



REPUBLIC OF CYPRUS

THE REPUBLIC OF CYPRUS CITIZENSHIP
LAW, 1967.

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at the Ministry of Justice)*

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A LAW TO MAKE PROVISION FOR THE CITIZENSHIP
OF THE REPUBLIC AND FOR MATTERS CONNECTED
THEREWITH

[28th July, 1967.]

The House of Representatives enacts as follows:—

PART I.—PRELIMINARY

1. This Law may be cited as the Republic of Cyprus Citizenship Law, Short title. 1967.

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

“alien” means a person who is not a citizen of the Republic;

“Annex D” means the Annex D to the Treaty of Establishment;

“foreign country” means a country other than the Republic;

“Minister” means the Minister of the Interior;

“minor” means a person who has not attained the age of twenty-one years;

“naturalized person” means a person who became a citizen of the Republic by virtue of a certificate of naturalization granted to him under this Law or in which his name was included;

“prescribed” means prescribed by Regulations made under this Law.

(2) Subject to the provisions of section 9, any reference in this Law to a child shall be construed as a reference to a legitimate child, and the expressions “father”, “ascended” and “descended” shall be construed accordingly.

(3) For the purposes of this Law, 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.

(4) For the purposes of this Law, a person shall be of full age if he has attained the age of twenty-one years and of full capacity if he is not of unsound mind.

(5) For the purposes of this Law, a person shall be deemed not to have attained a given age until the commencement of the relevant anniversary of the day of his birth.

PART II.—ACQUISITION OF CITIZENSHIP

3. Citizens of the Republic are the persons who, on the date of the coming into operation of this Law, either have acquired or are entitled to acquire citizenship of the Republic under the provisions of Annex D or who acquire thereafter such citizenship under the provisions of this Law.

1.—(1) A person born in the Republic on or after the 16th day of August, 1960, shall be a citizen of the Republic if—

(a) at the time of the person's birth his father was a citizen of the Republic or, if not living at the time of the birth, the father would, but for his death, be entitled to become a citizen of the Republic; or

(b) at the time of the person's birth, the father being stateless, the person's mother was a citizen of the Republic; or

Inter-
pretation.

Citizens
of the
Republic.

Citizenship
by birth or
descent.

(c) being an illegitimate child, his mother was, at the time of the person's birth, a citizen of the Republic; or

~~(d) he is not entitled to acquire on his birth any other citizenship.~~

(2) A person born on or after the 16th day of August, 1960, in any foreign country shall be a citizen of the Republic if—

(a) at the time of the person's birth his father was a citizen of the Republic or, if not living at the time of the person's birth, would, but for his death, be entitled to become a citizen of the Republic either under Annex D or under this Law or, the person being an illegitimate child, his mother was at the time of the person's birth a citizen of the Republic; and

(b) the person's birth is registered in the prescribed manner within two years of its occurrence or within two years of the coming into operation of this Law, whichever is later, or within such extended period as the Minister may, in any particular case, for good cause shown, authorize:

~~Provided that a person who becomes a citizen of the Republic under this sub-section shall cease to be a citizen of the Republic upon the date of the expiration of one year from the day on which that person attains the age of twenty-one years unless—~~

~~(a) at such date, the person has his place of ordinary residence in the Republic; or~~

~~(b) that person has, before such date and after attaining the age of twenty-one years, filed in the prescribed manner a declaration of retention of citizenship of the Republic.~~

~~Provided further that a person who has ceased to be a citizen of the Republic under this sub-section may resume citizenship of the Republic if he files a petition for its resumption in the prescribed manner and such petition is approved by the Minister.~~

~~(3) If the Minister so directs, a birth shall be deemed, for the purposes of sub-section (2), to have been registered with his authority notwithstanding that his authority was not obtained before registration.~~

Citizenship
by registration.

First
Schedule.

