

Tanzania

Tanzania Citizenship Act Chapter 357

Legislation as at 31 July 2002

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Act 8 of 2015.

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Tanzania

Tanzania Citizenship Act

Chapter 357

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[Note: This legislation has been thoroughly revised and consolidated under the supervision of the Attorney General's Office, in compliance with the Laws Revision Act No. 7 of 1994, the Revised Laws and Annual Revision Act (Chapter 356 (R.L.)), and the Interpretation of Laws and General Clauses Act No. 30 of 1972. This version is up-to-date as at 31st July 2002.]

[G.N. No. 52 of 1998; Act No. 6 of 1995]

An Act to consolidate the laws relating to citizenship.

Part I – Preliminary provisions (ss. 1-3)

1. Short title

This Act may be cited as the Tanzania Citizenship Act.

2. Application

This Act shall apply to Tanzania Zanzibar as well as to Mainland Tanzania.

3. Interpretation

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

"**Acts**" means the Citizenship Ordinance, the Citizenship Act, and the Extension and Amendment of Laws (No. 5) Decree;

"**certificate of naturalisation**" includes a certificate of naturalisation granted under this Act; and a certificate of registration granted under the Acts;

"**citizen by birth**" means a person who is a citizen of the United Republic—

- (a) by virtue of the operation of section 4;
- (b) by virtue of section 5;
- (c) by virtue of his birth in Tanzania Zanzibar and the effect of subsection (2) of section 4;

"**citizen by descent**" means a person who is a citizen of the United Republic—

- (a) by virtue of section 6;
- (b) by virtue of his being a citizen of Mainland Tanzania by descent in accordance with the provisions of section 4(3);
- (c) by virtue of the combined effect of his being a Zanzibar subject by descent in accordance with the former law of Tanzania Zanzibar (and had that law remained in force until immediately before Union Day) and of subsection 2 of section 4;

"**Director**" means the Director of Immigration Services appointed under the Immigration Act ¹;

"**foreign country**" means any country other than the United Republic;

"**Minister**" means the Minister responsible for matters relating to citizenship of the United Republic;

"**minor**" means a person who has not attained the age of eighteen years;

"**Union Day**" means the twenty-sixth day of April, 1964;

"**United Republic Consulate**" means an office of a consular officer of the Government of the United Republic in any foreign country, where a register of births or residents is kept or, where there is no such office, such office as may be prescribed.

- (2) 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 the country whose Government owns that aircraft or ship.
- (3) A person shall, for the purpose of this Act, be of full age if he has attained the age of eighteen years, and of full capacity if he is not of unsound mind.
- (4) For the purposes of this Act, 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.
- (5) For the purposes of computing any period of time, residence in or absence from Mainland Tanzania or Tanzania Zanzibar before Union Day shall be deemed to be residence in or, as the case may be, absence from the United Republic.

Part II – Attainment of citizenship on or after Union Day (ss. 4-7)

4. Citizens of Mainland Tanzania and of Zanzibar before Union Day deemed to have become citizens on Union Day

- (1) Every person who, having been born in Mainland Tanzania or in Tanzania Zanzibar before Union Day, was immediately before Union Day a citizen of the Republic of Tanganyika or of the People's Republic of Zanzibar shall be deemed to have become, on Union Day, and, with effect from Union Day, subject to section 30, to have continued, and after the commencement of this Act shall continue, to be a citizen by birth of the United Republic.
- (2) Every person who, having been born outside either Mainland Tanzania or Tanzania Zanzibar before Union Day was, immediately before Union Day a citizen by registration or naturalisation of the Republic of Tanganyika or of the People's Republic of Zanzibar shall be deemed to have become, on Union Day and, with effect from Union Day, subject to section 30 to have continued to be, a citizen by registration or, as the case may be, by naturalisation of the United Republic, and after the commencement of this Act shall become and continue to be a citizen by naturalisation of the United Republic.
- (3) Every person who, having been born outside both Mainland Tanzania and Tanzania Zanzibar before Union Day, was immediately before Union Day a citizen by descent of the Republic of Tanganyika or of the People's Republic of Zanzibar shall be deemed to have become, on Union Day and, with effect from Union Day, subject to section 30, to have continued, and after the commencement of this Act shall continue, to be a citizen by descent of the United Republic.

