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**ACT**  
**No. 40/1993 Coll.**  
**on nationality of the Slovak Republic**

**as amended and modified by**  
**Act no. 70/1997 Coll. (Art. II),**  
**Act no. 515/2003 Coll. (Art. XII),**  
**Act no. 36/2005 Coll. (Art. IV),**  
**Act no. 264/2005 Coll.,**  
**Act no. 344/2007 Coll.,**  
**Act no. 445/2008 Coll. and**  
**Act no. 250/2010 Coll.**

The National Council of the Slovak Republic adopted the following act:

§ 1

Purpose of Act

This act determines the conditions of acquisition, loss and certification of nationality of the Slovak Republic<sup>m</sup> and regulates minor offences in the area of nationality of the Slovak Republic.

**PART ONE**

**ACQUISITION OF NATIONALITY**  
**OF THE SLOVAK REPUBLIC**

§ 2

Determination of Nationality of the Slovak Republic

Persons who were nationals of the Slovak Republic pursuant to the Act of the Slovak National Council no. 206/1968 Coll. on acquisition and loss of nationality of the Slovak Socialist Republic as amended by the Act no. 88/1990 Coll. on December 31, 1992 are nationals of the Slovak Republic pursuant to this Act.

§ 3

Election of Nationality of the Slovak Republic

(1) Persons who were nationals of the Czech and Slovak Federal Republic on December 31, 1992 and are not nationals of the Slovak Republic pursuant to Art. 2 can elect the nationality of the Slovak Republic.

(2) Election of nationality pursuant to section 1 can be performed until December 31, 1993 by a written declaration filed at a district authority in the territory of the Slovak Republic, in abroad at a diplomatic mission or a consular office of the Slovak Republic according to the place of residence. Spouses can perform the declaration on election together.

(3) The declaration performed pursuant to section 2 must conclusively state

a) The identity of the person filing the declaration,

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<sup>m</sup> Article 5 of the Constitution of the Slovak Republic no. 460/1992 Coll.

b) The fact that the person filing the declaration was a national of the Czech and Slovak Federal Republic on December 31, 1992,

c) Place of birth and place of residence on December 31, 1992.

#### § 4

##### Nationality of Minors

(1) If parents are nationals of the Slovak Republic pursuant to Art. 2 or become nationals of the Slovak Republic pursuant to Art. 3, their minor children have the nationality as well;<sup>n</sup> if only one of the parents is alive, the child follows their nationality.

(2) Shall the nationality of one of the parents be different from the nationality of the Slovak Republic, the parents will include their minor children in their declaration on nationality pursuant to Art. 3. If both parents are alive, a consonant declaration of both of them is required.

(3) Shall a court entrust a minor to the upbringing of one of the parents and the parents filed no consonant declaration, the child will follow the nationality of the parent that has the minor entrusted to upbringing.

(4) Shall the parents fail to agree on a consonant declaration pursuant to section 2, it will be substituted by a court decision upon motion of one of the parents or of the legal representative of the minor.

(5) Consent pursuant to section 2 shall not be required if the other parent is abridged of parental rights or their parental rights are limited or their residence is unknown, or if they are not of legal capacity or if their legal capacity is limited.

#### § 5

##### Birth

(1) A child acquires the nationality of the Slovak Republic by birth if

a) At least one of the parents is a national of the Slovak Republic, or

b) The child is born in the territory of the Slovak Republic and its parents have no nationality, or

c) The child is born in the territory of the Slovak Republic, its parents are aliens and the child acquires none of their nationalities upon birth.

(2) Unless alien nationality is proven, a child is considered to be a national of the Slovak Republic if

a) It was born in the territory of the Slovak Republic, or

b) It was found in the territory of the Slovak Republic and its parents are not known unless it is proven that the child acquired nationality of another state upon birth.

(3) A child of an alien and of a national of the Slovak Republic shall be a national of the Slovak Republic even if it is later proven that the national of the Slovak Republic is not their parent.

#### § 6

##### Adoption

If a child who is not a national of the Slovak republic is adopted under special law<sup>o</sup> by adoptive parent or parents of whom at least one is a national of the Slovak Republic, the child acquires the nationality of the Slovak Republic upon adoption.

##### Granting

#### § 7

(1) Nationality of the Slovak Republic can be granted to applicants who are not nationals of the Slovak Republic and who

a) Have uninterrupted permanent residence<sup>p</sup> in the territory of the Slovak Republic for at least eight years immediately preceding the filing of an application for granting nationality of the Slovak Republic.

b) Is of good moral character; a person shall not be considered to be of good moral character if

1. They were validly sentenced for an intentional criminal offence and less than five years passed from the expungement of the record,

2. They were criminally prosecuted for an intentional criminal offense and the proceedings were interrupted conditionally and less than five years passed from the expiration of the trial period,

3. They were criminally prosecuted for an intentional criminal offense and the proceedings were terminated by a court decision on assent to reconciliation and less than five years have expired from the validity of the such court decision,

c) They were not sanctioned by court by the penalty of being expelled,<sup>q</sup>

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<sup>n</sup> Art. 8 of the Civil Code.

<sup>o</sup> Art. 108 of the Act no. 36/2005 Coll. on family and on modification and amendment of other acts.

<sup>p</sup> Art. 34 to Art. 42 of the Act no. 48/2002 Coll. on residence of aliens and on modification and amendment of other acts as amended.