5.—(1) Subject to the provisions of sub-section (4), a citizen of the United Kingdom and Colonies or of a Commonwealth country, being a person of Cypriot origin and of full age and capacity, shall be entitled, on making application therefor to the Minister in the prescribed manner and on making the affirmation of faith to the Republic in the form specified in the First Schedule, to be registered as a citizen of the Republic if such person satisfies the Minister that—

(a) he is ordinarily resident in Cyprus and has been so resident throughout the period of twelve months, or such shorter period as the Minister may in the special circumstances of any particular case accept, immediately preceding the date of his application, or he is in the public service of the Republic; and

(b) he is of good character; and

(c) he intends to continue to reside in the Republic or to continue in the public service of the Republic, as the case may be.

For the purposes of this sub-section—

“Commonwealth country” means any country other than the Republic which is, on the date of the coming into operation of this Law, a member of the British Commonwealth and includes the Republic of Ireland and any other country declared, by an Order of the Council of Ministers, to be a Commonwealth country for the purposes of this sub-section;

"person of Cypriot origin" means a person who was born in Cyprus at a time when his parents were ordinarily resident in Cyprus and includes any person descended in the male line from such person.

(2) The Minister may, subject to the provisions of sub-section (4), upon application in the prescribed manner and on making the affirmation of faith to the Republic in the form specified in the First Schedule, cause to be registered as a citizen of the Republic, whether or not she is of full age and capacity, an alien married woman who satisfies the Minister that—

First
Schedule.

(a) she is the wife or widow of a citizen of the Republic or she has been the wife of a person who would but for his death have become or been entitled to become a citizen of the Republic; and

(b) she has resided with her husband for a period of not less than one year:

Provided that the Minister may, in the special circumstances of any particular case, cause registration to be made under this sub-section even if the woman had resided with her husband for a period of less than one year.

(3) The Minister may cause the minor child of any citizen of the Republic to be registered as a citizen of the Republic upon application made in the prescribed manner by a parent or guardian of the child.

(4) A person who has renounced, or has been deprived of, citizenship of the Republic, shall not be entitled to be registered as a citizen thereof under this section, but may be so registered with the approval of the Minister.

(5) A person registered under this section shall be a citizen of the Republic by registration as from the date on which he is registered.

6. The Minister may, if application therefor is made to him in the prescribed manner by any alien of full age and capacity who satisfies him that he is qualified under the provisions of the Second Schedule for naturalization, grant to him a certificate of naturalization; and the person to whom the certificate is granted shall, on making the affirmation of faith to the Republic in the form specified in the First Schedule, be a citizen of the Republic by naturalization as from the date on which the certificate is granted:

Citizenship
by naturalization.
Second
Schedule.

First
Schedule.

Provided that the Council of Ministers may, on the recommendation of the Minister in any particular case or class of cases, decide that no certificate of naturalization shall be granted under this section unless the applicant renounces any other citizenship held by him; and in such case the applicant shall, in such manner as may be prescribed, renounce any other citizenship held by him on being granted a certificate of naturalization under this section.

PART III.—RENUNCIATION AND DEPRIVATION OF CITIZENSHIP

7.—(1) If any citizen of the Republic who is of full age and capacity and is also the national of any foreign country makes declaration in the prescribed manner of renunciation of citizenship of the Republic, the Minister shall cause the declaration to be registered; and upon such registration, that person shall cease to be a citizen of the Republic:

Renuncia-
tion of
citizenship.

Provided that the Minister may withhold registration of any such declaration if it is made during any war in which the Republic may be engaged.

(2) For the purposes of this section any woman who has been married shall be deemed to be of full age.

Deprivation
of citizen-
ship.

8.—(1) A citizen of the Republic who is such by registration or is a naturalized person shall cease to be a citizen of the Republic if he is deprived of his citizenship by an Order of the Council of Ministers made under this section.

(2) Subject to the provisions of this section, the Council of Ministers may by Order deprive any such citizen of his citizenship if it is satisfied that the registration or certificate of naturalization was obtained by means of fraud, false representation or the concealment of any material fact.

(3) Subject to the provisions of this section, the Council of Ministers may by Order deprive any citizen of the Republic who is a naturalized person of his citizenship if it is satisfied that the citizen—

(a) has shown himself by act or speech to be disloyal or disaffected towards the Republic; or

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

(c) has within five years of his becoming naturalized been sentenced in any country to imprisonment for a term of not less than twelve months.