5. Persons born in the United Republic on or after Union Day

- (1) Subject to the provisions of subsection (2), every person born in the United Republic on or after Union Day shall be deemed to have become and to have continued to be a citizen of the United Republic with effect from the date of his birth, and with effect from the commencement of this Act shall become and continue to be a citizen of the United Republic, subject to the provisions of section 30.
- (2) A person shall not be deemed to be or to have become a citizen of the United Republic by virtue of this section if, at the time of his birth—
 - (a) neither of his parents is or was a citizen of the United Republic and his father possesses the immunity from suit and legal process which is accorded to an envoy of a foreign sovereign power accredited to the United Republic; or
 - (b) any of his parents is an enemy and the birth occurs in a place then under occupation by the enemy.

6. Persons born outside the United Republic on or after Union day

Every person born outside the United Republic on or after Union Day shall, with effect from the date of his birth, be deemed to have become and to have continued to be, and with effect from the commencement of this Act shall become and continue to be, a citizen of the United Republic if at the date of his birth his father or mother is or was a citizen of the United Republic otherwise than by descent, subject to the provisions of section 30.

7. Cessation of dual citizenship

- (1) Any person who, upon the attainment of the age of eighteen years, is a citizen of the United Republic or was a citizen of the former Republic of Tanganyika or of the former People's Republic of Zanzibar and also is or was a citizen of some country other than the United Republic or either the former Republic of Tanganyika or the former People's Republic of Zanzibar shall, subject to the provisions of subsection (8), be deemed to have ceased to be a citizen of the United Republic upon the specified date unless he previously renounced his citizenship of that other country, took the oath of allegiance and, in the case of a citizen by descent, made and registered the declaration prescribed by Parliament regarding his intention as to residence.
- (2) Any citizen of the United Republic who—
 - (a) attained the age of eighteen years before Union Day; and
 - (b) becomes a citizen of the United Republic on Union Day by virtue of the provisions of section 4; and
 - (c) was, immediately after that day, also a citizen of some country other than the former Republic of Tanganyika or the former People's Republic of Zanzibarshall, subject to the provisions of subsection (8), be deemed to have ceased to be a citizen of the United Republic upon the specified date unless he has previously renounced his citizenship of that other country, taken the oath of allegiance and, in the case of a citizen by descent, made and registered a declaration prescribed by Parliament regarding his intention as to residence.
- (3) Any person who—
 - (a) attained the age of eighteen years before Union Day; and

- (b) became a citizen of the United Republic by virtue of his former status as a Zanzibar subject under paragraph 2 of the Fourth Schedule to the Extension and Amendment of Laws (No. 5) Decree²; and
- (c) was, on Union Day, also a citizen of some country other than the United Republic, shall subject to the provisions of subsection (8), be deemed to have ceased to be a citizen of the United Republic upon the specified date unless he has previously renounced his citizenship of that other country, taken the oath of allegiance and, in the case of a citizen by descent, made and registered a declaration prescribed by Parliament regarding his intention as to residence.
- (4) A citizen of the United Republic shall cease to be a citizen if having attained the age of eighteen years—
- (a) he acquires the citizenship of some country other than the United Republic by a voluntary act other than marriage;
- (b) he otherwise acquired the citizenship of some country other than the United Republic, or while a citizen of the former Republic of Tanganyika or the former People's Republic of Zanzibar; and has not, by the specified date renounced his citizenship of that other country, taken the oath of allegiance and made and registered a declaration prescribed by Parliament regarding his intention as to residence.
- (5) Notwithstanding any other provisions of this Act, a person who attains the age of eighteen years, or who, being a woman, is or has been married shall not, if that person is a citizen of some country other than the United Republic, be entitled to be naturalised as a citizen of the United Republic unless he renounces the citizenship of that other country, takes the oath of allegiance and makes and registers a declaration prescribed by Parliament regarding his intention as to residence.
- (6) For the purposes of this section, where under the law of a country other than the United Republic, a person cannot renounce his citizenship of that other country, he need not make that renunciation but may instead be required to make a declaration prescribed by Parliament regarding that citizenship; but any person who has made that declaration may be required to renounce his citizenship of that other country if he is subsequently able to renounce it.
- (7) In this section "the specified date" means—
- (a) in relation to a person to whom subsection (1) refers, the date on which he attains or attained the age of eighteen years, or in the case of a person who became or becomes a citizen of the United Republic by virtue of his former status as a Zanzibar subject under paragraph 2 of the Fourth Schedule to the Extension and Amendment of Laws (No. 5) Decree³, the date on which he attains or attained the age of twenty two years or the 12th day of January, 1966, whichever is the later;
- (b) in relation to a person to whom subsection (2) refers the date specified in accordance with the provisions of section 26;
- (c) in relation to a person to whom subsection (3) refers, the 12th day of January, 1966;
- (d) in relation to a person to whom paragraph (b) of subsection (4) refers, the expiration of one year after the date on which he acquired the citizenship of the country other than the United Republic or, as the case may be, the former Republic of Tanganyika or the former People's Republic of Zanzibar, or in the case of a person of unsound mind, any later date prescribed in accordance with the provisions of section 26.

