

Norwegian Nationality Act

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Comments This is an unofficial consolidated translation of the Act, No. 3 of 8 December 1950, with amendments made up to 1989.

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Chapter 1. How Norwegian nationality is acquired.

§ 1

A child acquires Norwegian nationality at birth, where

- a. The mother is a Norwegian subject
- b. The father is a Norwegian subject and the child is born in wedlock,
- c. The father is dead, but was a Norwegian subject and married to the child's mother when he died.

Foundlings who are found within the country are considered Norwegian subjects until information to the contrary is forthcoming.

§ 2

If a Norwegian man and an alien woman have a child together prior to their marriage, the child acquires Norwegian nationality when they marry, provided it is unmarried and under 18 years of age.

§ 3

An alien who has resided in the Kingdom from the date when he attained 16 years of age, and previously in 5 years added together, acquires Norwegian nationality if he, after the attainment of 21 years of age, but prior to the attainment of 21 years of age, but prior to the

attainment of 23 years of age, makes a written declaration before the District Governor of his intention to become a Norwegian subject. If he does not have the nationality of any country he may such declaration as soon as he has attained the age of 18 years, provided that he, at the time when he makes the declaration, has resided in the Kingdom at least 5 years and previously has resided here at least 5 years more. The same applies if proves that he loses the foreign nationality by acquiring Norwegian nationality.

When Norway is at war, no subject of an enemy state may acquire Norwegian nationality under the provisions of this section. The same applies to a person who is not a subject of any state, but whose latest nationality was that of an enemy state.

§ 4

If a person who acquired Norwegian nationality at birth and has resided in this country till the age of 18, has lost such nationality, he may re-acquire Norwegian nationality by making a written declaration before the District Governor of his intention to re-acquire Norwegian nationality, provided he has lived in this country during the last two years. If he is a subject of another state, he may not make such declaration unless he can prove the loses the foreign nationality upon acquiring Norwegian nationality.

§ 5

Where a person acquires Norwegian nationality pursuant to para. 3 or 4, his unmarried children will likewise acquire Norwegian nationality provided they have been born in wedlock or the parents married later, live in this Kingdom and are not past the age of 18. This does not, however, apply to children over which the other one of the parents has the sole parental authority after the marriage has been dissolved or the spouses are divorced or separated by a court decision or an administrative decision.

Where a woman acquires Norwegian nationality as stated, the provisions of the first sentence shall apply correspondingly to children of hers who are born out of wedlock, unless the father is a foreign citizen and has sole parental authority over the child.

§ 6

The King, or the authority the King empowers thereto, may upon application grant nationality to an alien, provided the applicant:

1. is not less than 18 years old,
2. has resided in the country during the last seven years,
3. has shown good conduct,
4. does not have arrears of financial child support.

An applicant who has previously been a Norwegian subject may be granted nationality even though he does not fulfill the said conditions. The same applies to an applicant who is married to a Norwegian subject and lives with the spouse, or if other special reasons make it appear

reasonable to grant nationality. The condition mentioned in the first paragraph under item (2) may be dispensed with also in other respects, when the applicant is a subject of either Denmark , Finland, Iceland or Sweden.

If the applicant under the law of his home state is unable to surrender his previous nationality without being granted release from the same, he will generally be required to produce evidence of such release within one year.

If the applicant has unmarried children under 18 years of age, the authority issuing the certificate of nationality shall decide whether it also includes the children.

Chapter II. How Norwegian nationality is lost.

§ 7

Norwegian nationality is lost by:

a person who acquires the nationality of another state upon application or by express consent ;

a person who acquires foreign nationality by accepting public service in another state ;

an unmarried child under 18 years of age who acquires the nationality of another state because either of its parents acquires nationality as mentioned under items (1) and (2), when the parent has the custody of the child alone or together with the other parent, and the latter is not a Norwegian subject.

§ 8

A Norwegian subject born abroad loses his Norwegian nationality upon reaching the age of 22, provided he until that date has never lived in this Kingdom nor has stayed here under circumstances giving evidence of interdependence with Norway. However, where such person, before reaching the age of 22, applies to keep his nationality, the King or a person authorized by him, may grant the applicant such certificate. The provisions of this paragraph do not apply where he has lost his Norwegian nationality pursuant to § 9a, second paragraph, first sentence.

If a person loses Norwegian nationality under this section, his children similarly lose their nationality acquired through him unless the child through such loss will be without nationality in any country.

