

**Act LV of 1993**  
**on Hungarian Citizenship**

In order to preserve the moral stature of Hungarian citizenship and to strengthen the attachment of citizens to the Republic of Hungary, and taking into account the traditions of Hungarian citizenship law and the provisions of international treaties, the National Assembly establishes the following Act on the rules of conception, acquisition and termination of Hungarian citizenship:

*Basic principles*  
*Article 1*

(1) There shall be no discrimination among Hungarian citizens on the basis of legal grounds for the conception or acquisition of citizenship.

(2) No one shall be deprived on an arbitrary basis of his or her citizenship or of the right to change his or her citizenship.

(3) This Act

- promotes the unity of a family's citizenship while respecting a person's freedom of will;
- promotes the reduction of cases of statelessness;
- ensures the protection of personal data.

(4) This Act shall have no retroactive effect. Those legal rules shall apply to Hungarian citizenship which were in force at the time of the facts or events affecting citizenship.

*Hungarian citizens*  
*Article 2*

(1) A person shall qualify as a Hungarian citizen if he or she is a Hungarian citizen at the date of entry into force of this Act, or if he or she becomes a Hungarian citizen by virtue of this Act, or if he or she acquires Hungarian citizenship pursuant to this Act, as long as his or her citizenship ceases.

(2) Unless an Act provides otherwise, a Hungarian citizen who is simultaneously also a citizen of another state shall be considered a Hungarian citizen for the purposes of Hungarian law.

*Conception of Hungarian citizenship*  
*Article 3*

(1) A child of a Hungarian citizen shall become Hungarian citizen by descent as of his or her birth.

(2) Hungarian citizenship of a child of a non-Hungarian citizen parent shall be conceived with retroactive effect to the date of birth, if his or her other parent is a Hungarian citizen on the basis of an acknowledgement of paternity with full effect, subsequent marriage, or the establishment by a judge of fatherhood or motherhood.

(3) Until proven otherwise the following persons shall be regarded as Hungarian citizens:

- a) children born in Hungary to stateless persons residing in Hungary;
- b) children born to unknown parents and found in Hungary.

*Acquisition of Hungarian citizenship*  
*Naturalization*  
*Article 4*

(1) On his or her request a non-Hungarian citizen may be naturalized if:

- a) he or she has been residing in Hungary for eight consecutive years prior to the date of submission of the application;
- b) under Hungarian law he or she has a clean criminal record, and at the time of the assessment of the application there are no ongoing criminal proceedings against him or her before a Hungarian court;
- c) his or her livelihood and residence are assured in Hungary;
- d) his or her naturalization does not violate the public security and national security of the Republic of Hungary; and
- e) he or she provides proof that he or she has passed the exam in basic constitutional studies in Hungarian language, or that he or she is exempted therefrom by virtue of this Act.

(2) A non-Hungarian citizen may be naturalized on preferential terms if he or she has been residing in Hungary for at least three consecutive years prior to the date of submission of his or her application and if the conditions set out in points b) to e) of paragraph (1) are met, provided that:

- a) he or she has been living in a valid marriage with a Hungarian citizen for at least three years, or his or her marriage has been terminated with the spouse's death;
- b) his or her minor child is a Hungarian citizen;
- c) he or she was adopted by a Hungarian citizen, or
- d) he or she was recognized as a refugee by a Hungarian authority.

(3) In the case of meeting the conditions set out in points b) and d) of paragraph (1) a non-Hungarian citizen whose ascendant was a Hungarian citizen, or who demonstrates the plausibility of his or her descent from Hungary and provides proof of his or her knowledge of the Hungarian language may – on his or her request – be naturalized on preferential terms.

(4) A non-Hungarian citizen may be naturalized on preferential terms if he or she has been residing in Hungary for at least five consecutive years prior to the date of submission of the application and if the conditions set out in points b) to e) of paragraph (1) are met provided that:

- a) he or she was born in the territory of Hungary;
- b) he or she established residence in Hungary before reaching the legal age;
- c) he or she is stateless.

(5) The condition of continuous residence in Hungary for a period of time set out in paragraphs (1), (2) and (4) may be waived in the case of a minor if his or her application for naturalization is submitted together with that of his or her parent or if his or her parent acquired Hungarian citizenship.

(6) A child of minor age who was adopted by a Hungarian citizen may be naturalized irrespective of his or her residence.

(7) On the basis of a proposal by the Minister responsible for citizenship issues (hereinafter referred to as the “Minister”) the President of the Republic may grant an exemption from the condition of continuous residence in Hungary for a period of time set out in paragraphs (1), (2) and (4) and from the conditions set out in points c) and e) of paragraph (1) if the applicant’s naturalization is in the overriding interest of the Republic of Hungary.