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R.L. Cap. 557

3

R.L. Cap. 557

- (8) The Director may, with the consent of the Minister, in any case in which he is satisfied that a person to whom this section refers is or was, by reason of any circumstances attributable to the default or neglect of that person, unable to renounce his citizenship of some country other than the United Republic or take the oath of allegiance, or make or register any declaration relating to him in subsection (7), or any later date declared under this subsection, declare that the specified date in relation to that person shall be such later date as will permit that person an opportunity of doing any or all such acts remaining undone; but nothing in this subsection shall confer on the Director power to make any declaration in relation to any person after that person has ceased to be a citizen of the United Republic.
- (9) For the purposes of subsection (1) or (3), no person shall be deemed to have been a citizen of a country other than the United Republic by reason only of his being a Zanzibar subject.

Part III – Acquisition of citizenship by naturalisation (ss. 8-12)

8. Citizenship to be acquired solely by naturalisation

Subject to the following provisions of this part a person who is a non-citizen of the United Republic and who does not qualify for the attainment of citizenship in accordance with the provisions of Part II may acquire citizenship of the United Republic only by naturalisation.

9. Naturalisation of non-citizens

- (1) Subject to the provisions of subsection (3), any person who is not a citizen of the United Republic may, being a person of full age and capacity, on making an application in that behalf to the Minister, and on satisfying the provisions of the Second Schedule to this Act, be naturalised as a citizen of the United Republic, and be granted a certificate of naturalisation.
- (2) Subject to the provisions of subsection (3), any person of full age and capacity born outside the United Republic whose father was at the time of the birth of that person a citizen by descent may, on making an application in that behalf to the Minister in the prescribed manner, be naturalised as a citizen of the United Republic.
- (3) A person shall not be naturalised as a citizen of the United Republic under this section except after he has made a declaration in writing in the prescribed form renouncing, or indicating his willingness, but for the legal restrictions to renounce any other nationality or citizenship he may possess any claim to the protection of any other country, and take an oath of allegiance in the form specified in the First Schedule to this Act.

10. Naturalisation of minors

- (1) The Minister may cause the minor child of any citizen of the United Republic to be naturalised as a citizen of the United Republic upon application made in the prescribed manner by a parent or guardian of the child.
- (2) The Minister may, in any circumstances which he considers to be special, cause any minor to be naturalised as a citizen of the United Republic.

11. Naturalisation of women married to citizens of the United Republic

- (1) Subject to the provisions of subsection (2) and of section 6, a woman who is married to a citizen of the United Republic shall at any time during the life-time of the husband be entitled, upon making an application in the prescribed form, to be naturalised as a citizen of the United Republic.
- (2) A woman who has, previous to her marriage to a citizen of the United Republic, renounced, or been deprived of, her status as a citizen of the United Republic in accordance with the law for the time

being in force shall not be entitled to be naturalised under subsection (1), but may be naturalised with approval of the Minister.