- d) No criminal proceedings are maintained against them,<sup>f</sup>
- e) No deportation proceedings<sup>s</sup> or proceedings on performance of European warrant of arrest are maintained against them,<sup>i</sup>
- f) No proceedings on administrative deportation are maintained against them,<sup>u</sup>
- g) No proceedings on forfeiture of asylum are maintained against them,<sup>v</sup> and
- h) They have proven that they master the Slovak language both orally and in writing and have proven their general knowledge about the Slovak Republic (hereinafter referred to as “mastering the Slovak language”) pursuant to Art. 8(5 to 8); this shall not apply to applicants pursuant to Art. 7(2)(b to i), sections 4 to 6 and applicants less than 14 years old at the time of filing the application,

i) They fulfill their duties implied by the provisions of law regulating the stay of aliens in the territory of the Slovak Republic, public health insurance, social insurance, old-age pension savings, taxes, deductions, fees, employment of aliens and other duties implied to foreigners by the law of the Slovak Republic.

(2) Unless otherwise specified in this Act, nationality of the Slovak Republic can be granted to applicants with permitted permanent residence in the Slovak Republic without fulfilling the condition specified in section 1(a) if

a) They entered into marriage with a national of the Slovak Republic, this marriage remains valid and they live together in the marriage in a common household in the territory of the Slovak Republic for at least five years immediately preceding the filing of the application for granting of nationality of the Slovak Republic,

b) They are a person with substantial credit for the benefit of the Slovak Republic in the area of economics, science, technology, culture, society or sport, or if it is otherwise in the interest of the Slovak Republic,

c) They have uninterrupted permanent residence in the Slovak Republic for at least three years before reaching the age of 18,

d) They are a minor child whose legal representative or guardian is a citizen of the Slovak Republic or a legal entity appointed by a court of the Slovak Republic and has permanent residence in the territory of the Slovak Republic for at least two years immediately preceding the filing of the application for granting of nationality of the Slovak Republic; the length of the residence shall not apply to minor children aged less than two years,

e) They are an asylum seeker<sup>w</sup> for at least four years immediately preceding the filing of the application for granting of nationality of the Slovak Republic,

f) They were born in the territory of the Slovak Republic and have permanent residence here for at least three years immediately preceding the filing of the application for nationality of the Slovak Republic,

g) They have uninterrupted residence in the territory of the Slovak Republic for at least ten years, and at the time of filing the application for nationality of the Slovak Republic they already have a permanent residence permit, or

h) They are without nationality and have uninterrupted residence in the territory of the Slovak Republic for a period of at least three years immediately preceding the filing of the application for nationality of the Slovak Republic,

i) They lost the nationality of the Slovak Republic under § 9 and have uninterrupted residence in the Slovak Republic for a period of at least two years immediately preceding the filing of the application for nationality of the Slovak Republic,

j) At the time of their birth, one of their parents was a Czechoslovak national and the other was an alien and pursuant to Art. 1(2) of the Act no. 194/1949 Coll. on acquisition and loss of Czechoslovak nationality, the parent – Czechoslovak national failed to ask the relevant regional authority for consent with acquisition of Czechoslovak nationality, and they have permanent residence in the territory of the Slovak Republic for at least two years immediately preceding the filing of the application for nationality of the Slovak Republic.

(3) Applicants who were issued the certificate documenting their status of a Slovak living in abroad<sup>x</sup> can be granted the nationality of the Slovak Republic without fulfilling the condition specified in section 1(a) if they have uninterrupted residence in the territory of the Slovak Republic for at least three years immediately preceding the filing of the application for nationality of the Slovak Republic.

(4) Applicants whose former Czechoslovak nationality ceased or who lost Czechoslovak nationality due to long-term absence pursuant to Art. 31 and 32 of the Legal Article L of 1879 on acquisition and loss of Ugrian nationality or by entering into marriage pursuant to Art. 34 of the Legal Article L of 1879 on acquisition and loss of Ugrian nationality, or pursuant to Art. 2 of the Act no. 102/1947 Coll. on acquisition and loss of Czechoslovak nationality by marriage, or pursuant to Art. 5 of the Act no. 194/1949 Coll. on acquisition and loss of Czechoslovak nationality, or pursuant to Art. 13(1) of the Act of the Slovak National Council no. 206/1968 Coll. on acquisition and loss of nationality of the Slovak Socialist Republic, or pursuant to

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<sup>q</sup> Art. 65 and 113 of the Criminal Code.

<sup>r</sup> Art. 10(14) of the Code of Criminal Procedure.

<sup>s</sup> Art. 489 to 514 of the Code of Criminal Procedure.

<sup>t</sup> Act no. 403/2004 Coll. on European warrant of arrest and on modification and amendment of other acts.

<sup>u</sup> Art. 56 to 61 of the Act no. 48/2002 Coll. as amended.

<sup>v</sup> Art. 15 of the Act no. 480/2002 Coll. on asylum and on modification and amendment of other Acts as amended by the Act no. 692/2006 Coll.

<sup>w</sup> Art. 2(i) of the Act no. 480/2002 Coll. as amended by the Act no. 692/2006 Coll.

<sup>x</sup> Art. 7(1), Art. 8 and Art. 12(1) of the Act no. 474/2005 Coll. on Slovaks living in abroad and on modification and amendment of other acts.

international treaties, can be granted the nationality of the Slovak Republic without fulfilling the condition specified in section 1(a).

(5) Applicants who lost the nationality of the Slovak Republic pursuant to Art. 14(1) of the Act of the Slovak National Council no. 206/1968 Coll. on acquisition and loss of nationality of the Slovak Socialist Republic or pursuant to Art. 6 of the Act no. 194/1949 Coll. on acquisition and loss of Czechoslovak nationality can be granted the nationality of the Slovak Republic without fulfilling the condition specified in section 1(a).

