withdrawn by decree of the Presidium of the Grand National Assembly.

Article 8. A person resident in the territory of the Romanian People's Republic who is not a citizen of the Romanian People's Republic as defined in this Decree and who is not a citizen of another State is a stateless person.

Article 9. The rules to be observed in the application of this Decree shall be enacted with the approval of the Council of Ministers.

Article 10. The legislative provisions and decrees relating to citizenship of the Romanian People's Republic at present in force are hereby repealed.

67. San Marino

(a) MEMORANDUM¹ CONCERNING CITIZENSHIP BY THE SECRETARY OF STATE FOR FOREIGN AFFAIRS, DATED 9 NOVEMBER 1953.

"There is no specific law governing the acquisition and loss of San Marino citizenship, which continue to be governed by Roman customary law, based on these two principles:

"(a) The child of a citizen is a citizen (irrespective of the place of birth) (*Filius civitatem ex qua pater eius naturalem originem ducit, non domicilium*', Act 6, paragraph 1, Digest, *ad Municip.*);

"(b) Citizenship is ordinarily lost only by express renunciation.

"It is provided in *Leges Statutae*, Book II, chapter 73 and Book V, chapter 40, in confirmation of those principles, that an alien may in no case acquire citizenship by domicile—even if permanent—but only by statute (naturalization), with the approval in each particular case of the Grand General Council.

"Aliens resident or domiciled in San Marino have been granted provisional citizenship, subject to the fulfilment of certain conditions, under the following statutes:

"(a) Transitional Act² of 12 September 1907 concerning the grant of citizenship to aliens;

"(b) Transitional Decree of 7 March 1914 concerning the grant of citizenship to aliens;

"(c) Transitional Citizenship Act of 15 May 1945."

(b) TRANSITIONAL ACT¹ OF 12 SEPTEMBER 1907 CONCERNING THE GRANT OF CITIZENSHIP TO ALIENS AS AMENDED BY THE DECREE OF 30 APRIL 1908.

Article 1. San Marino naturalization shall be granted to an alien who has been resident in San Marino territory for more than twenty years and who submits an application accompanied by the following documents:

(a) A birth certificate showing that he is over the age of twenty-one years;

(b) An affidavit made by at least four persons before the Registrar of Births, Marriages and Deaths attesting that he is continuously and permanently resident in the Republic;

¹ Translation by the Secretariat of the United Nations.

² Amended by Decree of 30 April 1908.