12. Effect of naturalisation as a citizen

- (1) Subject to the provisions of subsection (2) and (3), a person naturalised as a citizen under this Act shall become a citizen of the United Republic by naturalisation on the date on which he is naturalised.
- (2) Where, subsequent to making an application for naturalisation under this Act a person of full age and capacity fails to renounce the nationality or citizenship of any country other than the United Republic and to take an oath of allegiance in the form specified in the First Schedule, and to provide evidence of it to a person appointed by the Minister in that behalf, within twenty-eight days of his being notified of his application, being approved, or any further time allowed by the Minister or by the appointed person, his application shall be quashed and he shall be deemed never to have so applied for naturalisation and shall not be naturalised.
- (3) Where any person who, not being able to renounce his citizenship of some other country is naturalised as a citizen of the United Republic after making the declaration specified in the Third Schedule to this Act and is, later on, able to renounce that other citizenship the Minister may require him to renounce that other citizenship and if that person fails to do so, within the period, not being less than twenty-eight days, specified by the Minister, his naturalisation may be cancelled.

Part IV – Renunciation and deprivation of citizenship (ss. 13-17)

13. Renunciation of citizenship

- (1) If any citizen of the United Republic of full age and capacity makes a declaration in the prescribed manner renouncing his citizenship of the United Republic, the Minister may cause the declaration to be registered and upon that registration the person in question shall cease to be a citizen of the United Republic.
- (2) The Minister may refuse to register any declaration referred to in subsection (1) if it is made during any war in which the United Republic may be engaged or if, in his opinion, it is in any other way contrary to public policy; but notwithstanding the refusal of the Minister, the person concerned shall cease to be a citizen of the United Republic at the time prescribed in section 7 of this Act.
- (3) Notwithstanding anything in this Act or any other written law to the contrary, any woman who is a citizen by birth of the United Republic who renounces her citizenship of the United Republic upon getting married to a citizen of another country may, where the marriage breaks down, revert to her citizenship by birth of the United Republic on any conditions which the Minister may, by regulations published in the *Gazette* impose.

14. Deprivation of citizenship of persons who exercise certain rights in other countries

The Minister may by order deprive any person, other than a person who is a citizen by birth, of his citizenship of the United Republic if the Minister is satisfied that that person has at any time while a citizen of the United Republic and of full age and capacity voluntarily claimed and exercised, in a foreign country, any right available to him under the law of that country, being a right accorded exclusively to its own citizens, and that it is not conducive to the public good that he should continue to be a citizen of the United Republic.

15. Deprivation of citizenship of citizens by naturalisation

- (1) Subject to the provisions of this section, the Minister may by order deprive of his citizenship any citizen of the United Republic who is a citizen by naturalisation if he is satisfied that the certificate

of naturalisation was obtained by means of fraud, false representation or the concealment of any material fact.

- (2) Subject to the provisions of this section, the Minister may by order deprive of his citizenship any citizen of the United Republic who is a citizen by naturalisation if he is satisfied that that citizen—
 - (a) has shown himself by act or speech to be disloyal or disaffected towards the United Republic; or
 - (b) has, during any war in which the United Republic was engaged, unlawfully traded or communicated with any 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 after becoming naturalised, been sentenced in any country to imprisonment for a term of not less than twelve months, or
 - (d) has been ordinarily resident in foreign countries for a continuous period of five years and during that period has not registered annually in the prescribed manner with a United Republic consulate or by notice in writing to the Minister, indicated his intention to retain his citizenship of the United Republic.
- (3) The Minister shall not deprive a person of citizenship under this section unless he is satisfied that it is not conducive to the public good that that person should continue to be a citizen of the United Republic.
- (4) Before making an order under this section, the Minister 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 of his right to an inquiry under this section.
- (5) If that person applies in the prescribed manner for an inquiry, the Minister shall refer the case to a committee of inquiry consisting of a Chairman, being a person possessing judicial experience, and any other members whom he thinks proper, appointed by the Minister.