(6) The nationality of the Slovak Republic shall be granted without fulfilling the conditions specified in section 1(a) to applicants who are former nationals of the Slovak Republic and who lost their nationality of the Slovak Republic according to this Act if they ask for it and submit a document proving that they did not acquire nationality of another state.

## § 8

(1) The nationality of the Slovak Republic shall be granted by the Ministry of Interior of the Slovak Republic (hereinafter referred to as the “ministry”) upon written application for nationality of the Slovak Republic. Applications for nationality of the Slovak Republic pursuant to Art. 7(2)(b) shall be evaluated by the ministry and submitted to the Minister of Interior of the Slovak Republic (hereinafter referred to as the “Minister”) who decides them according to the conditions specified in this Act. Applications for nationality of the Slovak Republic shall be filed in person at the district authority in the seat of a region, at a diplomatic mission or at a consular office of the Slovak Republic.

(2) Applications for nationality of the Slovak Republic shall contain

- a) Name, surname, surname at birth, birth number, if assigned, date and place of birth of the applicant,
- b) Permanent residence address of the applicant unless otherwise stated herein,
- c) Reasons for application for nationality of the Slovak Republic, and
- d) Date and signature of the applicant.

(3) Applicants shall attach the following to the application for nationality of the Slovak Republic

- a) Brief curriculum vitae,
- b) Proof of identity,
- c) Birth certificate,
- d) Document on marital status, being a marriage certificate, valid divorce resolution or certificate, death certificate of the spouse if the applicant is a married man or woman, divorced or widowed,
- e) Certificate on residence in the territory of the Slovak Republic, and for former citizens, document on last permanent residence in the territory of the Slovak Republic or an affidavit on that residence,
- f) Certificate of no criminal record, not older than six months, being a copy of the criminal record from each state of which the applicant is or was a national, as well as a copy of the criminal record from each state in which they had permitted residence during the last 15 years before filing the application for nationality of the Slovak Republic, or another proof of no criminal record issued by the relevant bodies of these states,
- g) Deed on loss of nationality of the Czechoslovak Republic, Czechoslovak Socialist Republic, Slovak Socialist Republic or Slovak Republic, or naturalization certificate, or certificate on acquisition of nationality of another state if the applicant is a former national,
- h) Certificate documenting the status of Slovak living abroad,<sup>12</sup> if they are a holder of such status,
- i) The following other documents:
  1. Certificate from tax authorities, customs authorities and municipality on payment of taxes and fees,
  2. Extract from the commercial register or an extract from the trade register,
  3. Employer confirmation of employment and copy of the employment contract,
  4. Certificate from health insurer on payment of insurance premium for public health insurance and on period of insurance,
  5. Employer certificate on payment of income tax and on payment of insurance premiums to public health insurance, social insurance and old-age benefit insurance,
  6. Certificate on studies,
  7. Certificate on receipt of old-age benefits,
  8. Certificate on registration of employment seeker,
  9. Certificate on source of income satisfactory to finance the stay of the applicant and their relatives in the territory of the Slovak Republic if voluntarily unemployed.

Applicants shall submit those of the above documents confirming the fulfilling of the duties according to Art. 7(1)(i) related to the applicant and shall substitute the inapplicable documents by affidavits justifying their non-submitting.

(4) Upon filing applications for nationality of the Slovak Republic, applicants reaching 14 years of age shall also fulfill the Slovak Republic nationality applicant questionnaire (hereinafter referred to as the "applicant questionnaire") issued by the ministry. Questionnaire of applicants aged less than 18 years of age shall also be signed by the parents of the applicant. If it is signed by a single parent only, consent of the other parent with an officially certified signature must be attached.

(5) Upon filling in the applicant questionnaire, the district authority in the seat of the region, diplomatic mission or a consular office of the Slovak Republic shall verify whether the applicant masters the Slovak language. Mastering the Slovak language shall be verified by means adequate to the health condition of the applicant.

(6) Mastering the Slovak language by the applicant pursuant to section 5 shall be verified by

a) Interview, in which the applicant is asked questions related to himself and his relatives, as well as general questions, including, without limitation, questions from history, geography, and social and political development in the Slovak Republic,

b) Reading aloud a randomly selected article from press in the Slovak language containing at least 500 words, handed to the applicant immediately before reading it,

c) Writing a summary of the read article pursuant to letter b) by the applicant in a time limit of 30 minutes.

(7) Mastering Slovak language by the applicant under section 5 shall be verified by a three-member committee appointed by the director of the district authority in the seat of a region, by the ambassador or the consul. Presence of all members of the committee is required for the committee to decide. Resolutions of the committee shall be made by votes of at least two members of the committee.

(8) Minutes on procedure and result of verification of mastering the Slovak language by the applicant shall be made on the day of verification. Minutes shall be signed by all members of the committee and by the applicant. The minutes shall include

a) Name, surname, surname at birth, birth number, if assigned, date and place of birth of the applicant, and their residence address,

b) Name, surname and position of each committee member,

c) Evaluation by each individual member of the committee of the mastering or non-mastering the Slovak language by the applicant orally and in writing and justification of such evaluation on the basis of results of the applicant pursuant to section 6(a to c),

d) Adopted decision of the committee on the basis of evaluation pursuant to letter c),

e) Place, date and signatures of applicant and of committee members.

The article from the press and its contents written by the applicant pursuant to section 6(b and c) shall be attached to the minutes.