(4) The Council of Ministers may by Order deprive any citizen of the Republic who is a naturalized person of his citizenship if it is satisfied that that person has been ordinarily resident in foreign countries for a continuous period of seven years and during that period has neither—

(a) been at any time in the service of the Republic or of an international organisation of which the Republic was a member; nor

(b) registered annually in the prescribed manner at a Consulate of the Republic his intention to retain his citizenship of the Republic.

(5) The Council of Ministers shall not deprive a person of his citizenship under this section unless it is satisfied that it is not conducive to the public good that that person should continue to be a citizen of the Republic.

(6) Before making an Order under this section, the Council of Ministers shall give the person against whom the Order is proposed to be made notice in writing informing him of the ground on which it is proposed to be made and, if the Order is proposed to be made on any of the grounds specified in sub-sections (2) and (3), of his right to an inquiry under this section.

(7) If the Order is proposed to be made on any of the grounds specified in sub-sections (2) and (3) and that person applies in the prescribed manner for an inquiry, the Council of Ministers shall, and in any other case the Council of Ministers may, refer the case to a Committee of Inquiry consisting of a Chairman, being a person possessing judicial experience, appointed by the Council of Ministers and of such other members appointed by the Council of Ministers as the Council thinks proper.

PART IV.—MISCELLANEOUS

Legitimated
and adopted
children.

9.—(1) An illegitimate child legitimated in accordance with the law of personal status pertaining to him shall, as from the date of such legitimation or the date of the coming into operation of this Law, whichever is later, be treated, for the purposes of this Law, as if he had been born legitimate.

(2) A child adopted in accordance with the law of the personal status pertaining to him shall, as from the date of such adoption or the date of the coming into operation of this Law, whichever is later, be treated, for the purposes of this Law, as if he had been legitimate.

10. The Council of Ministers may in such cases as it thinks fit, on the application of any person with respect to whose citizenship of the Republic a doubt exists, whether on a question of fact or of law, certify that that person is a citizen of the Republic; and a certificate issued under this section shall, unless it is proved that it was obtained by means of fraud, false representation or concealment of any material fact, be conclusive evidence that that person was such a citizen on the date thereof, but without prejudice to any evidence that he was such a citizen at an earlier date.

Certificate of citizenship in case of doubt.

11.—(1) Any person who, for the purposes of procuring anything to be done or not to be done under this Law, makes any statement which he knows to be false in a material particular, or recklessly makes any statement which is false in a material particular, shall be guilty of an offence and shall be liable, on conviction, to imprisonment for a term not exceeding one year or to a fine not exceeding two hundred pounds or to both such imprisonment and fine.

Offences.

(2) Any person who fails to comply with any requirement imposed on him by Regulations made under this Law with respect to the delivering up of certificates of naturalization shall be guilty of an offence and shall be liable, on conviction, to a fine not exceeding one hundred pounds.

12.—(1) The Council of Ministers may by Regulations make provision generally for carrying into effect the purposes of this Law, and in particular—

Regulations and Rules.

- (a) for prescribing anything which under this Law may be or is required to be prescribed;
- (b) for the registration of anything required or authorized under this Law to be registered;
- (c) for the making of affirmation of faith to the Republic under this Law, for the time within which such affirmation shall be made and for the registration of such affirmation;
- (d) for the giving of any notice required or authorized to be given to any person under this Law;
- (e) for the cancellation of the registration of, and the cancellation and amendment of certificates of naturalization relating to, persons deprived of citizenship under this Law, and for requiring such certificates to be delivered up for those purposes;
- (f) for the registration of the births and deaths of persons of any class or description born or dying in a foreign country, by consular officers or other officers in the service of the Republic or, in the case of any foreign country in which the Republic has for the time being no diplomatic or consular representatives, by persons serving in the diplomatic, consular or other foreign service of any country which, by arrangement with the Republic, has undertaken to represent the Republic's interest in that country, or by a person authorized in that behalf by the Minister;
- (h) for the imposition and recovery of fees in respect of any application made under this Law or in respect of any registration, or the making of any declaration, or the grant of any certificate, or the taking of any affirmation authorized to be made, granted or taken by or under this Law, and in respect of supplying a certified or other copy of any notice, certificate, order, declaration or entry, given, granted or made as aforesaid.