16. Deprivation of citizenship when person deprived of citizenship

- (1) Where a citizen of the United Republic who is such by naturalisation—
 - (a) was a citizen of any foreign country by virtue of a certificate of naturalisation or registration granted to him or in which his name was included; and
 - (b) has been deprived of that citizenship on grounds which in the opinion of the Minister are substantially similar to any of the grounds specified in subsection (1) or (2) of section 15,the Minister may by order deprive him of his citizenship of the United Republic if the Minister is satisfied that it is not conducive to the public good that that person should continue to be a citizen of the United Republic.
- (2) Before making an order under this section, the Minister 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 may refer the case to a committee of inquiry constituted in the manner provided by section 15.

17. Effect of renunciation or deprivation of citizenship

- (1) A citizen of the United Republic deprived of his citizenship by an order of the Minister under section 14, 15 or 16 shall, upon the making of the order, cease to be a citizen of the United Republic.
- (2) The renunciation by any person of his citizenship of the United Republic or of the deprivation of any person's citizenship of the United Republic under the Act shall not affect the liability of that person for any offence committed by him before the renunciation or deprivation of his citizenship.

Part V – Supplemental provisions (ss. 18-27)

18. Married women

For the purposes of Parts III and IV, any woman who has been married shall be deemed to be of full age.

19. Legitimated children

- (1) A person born out of wedlock and legitimated by the subsequent marriage or by the commencement of this Act, whichever is the later, shall be treated for the purpose of determining whether he is a citizen of the United Republic, as if he had been born legitimate.
- (2) A person shall be deemed for the purpose of this section to have been legitimated by the subsequent marriage of his parents if by the law of the place in which his father was domiciled at the time of the marriage the marriage operated immediately or subsequently to legitimate him, and not in any other way.

20. Posthumous children

Any reference in this Act to the national status of the father of a person at the time of the birth of that person shall, in relation to a person born after the death of his father, be construed as a reference to the national status of the father at the time of his death and where—

- (a) the death occurred before the ninth day of December, 1961, or before the twelfth day of January, 1964, in the case of Mainland Tanzania and Tanzania Zanzibar, respectively, and the birth occurred after the eighth day of December, 1961 or after the eleventh day of January, 1964, the national status that the father would have had if he had died on the ninth day of December, 1961, or, as the case may be, on the twelfth day of January, 1964; or
- (b) the death occurred before Union Day and the birth occurred on or after Union Day, the national status that the father would have had if he had died on Union Day,

shall be deemed to be his national status at the time of his death.

21. Certificate of citizenship in cases of doubt

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

22. Manner of making applications

Every application for naturalisation under this Act as a citizen of the United Republic shall be made to the Minister and—

- (a) shall be accompanied by the prescribed fee;
- (b) where the form of an application is prescribed under this Act, shall be made in that form with any variations required by circumstances and accepted by the Minister;
- (c) shall be supported by the evidence of the statements made in it prescribed by or under this Act or required by the Minister; and
- (d) shall be verified by a declaration made before a magistrate or Commissioner for Oaths.

23. Decision of Minister to be final

The Minister shall not be required to assign any reason for the grant or refusal to grant any application under this Act and the decision of the Minister on any application under this Act shall not be subject to appeal or review in any court.

24. Renunciation of citizenship of other countries and declarations regarding residence

- (1) Where under any provision of this Act a person is required to renounce the nationality or citizenship of any country other than the United Republic and the law of that other country makes no provision for renunciation of nationality or citizenship, that person shall make the appropriate declaration specified in the Third Schedule to this Act; and a person who makes the declaration shall, subject to subsection (3) of section 14, be treated as having complied with the requirement.
- (2) Where under any provision of this Act a person is required to make any declaration regarding his intention as to residence, he shall make a declaration in the form specified in the Fourth Schedule to this Act, with any variations required by the circumstances of the case.

25. Evidence

- (1) Every document purporting to be a notice, certificate, order or declaration, or any entry in a register, or a subscription of an oath of allegiance or declaration of renunciation, given, granted or made under the provisions of this Act, shall be received in evidence and shall, unless the contrary is proved, be deemed to have been given, granted or made by or on behalf of the person by whom or on whose behalf it purports to have been given granted or made.
- (2) *Prima facie* evidence of any document referred to in subsection (1) may be given by production of a document purporting to be certified as a true copy of it by the person in question and in the prescribed manner.
- (3) Any entry in a register made under the provisions of this Act shall be received as evidence of the matters stated in the entry.