(9) The district authority in the seat of a region shall request an opinion to the application for nationality of the Slovak Republic from the relevant department of the Police Forces and shall forward the application for nationality of the Slovak Republic with the said opinion to the ministry.

(10) If required by the applicant, the district authority in the seat of a region, diplomatic mission or consular office of the Slovak Republic will issue a certificate on filing the application for nationality of the Slovak Republic.

(11) Parents and their minor children aged 14 and over shall file separate applications for nationality of the Slovak Republic. Minor children aged less than 14 included in the application for nationality of the Slovak Republic of their parent shall acquire nationality of the Slovak Republic together with their parents.

(12) Applicants shall attach the following to the application of minor children aged less than 14 years for nationality of the Slovak Republic

a) Birth certificate of the child,

b) Document proving the residence of the child in the territory of the Slovak Republic, certificate from the relevant Police department, certificate on school attendance,

c) Certificate from health insurer on payment of insurance premium for public health insurance for the child and on period of insurance.

#### § 8a

(1) The ministry can ask the applicant to provide other documentation if such is required to decide in the case.

(2) The ministry shall ask the Office of Prosecutor General of the Slovak Republic for a copy of the criminal register related to the applicant for nationality of the Slovak Republic.

(3) In the proceedings on application for granting the nationality of the Slovak Republic, the ministry will ask a special department of the Police Forces<sup>12a</sup> for an opinion, and if necessary, also the Slovak Intelligence Service and other affected

state authorities. In the proceedings on application for granting the nationality of the Slovak Republic, the ministry shall reflect public interest, including, without limitation, the security viewpoint, as well as the opinions of the Police Forces, the Slovak Intelligence Service and other affected state authorities. For applicants pursuant to Art. 7(2)(b), the ministry will request a statement of the affected state authority. In the statement, the affected state authority will state the reasons justifying the exception from fulfillment of conditions pursuant to Art. 7(1)(a and h).

(4) The ministry will request the affected state authority for notification whether criminal proceedings, deportation proceedings, proceedings on performance of European warrant to arrest, proceedings on administrative deportation, or proceedings on forfeiture of asylum are maintained against the applicant. Shall such proceedings be maintained against the applicant, the ministry will suspend the proceedings for granting of nationality of the Slovak Republic; the ministry will continue in the proceedings immediately after learning on the decision terminating the criminal proceedings, deportation proceedings, proceedings on performance of European warrant to arrest, proceedings on administrative deportation, or proceedings on forfeiture of asylum. The authority issuing such decision is obliged to report it to the ministry.

(5) Unless otherwise specified herein, the ministry will terminate the proceedings if the applicant fails to fulfill the condition specified in Art. 7(1)(a) and simultaneously, any of the conditions specified in Art. 7(2 to 6). The decision on terminating the proceedings shall be marked in the file and the applicant shall be notified of the termination.

(6) Shall the residence permit of the applicant terminate,<sup>y</sup> the ministry will terminate the proceedings. The decision on terminating the proceedings shall be marked in the file and the applicant shall be notified of the termination.

(7) The ministry will decide on the application for nationality of the Slovak Republic within 24 months from the delivery of the application for nationality of the Slovak Republic to the ministry. Shall opinions of other state authorities, not including the opinions pursuant to Art. 8(9), be required to issue a decision, and shall the decision be dependent on such opinions, the period for decision on granting nationality of the Slovak Republic according to the first sentence shall not pass from the request for the opinion until the delivery thereof to the ministry.

(8) Shall the ministry or the minister decide on granting nationality of the Slovak Republic, a deed on granting nationality of the Slovak Republic will be issued, containing

- a) The name "Slovak Republic" and the name "Ministry of Interior of the Slovak Republic",
- b) Number of proceedings on granting nationality of the Slovak Republic,
- c) Provision of this Act under which nationality of the Slovak Republic has been granted,
- d) Name, surname, surname at birth, date of birth, place of birth, residence address and previous nationality of the applicant,
- e) Place and date of issue of the deed,
- f) Name, surname, position and signature of an authorized person,
- g) Official seal.

(9) The ministry of the minister shall decide on the application for nationality of the Slovak Republic repeatedly if new facts are discovered in the time between the issue of the deed on granting nationality of the Slovak Republic and its receipt by the applicant and these facts must be reflected in the decision in the case.

(10) Nationality of the Slovak Republic shall be acquired by receiving a deed on granting nationality of the Slovak Republic. The deed on granting nationality of the Slovak Republic shall be delivered by the district authority in the seat of the region, diplomatic mission or consular office of the Slovak Republic to the applicant after taking a vow of a national of the Slovak Republic. Acquiring the nationality of the Slovak Republic shall be subject to taking this vow. The vow shall not be taken by children aged less than 14, by persons for whom it is impossible due to their health condition and persons without legal capacity. The district authority in the seat of a region, diplomatic mission or consular office of the Slovak Republic will make a record of taking the vow, and send it to the ministry together with the document proving the receipt of the deed on granting nationality of the Slovak Republic; the deed shall include the date of taking the vow and receipt of the deed.

(11) Shall the applicant fail to receive the deed on granting nationality of the Slovak Republic within six months from the delivery of a written request lacking a serious reason, the ministry will terminate the proceedings. The decision on terminating the proceedings shall be marked in the file and the applicant shall be notified of the termination.

(12) The vow of national of the Slovak Republic shall be made to the director of the district authority in the seat of a region, to the ambassador, consul or a person authorized by them, and reads: "I honestly swear that I will be faithful to the Slovak Republic, I will adhere to the Constitution of the Slovak Republic, the constitutional laws, laws and other generally binding law, and I will duly fulfill all duties of nationals of the Slovak Republic."