(2) Regulations made under sub-section (1) of this section shall be laid before the House of Representatives. If within thirty days of such laying the House of Representatives does not by resolution amend or annul, in whole or in part, the Regulations so laid before it, they shall then, soon after the expiry of the period hereinbefore mentioned, be published in the official *Gazette* of the Republic and they shall come into force as from such publication. In the event of their being amended, in whole or in part, by the House of Representatives, they shall be published in the official *Gazette* of the Republic as so amended by the House and they shall come into force as from such publication.

(3) The Supreme Court may make Rules for the practice and procedure to be followed in connection with references under this Law to a Committee of Inquiry; and such Rules may, in particular, provide for conferring on any such Committee any powers, rights or privileges of any court, and for enabling any powers so conferred to be exercised by one or more members of the Committee.

Persons who failed to do an act or make application within time limited under Annex D.

13. Where any person whose acquisition of citizenship of the Republic under Annex D depended upon the doing of any act or the making of any application within a limited time, has not acquired such citizenship by reason of failure or omission to do the required act or make the required application, that person shall, if he would but for that failure have been a citizen of the Republic immediately before the commencement of this Law, be entitled, on doing the required act or making the required application within two years of the date of the coming into operation of this Law, become a citizen of the Republic as if the time limited under the relative provisions of Annex D had not expired.

Repeal of 20 of 1962.

14. The Citizenship of the Republic (Renunciation) Law, 1962, is hereby repealed, without prejudice to anything done or left undone thereunder.

Date of coming into operation.

15. This Law shall come into operation on a date to be fixed by the Council of Ministers by Notification published in the official *Gazette* of the Republic.

FIRST SCHEDULE

(Section 5 (1) and (2) and Section 6)

AFFIRMATION OF FAITH TO THE REPUBLIC

I, _____, do affirm faith to the Republic of Cyprus and respect for its laws.

SECOND SCHEDULE

(Section 6)

QUALIFICATIONS FOR NATURALIZATION

1. Subject to the provisions of the next following paragraph, the qualifications for naturalization of an alien who applies therefor are—

- (a) that he has either resided in the Republic or been in the public service of the Republic, or partly the one and partly the other, throughout the period of twelve months immediately preceding the date of his application; and
- (b) that during the seven years immediately preceding the said period of twelve months he has either resided in the Republic or been in the public service of the Republic, or partly the one and partly the other, for periods amounting in the aggregate to not less than four years; and

- (c) that he is of good character; and
- (d) that he intends in the event of a certificate being granted to him—
 - (i) to reside in the Republic; or
 - (ii) to enter into or continue in the public service of the Republic or service under an international organisation of which the Republic is a member, or service in the employment of a society, company or body of persons established in the Republic.

2. The Council of Ministers may if in the special circumstances of any particular case it thinks fit—

- (a) allow a continuous period of twelve months ending not more than six months before the date of the application to be reckoned, for the purposes of sub-paragraph (a) of the last foregoing paragraph, as if it had immediately preceded that date;
- (b) allow, in the case of a person of Cypriot origin, residence in a foreign country, before the 16th day of August, 1960, to be reckoned for the purposes of sub-paragraph (b) of the last foregoing paragraph as if it had been residence in the Republic; for the purposes of this sub-paragraph "person of Cypriot origin" has the meaning assigned to such expression by sub-section (1) of section 5;
- (c) allow residence in, or service under the Government of, the former Colony of Cyprus before the 16th day of August, 1960, to be reckoned for the purposes of sub-paragraph (b) of the last foregoing paragraph as if it had been residence in or service under the Republic;
- (d) allow periods of residence or service earlier than eight years before the date of the application, including periods of residence which may be allowed under sub-paragraph (b) of this paragraph, to be reckoned in computing the aggregate mentioned in sub-paragraph (b) of the last foregoing paragraph.