26. Provisions relating to section 7

- (1) The Minister, and any public officer authorised in that behalf by the Minister—
 - (a) declare that the specified date relating to any person to whom section 7(7) refers, who is of unsound mind during any period between Union Day and the date declared by subsection (6) to be the specified date, shall be such later date as will, in the opinion of the Minister or the authorised officer, permit that person when of sound mind an opportunity of making an application for naturalisation under Part III;
 - (b) in any other case in which he is satisfied that a person to whom section 7(7) refers is, by reason of any circumstances not attributable to his default or neglect unable to make application within the time prescribed in relation to that person in section 7(7), subsection (1) of this section, declare that the specified date in relation to that person shall be such later date as will permit that person an opportunity of making an application for naturalisation under section 9.
- (2) The power of the Minister, and any public officer authorised in that behalf by the Minister, under this section may be exercised before or after the relevant date declared by section 7 to be the specified date.
- (3) The specified date in relation to any person to whom section 7(7) refers who is of unsound mind during any period commencing—
 - (a) on the date on which he attains eighteen years of age; or

- (b) on the date on which, having first attained the age of eighteen years or, in the case of a woman, having first married, he acquires the citizenship of some country other than the United Republic otherwise than in the circumstances described in section 7(3), and ending on the date declared to be the specified date by section 7(7), shall be the first anniversary of the date on which that person ceases to be of unsound mind; and where before the first anniversary of that date, or any later date which may be taken for the purpose under the succeeding provisions of this section, that person again becomes of unsound mind, the specified date shall be the first anniversary of the date on which he subsequently ceases to be of unsound mind.

27. Offences

- (1) Any person who, for the purpose of procuring anything to be done or not to be done under this Act —
 - (a) without lawful excuse, fails to answer any lawful question, or gives an answer which he knows is false in any material particular;
 - (b) recklessly makes any return, declaration or statement which is false in a material particular;
 - (c) unlawfully alters a certificate or misrepresents himself as being the person to whom the certificate relates;
 - (d) uses or is in possession of a forged or otherwise irregular certificate;
 - (e) without lawful justification, obstructs or otherwise impedes any public officer in the performance of any duty in relation to this Act;
 - (f) without lawful excuse, fails or refuses to furnish any list or information require to be furnished under this Act; or
 - (g) without reasonable excuse, fails or refuses to comply with any term or condition imposed in respect of any certificate,

commits an offence and upon conviction is liable to a fine not exceeding one hundred and fifty thousand shillings or to imprisonment for a term not exceeding three years or to both that fine and imprisonment.

- (2) Any person who fails to comply with any requirement imposed on him by regulations made under this Act regarding the delivering up of certificates of naturalisation commits an offence and upon conviction is liable to a fine not exceeding one hundred thousand shillings or to imprisonment for a term not exceeding two years or to both that fine and imprisonment.
- (3) The liability of any person in relation to any offence shall not be affected by any renunciation, deprivation or loss of his citizenship of the United Republic after the commission of the offence.

Part VI – Miscellaneous provisions (ss. 28-30)

28. Regulations

- (1) The Minister may make regulations providing generally for carrying into effect the purposes of this Act, and, in particular for—
 - (a) prescribing anything which is required or permitted to be prescribed under this Act;
 - (b) the registration of anything required or authorised under this Act to be registered;
 - (c) the administration and taking of the oath of allegiance under this Act, for the time within which the oath of allegiance shall be taken and for the registration of oaths of allegiance;
 - (d) the giving of any notice required or authorised to be given to any person under this Act;