(13) Shall the ministry deny failure of the nationality of the Slovak Republic, the applicant can file a new application for nationality of the Slovak Republic no sooner than after the expiration of two years from the effective date of the decision on refusing the application for nationality of the Slovak Republic.

(14) Decisions on terminating proceedings pursuant to sections 5, 6, and 11 can not be appealed against.

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<sup>12a</sup> Art. 4(3) of the Act of the National Council of the Slovak Republic no. 171/1993 Coll. on Police Forces as amended.

<sup>y</sup> Art. 28 and Art. 41 of the Act no. 48/2002 Coll. as amended.

§ 8b

(1) Nationality of the Slovak Republic shall not arise if it is proven after receiving a deed on granting nationality of the Slovak Republic that

- a) Documents providing the basis for issue of the document were falsified or modified,
- b) The applicant is not the person whose documents they submitted,
- c) The deed was issued without knowledge of facts that could have substantial influence on the decision, and the applicant failed to notify these facts despite their obligation to do so,
- d) The issue of deed was reached by a criminal action.

(2) The ministry will notify the applicant of the facts under section 1. The ministry will also send the notice on the facts under section 1 to the municipality of permanent residence of the applicant, to the Police department, tax authority, customs authority, institutions performing social insurance and public health insurance.

(3) The applicant is obliged to return the deed on granting nationality of the Slovak Republic to the ministry within 30 days from the delivery of the notice of the ministry.

**PART TWO**  
**LOSS OF NATIONALITY**  
**OF THE SLOVAK REPUBLIC**

§ 9

(1) Nationality of the Slovak Republic can only be lost

- a) by release from the state bond of the Slovak Republic upon own request

**b) by acquiring other nationality based on explicit consent**

(2) A person can lose their nationality of the Slovak Republic if they prove that they are a national of another country or they were promised to become such if they lose the nationality of the Slovak Republic.

(3) A person can not lose their nationality of the Slovak Republic if

- a) Criminal proceedings are maintained against the person, or the person is serving their sentence, or they have a sentence to serve according to a judgment of a court of the Slovak Republic,
- b) The person has outstanding payments of taxes and public payments in the Slovak Republic.

(4) Applications for loss of nationality of the Slovak Republic shall be filed in person at the district authority in the seat of a region, at a diplomatic mission or at a consular office of the Slovak Republic.

(5) Applications for loss of nationality of the Slovak Republic shall contain

- a) Name, surname, surname at birth, birth number, if assigned, date and place of birth of the applicant,
- b) Residence address of the applicant and the address of the last residence of the applicant in the territory of the Slovak Republic,
- c) Reasons for application for loss of nationality of the Slovak Republic, and
- d) Date and signature of the applicant.

(6) Applicants shall attach the following to the application for loss of nationality of the Slovak Republic

- a) Proof of identity,
- b) Birth certificate,
- c) Document on marital status, being a marriage certificate, valid divorce resolution or certificate, death certificate of the spouse if the applicant is a married man or woman, divorced or widowed,
- d) Extract from the criminal register of the Slovak Republic, not older than six months,
- e) Promise of granting nationality of another state or proof of acquiring it,
- f) Certificate that the applicant has no outstanding payments of taxes and public payments in the Slovak Republic.

(7) Spouses and minor children aged 14 and over ask for loss of nationality of the Slovak Republic in separate applications for loss of nationality of the Slovak Republic. Minor children aged less than 14 included in the application for loss of nationality of the Slovak Republic of their parent shall lose nationality of the Slovak Republic together with their parent.

(8) The district authority in the seat of a region decides on loss of nationality of the Slovak Republic. Shall the district authority in the seat of a region decide on releasing from the state bond of the Slovak Republic, they shall issue a deed on loss of nationality of the Slovak Republic, containing

- a) The name “Slovak Republic” and the name of district authority in the seat of a region,
- b) Number of proceedings on loss of nationality of the Slovak Republic,
- c) provision of this law under which a person loses nationality of the Slovak Republic,
- d) Name, surname, surname at birth, date of birth, place of birth, residence address of the applicant and the address of the last residence of the applicant in the territory of the Slovak Republic,
- e) Place and date of issue of the deed,
- f) Name, surname, position and signature of an authorized person,
- g) Official seal.

(9) The district authority in the seat of a region shall decide on application for loss of nationality of the Slovak Republic within six months from the delivery of the application for loss of nationality of the Slovak Republic to the district authority in the seat of a region.

(10) The district authority in the seat of a region shall decide on the application for loss of nationality of the Slovak Republic repeatedly if new facts are discovered in the time between the issue of the deed on loss of nationality of the Slovak Republic and its receipt by the applicant and these facts must be reflected in the decision in the case.

(11) Nationality of the Slovak Republic shall be lost on the day of receipt of the deed on loss of nationality of the Slovak Republic. The deed on loss of nationality of the Slovak Republic shall be delivered by the district authority in the seat of a region, diplomatic mission or consular office of the Slovak Republic to an applicant receiving it in person. The diplomatic mission or the consular office of the Slovak Republic shall send a document proving the receipt of the deed on loss of nationality of the Slovak Republic to the district authority in the seat of a region without delay.

(12) Shall an applicant fail to receive the deed on loss of nationality of the Slovak Republic, absent a serious reason, within six months from the delivery of a written request, the diplomatic mission or the consular office of the Slovak Republic shall return the deed to the relevant district authority in the seat of a region; this authority will terminate the proceedings. The decision on terminating the proceedings shall be marked in the file and the applicant shall be notified of the termination.