§ 9

A Norwegian subject may on application be released from his Norwegian nationality by the King, or by the authority the King empowers thereto, provided the applicant is a subject of another country, or intends to become one. Release cannot be denied a person residing permanently outside the Kingdom.

If the applicant does not possess any foreign nationality, his release shall be subject to the condition that he acquires such foreign nationality within a stipulated period of time.

§ 9a

The King may conclude agreement with other countries to the effect that the provisions of the following second and third paragraphs shall be applicable. The term contracting state in this section shall mean a country with which such agreement has been concluded.

A Norwegian subject who is also a subject of such contracting state loses the Norwegian nationality upon reaching the age between 19 and 22 years according to stipulation in the agreement, provided he at that time in and for the last five years has been resident without interruption in that state. At the same time his children lose the nationality they have from him, unless the children in such case would be without any nationality at all or unless otherwise has been provided in the agreement.

Where a person has lost his Norwegian nationality pursuant to the first sentence of the second paragraph and after that time continuously has been a subject of the contracting state, he will be given back his Norwegian nationality provided he takes up the residence in this Kingdom and then notifies the County Governor in writing that he wants to be a Norwegian subject. The provisions of § 4 second sentence and § 5 shall apply correspondingly.

Chapter III. Special provisions under agreements with other states.

§ 10

The King may enter into agreements with Denmark, Finland, Iceland and Sweden with a view to applying one or more of the provisions under A), B) and C) below. By the term « Nordic contracting state » is understood in this section a state with which such agreement has been concluded.

A. residence in a Nordic contracting state at the latest 5 years before the declaration is given, but not after the attainment of the 16 years of age, shall with respect to the provisions of § 3 be considered equal to residence in the Kingdom. Residence in a Nordic contracting state till the attainment of 12 years shall with respect to the provisions of § 4 be considered equal to residence in the Kingdom.

The provision of § 8, first paragraph, shall not apply to persons who in at least seven years added together has been resident in a Nordic contracting state.

B. A subject of a Nordic contracting state who:

has not acquired his nationality there by naturalization;

has attained the age of 18 years;

has resided in the Kingdom during the last 7 years, and

during this period has not been sentenced to imprisonment or detention under the provisions of § 39 or § 39a of the General Civil Penal Code,

acquires Norwegian nationality by declaring before the District Governor his intention to become a Norwegian subject. The provisions of § 5 shall apply correspondingly.

C. If a person has lost his Norwegian nationality and thereafter only been a subject of a Nordic contracting state, he acquires Norwegian nationality provided he takes up residence in the Kingdom, and thereafter declares before the District Governor his intention to become a Norwegian subject. The provisions of § 5 shall apply correspondingly.

Chapter IV. Miscellaneous provisions

§ 11

Child mentioned under § 1, 1st paragraph, item (2), being under 18 years of age at the time when his Act enters into force, acquires as from that time Norwegian nationality, provided it is not and has not been a subject of any other state.

§ 12

A person attaining the age 22 within one year after this Act has entered into force, may make a declaration as provided in § 3 until he has reached the age of 24.

§ 13

[Annuled]

§ 14

A person who has lost Norwegian nationality under § 6b of the Act of 21 April 1888 because he has left the country with the intention not to return, but who would not have lost it under § 8 of this Act, re-acquires Norwegian nationality by making a written declaration before such authority as the King determines, stating his intention to become a Norwegian subject. A person who has become a subject of another state cannot make such declaration.

The provisions of § 5 shall apply correspondingly, though it is not required that the child should reside in this country.

§ 15

A woman, who is married or has been married and who attains the age of 22 within the first three years after this Act has entered into force, does not lose her nationality under § 8 before expiry of the three-year period.

§ 16

The guardian makes the application under §§ 6, 8 and 9 when the person concerned is less than 18 years old, or when he cannot act for himself because he is insane. Otherwise it is the

person concerned who makes the application.

Report according to § 3 (cf. § 12), § 4, § 9a, § 10 litera B and C, § 13 and § 14 cannot be submitted by the guardian.

§ 17

The King or the authority the King empowers thereto, shall issue such regulations as are required for the implementation of this Act.

§ 18

This Act shall enter into force on 1 January 1951. If any of its provisions is at variance with a provision in a treaty, it is the treaty provision which shall apply.

This Act also applies to Spritzbergen and Jan Mayen, though as regards §§ 3 and 4 only to the extend determined by the King.

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