- (e) the cancellation of certificates of naturalisation relating to, persons being deprived of, renouncing or losing citizenship under this Act, and for requiring those certificates to be delivered up for that purpose;
 - (f) the registration by public officer, or by persons or category of persons authorised in that behalf by the Minister, of the births and deaths of persons of any category or description born or dying elsewhere than in the United Republic and otherwise for registration at the United Republic consulate;
 - (g) the reversion to citizenship of the United Republic by women married to foreigners upon the break down of their marriages; and
 - (h) enabling the births and deaths of citizens born or dying in any country in which the Government of the United Republic has for the time being no diplomatic or consular representative to be registered by persons serving in the diplomatic, consular or other foreign service of any country which, by arrangement with the Government of the United Republic, has undertaken to represent that Government's interests in that country, or by a person authorised in that behalf by the President, and for registration thereby of citizens of the United Republic ordinarily resident outside the United Republic.
- (2) In prescribing the manner in which application may be made for any purpose under this Act, the Minister may prescribe different procedures to be followed by different categories of persons.

29. Repeal of R.L. Caps. 452 and 512

[Repeals the Citizenship Ordinance⁴ and the Citizenship Act⁵.]

30. Savings

- (1) Notwithstanding the repeal of the laws specified in section 29—
- (a) every person attaining citizenship under the provisions of any of those laws or a combination of the provisions of any of them shall be deemed to have acquired that citizenship under this Act;
 - (b) every person who became a citizen by registration shall be deemed to have been naturalised as a citizen of the United Republic under this Act;
 - (c) every certificate of registration as a citizen issued under any of the repealed laws shall be deemed to be a certificate of naturalisation granted under this Act;
 - (d) where any person was deprived of citizenship under any of the Acts the repeal of those Acts shall not operate to restore to him that citizenship;
 - (e) where any renunciation of citizenship was made under the Acts, or a loss of citizenship occurred as a result of the provisions of any of the Acts the renunciation shall be deemed to have been made and loss to have occurred under the provisions of this Act;
 - (f) where pursuant to the provisions of any of the Acts any person would, but for the enactment of this Act, have been deprived of citizenship or of his entitlement to registration or naturalisation, nothing in this Act shall be construed so as to extend the period after which the person or persons concerned would have lost his or their citizenship or entitlement to registration or naturalisation as a citizen after the commencement of this Act;

⁴

R.L. Cap. 452

⁵

R.L. Cap. 5122

- (g) any offence committed against any of the provisions of the Acts shall be deemed to be an offence under this Act, and any proceedings pending in any court in relation to any of those offences shall be continued or completed as if they had been commenced under this Act; and
 - (h) every lawful act done or omitted by any person in *bona fide* performance of his functions under the Acts shall be deemed to have been duly done or committed in pursuance of the provisions of this Act.
- (2) The Minister may, not later than one year after the commencement of this Act, by regulations published in the *Gazette*, make such temporary, transitional or consequential provisions as may, in his opinion, be necessary or desirable for the better bringing into effect of the provisions of this Act.

First Schedule (Section 9(3))

Oath of allegiance

I _____ do swear that I will be faithful and bear true allegiance to the United Republic and that I will preserve, protect and defend the Constitution of the United Republic, as by law established. So help me God.

Second Schedule (Section 9(1))

Conditions for citizenship by naturalisation

1. Subject to the provisions of the next following paragraph, the qualifications for naturalisation of an alien who applies for it are—
 - (a) that he has resided in the United Republic throughout the period of twelve months immediately preceding the date of the application; and
 - (b) that during the ten years immediately preceding the said period of twelve months he resided in the United Republic for periods amounting in the aggregate to not less than seven years; and
 - (c) that he has an adequate knowledge of Kiswahili or the English language; and
 - (d) that he is of good character; and
 - (e) that, in terms of his past and potential contribution to the national economy, scientific and technological advancement and to the national social and cultural welfare, he would be a suitable citizen of the United Republic;
 - (f) that he intends, if naturalised, to continue to reside permanently in the United Republic.
2. If in the special circumstances of any particular case the Minister thinks fit, he may—
 - (a) allow a continuous period of twelve months ending not more than six months before the date of application to be reckoned for the purposes of subparagraph (a) of paragraph 1 as though it had immediately preceded that date;
 - (b) allow periods of residence earlier than eight years before the date of application to be reckoned in computing the aggregate mentioned in subparagraph (b) of paragraph 1.

Schedules 3 & 4

Forms

[Editorial note: The forms have not been reproduced.]