(13) No appeal is possible against a decision on terminating the proceedings under section 12.

(14) The district authority in the seat of a region shall send notice on the facts under section 11 to the municipality of permanent residence of the applicant, to the Police department, tax authority, customs authority, institutions performing social insurance and public health insurance.

(15) The district authority in the seat of a region can ask the Office of Prosecutor General of the Slovak Republic for an extract from the criminal register of the applicant for loss of nationality of the Slovak Republic.

**(16) National of the Slovak Republic shall lose his/her nationality of the Slovak Republic the same day in which he/she based on explicit consent in form of request, statement or other action for the acquisition of other nationality, voluntarily acquire foreign nationality.**

**(17) Acquisition of foreign nationality through marriage with foreign citizen, provided a foreign nationality was acquired during the marriage, shall not be a reason for loss of nationality according to section 16.**

**(18) Acquisition of foreign nationality by birth shall not be a reason for loss of nationality according to section 16.**

**(19) A person who lost his/her nationality according to section 16 is obliged to report this without delay to the district authority in the seat of a region.**

**(20) District authority in the seat of a region will report the lost of the nationality according to section 16 to all subjects mentioned in section 14.**

**(21) Unless a special Act provides otherwise,<sup>z 13aa)</sup>, by the date of the termination of the nationality of the Slovak Republic according to section 16, any labor relationship, public service, service or similar legal relationship founding function, employment or profession, performance of which is subject to nationality of the Slovak Republic, cease to exist.**

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<sup>z 13aa)</sup> Example Section 74 par. 2, Section 103 par. 1, Section 134 par. 3 a Section 145 par. 2 of the Constitution of the Slovak Republic, Section 192 par. 1 let. g) Act no. 73/1998 Coll. on state service of the members of the Police Forces, Slovak Intelligence Service, Forces of the Prison and Judicial Guard of the Slovak Republic a Railway Police, Section 183 par. 1 let. g) Act no. 200/1998 on state service of Customs officials, Section 15 par. 2 let. b) Act no. 154/2001 Coll on prosecutors and legal assistants of prosecution, Section 60 par. 1 let. a) Act no. 315/2001 Coll on Fire Brigade and



**(22) Unless a special Act provides otherwise<sup>aa 13ab)</sup>, by the date of the termination of the nationality of the Slovak Republic according to section 16, entitlement to get acquainted with classified issues, cease to exist.**

**PART THREE**  
**CERTIFICATION OF NATIONALITY**  
**OF THE SLOVAK REPUBLIC**

§ 9a

(1) Nationality of the Slovak Republic shall be proven by

- a) Valid certificate on nationality of the Slovak Republic,
- b) Valid personal identification card,
- c) Valid traveler's passport, or
- d) Confirmation under section 13.

(2) The certificate on nationality of the Slovak Republic shall be issued by the relevant district authority in the seat of the region on the basis of a written application for issue of certificate on nationality of the Slovak Republic; the application shall be filed in person at the district authority in the seat of a region, diplomatic mission or at a consular office of the Slovak Republic.

(3) Application for issue of certificate on nationality of the Slovak Republic shall contain

- a) Name, surname, surname at birth, birth number, if assigned, date and place of birth of the applicant,
- b) Residence address of the applicant and the address of the last residence of the applicant in the territory of the Slovak Republic,
- c) Date and signature of the applicant.

(4) Applicants shall attach the following to the application for issue of certificate on nationality of the Slovak Republic

- a) Proof of identity,
- b) Birth certificate, and
- c) Document on marital status, being a marriage certificate, valid divorce resolution or certificate, death certificate of the spouse if the applicant is a married man or woman, divorced or widowed,
- d) Other documents required to evaluate the application, if requested by the district authority in the seat of a region to submit them.

(5) Shall the applicant be not recorded in the Central Register of Acquisition and Loss of Nationality of the Slovak Republic or shall their nationality be disputed, the district authority in the seat of a region will ask the ministry for consent with issue of certificate on nationality of the Slovak Republic.

(6) Certificate on nationality of the Slovak Republic shall be issued on a form issued by the ministry, usually within 30 days from the filing of the application. Certificate on nationality of the Slovak Republic shall be valid for a period of six months from the date of issue, and only in the form of original. The certificate on nationality of the Slovak Republic shall contain

- a) Name, surname, surname at birth, date and place or birth of the applicant,
- b) Residence address of the applicant and the address of the last residence of the applicant in the territory of the Slovak Republic,
- c) Data on validity of the certificate on nationality of the Slovak Republic,
- d) Date of issue of the certificate on nationality of the Slovak Republic,
- e) Official seal, name, surname, position and signature of an authorized person.

(7) The certificate on nationality of the Slovak Republic becomes void on the date of delivery of deed of loss of nationality of the Slovak Republic, unless otherwise stated.

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Rescue Service, Section 70 par. 1 let. g) Act no. 346/2005 Coll on state service of professional soldiers of armed forces of the Slovak republic, Section 3 par. 3 Act no. 400/2009 Coll o state service.

<sup>aa 13ab)</sup> Act no. 215/2004 Coll on protection of undisclosed information

(8) Shall it be found that the applicant is not a national of the Slovak Republic, the district authority in the seat of a region will deny the application for issue of certificate on nationality of the Slovak Republic, providing a written justification why the application can not be satisfied.

(9) The district authority in the seat of a region shall maintain registers of issued certificates on nationality of the Slovak Republic and on denied applications for issue of certificates on nationality of the Slovak Republic.

(10) Shall an applicant ask for issue of a certificate on nationality of the Slovak Republic issued in the period according to section 6, the district authority in the seat of a region is obliged to issue it repeatedly.

(11) Shall it be proven after the issue of the certificate on nationality of the Slovak Republic that the applicant is not a citizen of the Slovak Republic, the certificate on nationality of the Slovak Republic shall become void from the date of the issue thereof. The ministry will notify the applicant thereof; the applicant is obliged to return the issued certificate to the ministry within 30 days from the delivery of the notice. The ministry maintains a register of invalid certificates on nationality of the Slovak Republic.

(12) The ministry will send notice on the facts under section 11 to the municipality of permanent residence of the applicant, to the Police department, tax authority, customs authority, institutions performing social insurance and public health insurance.

(13) Upon written request filed at the district authority in the seat of a region, diplomatic mission or consular office of the Slovak Republic, the district authority in the seat of a region shall issue a certificate on nationality of the Slovak Republic of a person as of the date of death thereof or as of another day preceding the day of filing the application. Applications can be filed by public power authorities, legal entities or natural persons subject to documenting a legal reason to issue the certificate.

## PART FOUR

### MINOR OFFENCES

#### § 9b

(1) A minor offence shall be committed by those who

a) Fail to adhere to the duty under Art. 18,

b) Fail to return the deed on granting the nationality of the Slovak Republic to the ministry within 30 days from the delivery of the notice by the ministry under Art. 8b(3),

c) Fail to return the certificate on nationality of the Slovak Republic to the ministry within 30 days from the delivery of the notice by the ministry under Art. 9a(11),

**d) fail to report without delay the loss of the nationality of the Slovak Republic according to § 9 section 19.**

(2) A fine of EUR 33 to EUR 331 shall be levied for minor offences according to section 1(a); a fine of EUR 3.319 shall be levied for minor offences according to section 1(b or d).

(3) The District Authority in Bratislava shall be the relevant authority for deciding on offences pursuant to this Act.

(4) A general regulation on minor offences<sup>13a</sup> shall apply to the minor offences and deciding thereon unless otherwise specified herein.

## PART FIVE

### COMMON AND FINAL PROVISIONS

#### § 10

Nationality of the Slovak Republic shall be equal irrespective of the acquisition title thereof.

#### § 11

##### Delivering

(1) Important documents, including, without limitation, the decisions, shall be delivered to applicants as strictly private to the last address of their residence registered in the registers according to special law.<sup>13b</sup> Such address shall be considered the address of residence where the applicant resides.

(2) Shall a document be delivered to an applicant to abroad due to the applicant having no residence or due to other serious reasons, the document shall be sent to them to the address specified by them in abroad through diplomatic missions or consular offices of the Slovak Republic; these are obliged to provide for the delivery of the document to the applicant as strictly private according to the law of the relevant state and to notify the ministry or the district authority in the seat of a region of the date of receipt of the document by the applicant without delay. This residence address shall be considered the address of residence where the applicant resides.

(3) The applicant is obliged to notify the ministry or the district authority in the seat of a region on all changes of residence address for the purposes of delivering according to sections 1 and 2.

(4) Documents shall be considered delivered on the date of receipt thereof by the applicant.

(5) Shall it be impossible to deliver a document to the applicant to an address according to section 1 or 2, the document shall be considered delivered on the day of return of the undelivered shipment to the ministry or to the district office in the seat of a region; this shall apply irrespectively of the applicant learning of the shipment or not.

(6) Shall the applicant refuse to accept the document without a reason, it shall be considered delivered on the day when its receipt was refused; this day shall be marked on the delivered document.

#### § 12

(1) Legal effects of the declaration pursuant to Art. 3(2) shall arise on the date of declaration.

(2) The authority receiving the declaration shall issue a certificate on receiving the declaration, including the date of declaration.

#### § 13

Declarations performed according to Art. 3 hereof shall be free of administrative fees.

#### § 14

(1) Upon request of the ministry or of the district authority in the seat of a region, public authorities as well as natural persons and legal entities are obliged to notify on facts significant for the decision-making under this law in the set period.

(2) For the purposes of opinions to applications for granting nationality of the Slovak Republic pursuant to Art. 8a(3), the ministry will declassify information from the Central Register of Acquisitions and Losses of Nationality of the Slovak Republic pursuant to Art. 19 and from the file of the applicant to the special department of the Police Forces<sup>12a</sup> and to the Slovak Intelligence Service; the special department of the Police Forces<sup>12a</sup> and the Slovak Intelligence Service are only authorized to process personal data of the applicants for the purposes of such opinions.

#### § 15

(1) The provisions of the general regulation on administrative procedure<sup>14</sup> on delivering documents and appointments of caretakers shall not apply for the purposes of this Act. The procedures according to part three of this Act shall not be governed by the general regulation on administrative procedure.<sup>bb</sup>

(2) The general regulation on administrative procedure<sup>14</sup> shall apply to the procedures of the district authority in the seat of a region, of diplomatic missions and consular offices of the Slovak Republic when receiving applications pursuant to Art. 8.

#### § 16

Local venue according to this Act shall be governed by the residence of the person whose nationality is in question. Shall a person have no residence in the territory of the Slovak Republic, the venue shall be governed by the last residence of the person in the territory of the Slovak Republic; shall a person have had no residence in the territory of the Slovak Republic, the District Authority in Bratislava I<sup>14a</sup> shall be the relevant venue pursuant to Art. 3(2) and the District Authority in Bratislava shall be the relevant venue pursuant to Art. 8, 9, and 9a. The District Authority in Bratislava shall be the relevant state administration authority for performing a declaration pursuant to Art. 3(3) and Art. 12 of the Act no. 165/1968 Coll. on the rules of acquisition and loss of nationality.

#### § 16a

(1) On behalf of minor children, applications pursuant to Art. 8, 9, and 9a or declarations pursuant to Art. 16 shall be done by their legal representatives, guardians or caretakers. Applications pursuant to Art. 8, 9, and 9a on behalf of persons with court-restricted legal capacity or without legal capacity shall be filed by a court-appointed caretaker.

(2) Shall an applicant include a minor child in an application pursuant to Art. 8 or 9 or in declaration pursuant to Art. 16, and shall the other parent fail to submit an equivalent application, consent of the other parent with an officially certified signature shall be required. Consent of the other parent can be substituted by a valid court decision. Consent shall not be required if the parental rights of the other parent are cancelled or restricted or if the other parent is not of legal capacity or their legal capacity is restricted.

(3) The applicant will submit documents to the application pursuant to Art. 8, 9, and 9a as originals or as officially certified copies. Shall the applicant submit original documents, the district authority in the seat of a region, the diplomatic mission or consular office of the Slovak Republic will make copies thereof and return the documents to the applicant after verifying the

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<sup>13a</sup> Act of the Slovak National Council no. 372/1990 Coll. on minor offences as amended.

<sup>13b</sup> Act no. 48/2002 Coll. as amended.

<sup>bb</sup> Act no. 71/1967 Coll. on administrative proceedings (Administrative Procedure Code) as amended (full wording no. 138/2004 Coll.).

data therein. Documents issued by foreign states must bear higher certification unless otherwise implied by international agreement<sup>cc</sup> and an official translation to Slovak language must be attached thereto.

§ 17

Shall an international agreement by which the Slovak Republic is bound regulate certain questions in the area of nationality differently from this Act, the regulation in the international agreement shall apply.

§ 18

The applicant is obliged to notify the ministry or the district authority in the seat of a region of all changes of personal data and marital status without delay.

§ 19

(1) The Central Register of Acquisitions and Losses of Nationality of the Slovak Republic is maintained by the ministry; regional registers are maintained by the district authorities in the seats of regions.

(2) The ministry and district authorities in the seats of regions process personal data of persons who acquired nationality of the Slovak Republic or lost nationality of the Slovak Republic in the scope of data specified in applications and documents according to Art. 8, 9, and 9a, in registers maintained under this Act.

§ 19a

Rights in exercising this Act shall be guaranteed equally to all persons irrespective of their gender, race, skin color, language, faith and belief, political and/or other thinking, national or social origin, membership in national minority or ethnic group according to the equal treatment rule regulated by a special Act.

§ 19b

The applications for nationality of the Slovak Republic filed by applicants who entered into marriage with nationals of the Slovak Republic, not validly decided until August 31, 2005, shall be decided according to the law valid before September 01, 2005.

§ 19c

Interim Provisions

to Regulations Effective from October 01, 2007

(1) Applications for nationality of the Slovak Republic, applications for loss of nationality of the Slovak Republic and applications for issue of certificate on nationality of the Slovak Republic, not validly decided until September 30, 2007, shall be decided according to the law valid from October 01, 2007, with the exception specified in section 2.

(2) Provisions of Art. 7 and Art. 8, excluding the provision of Art. 8(1), shall be applied to proceedings begun before October 01, 2007, in the wording effective before October 01, 2007

§ 20

Revoked law:

1. Act no. 194/1949 Coll. on acquiring and loss of Czechoslovak nationality as amended by the Act no. 72/1958 Coll., Act no. 165/1968 Coll., Act of the Slovak National Council no. 206/1968 Coll. and Act no. 88/1990 Coll.,

2. Act of the Slovak National Council no. 206/1968 Coll. on acquisition and loss of the nationality of the Slovak Socialist Republic as amended by Article I of the Act no. 88/1990 Coll.,

3. Item 8 of Annex C and item 75 of Annex E of the Act of the Slovak National Council no. 472/1990 Coll. on organization of local state administration.

§ 21

This act becomes effective on the date of declaration hereof.

(The Act was declared on February 15, 1993.)

Act no. 70/1997 Coll. became effective on July 05, 1997.

Act no. 515/2003 Coll. became effective on January 01, 2004.

Act no. 36/2005 Coll. became effective on April 01, 2005.

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<sup>14a</sup> Act of the Slovak National Council no. 472/1990 Coll. on organization of local state administration as amended.

<sup>15</sup> E.g. the Convention on abolishing the requirement for higher certification of foreign public documents (Notification by the Ministry of Foreign Affairs of the Slovak Republic no. 213/2002 Coll. as amended by the Notification by the Foreign Affairs of the Slovak Republic no. 313/2002 Coll. No. 483/2002 Coll., no. 74/2003 Coll., no. 148/2003 Coll., no. 405/2003 Coll., no. 437/2003 Coll., no. 32/2004 Coll., no. 295/2004 Coll., no. 515/2004 Coll., no. 683/2004 Coll., no. 515/2004 Coll., no. 138/2005 Coll., no. 283/2005 Coll., and no. 483/2005 Coll.).

Act no. 265/2005 Coll. became effective on September 01, 2005.

Act no. 344/2007 Coll. became effective on October 01, 2007.

**Pavol Paška**, signed