(8) The condition of providing proof of knowledge of the Hungarian language may be waived in the case of persons with no legal capacity or with limited legal capacity.

### *Exam in basic constitutional studies*

#### *Article 4/A*

(1) An applicant shall pass the exam defined in point e) of paragraph (1) of Article 4 before an examination committee appointed by the regional public administrative body of national competence of the Government.

(2) The following persons are not required to pass the exam:

- a) a person with no legal capacity or with limited legal capacity;
- b) a person who graduated from a Hungarian-language education or higher education institution;
- c) a person over 65 years of age at the time of submitting the application;
- d) a person who demonstrates that he or she is not capable of passing the exam due to his or her lasting and irreversible deterioration of health.

### *Renaturalization*

#### *Article 5*

On his or her request, a person whose Hungarian citizenship ceased may be renaturalized if the conditions set out in points b) and d) of paragraph (1) of Article 4 are met, and he or she provides proof of his or her knowledge of the Hungarian language.

### *Declaration*

#### *Article 5/A*

(1) A person shall acquire Hungarian citizenship by submitting a written declaration addressed to the President of the Republic of Hungary as of the date of submission of the declaration if

a) he or she was deprived of his or her Hungarian citizenship by virtue of Act X of 1947 and Act XXVI of 1948 on the Deprivation of Hungarian Citizenship of Certain Persons Staying Abroad, Act LX of 1948 on Hungarian Citizenship, or of Act V of 1957 on Citizenship, or if he or she lost his or her Hungarian citizenship by virtue of Decree No. 7970/1946 of the Government of the Republic of Hungary, Government Decree No. 10.515/1947 or Government Decree No. 12.200/1947, furthermore, if his or her Hungarian citizenship ceased between 15 September 1947 and 2 May 1990 by expatriation;

b) he or she was born in the territory of the country and did not acquire his or her parents' foreign citizenship at birth under the foreign law applicable to the parents' citizenship, provided that he or she resided in Hungary on the date of his or her birth and has been residing in Hungary

for at least five consecutive years prior to the submission of the declaration. Such a declaration may be submitted by the person concerned before reaching the age of nineteen.

c) he or she was born to a Hungarian citizen mother and a foreign citizen father before 1 October 1957 and did not become Hungarian citizen by birth.

(2) When the declaration is accepted, the Minister shall attest by certificate the acquisition of the citizenship.

(3) The Minister shall establish in a decision the lack of meeting the conditions necessary for the acceptance of the declaration, including those set out in Articles 13 to 15 concerning the submission of applications. The Metropolitan Court can be requested to review that decision.

### *Rules of competence, oath and pledge of allegiance*

#### *Article 6*

(1) The President of the Republic shall – on a proposal of the Minister – decide on an application for the acquisition of Hungarian citizenship through naturalization or renaturalization.

(2) The President of the Republic shall issue a certificate of naturalization or renaturalization attesting the acquisition of Hungarian citizenship (hereinafter referred to as "certificate of naturalization").

#### *Article 7*

(1) Naturalized and renaturalized persons (hereinafter jointly referred to as “naturalized persons”) shall have the option to take either a citizenship oath or a pledge of allegiance. The naturalized person shall take the oath or pledge of allegiance before the mayor of the district of his or her residence, or, if the naturalized person falls under paragraphs (3), (6) or (7) of Article 4 or Article 5, he or she shall have the option to take the oath or pledge of allegiance before the mayor or the head of the Hungarian representation abroad. In the case of a naturalized person with no legal capacity, the oath or pledge of allegiance shall be taken on behalf of him or her by his or her statutory representative.

(2) The naturalized person shall acquire Hungarian citizenship on the date of taking the oath or pledge of allegiance. The fact and date of taking the oath or pledge of allegiance shall be indicated in the certificate of naturalization.

(3) If a naturalized person dies before taking the oath or pledge of allegiance, or gets into a condition preventing him or her from taking the oath or pledge of allegiance, he or she shall acquire Hungarian citizenship on the date of issuance of the certificate of naturalization.

(4) The text of the oath of allegiance reads as follows:

"I, ....., do solemnly swear that I shall consider Hungary my homeland. I shall be a loyal citizen of the Republic of Hungary, and shall honour and observe its Constitution and laws. I shall defend my homeland in function with my force, and shall serve it to the best of my ability. So help me God!"

The text of the pledge of allegiance:

"I, ....., do solemnly swear that I shall consider Hungary my homeland. I shall be a loyal citizen of the Republic of Hungary, and shall honour and observe its Constitution and laws. I shall defend my homeland in function with my force, and shall serve it to the best of my ability."

(5) The oath of allegiance and the pledge of allegiance are of equal value.

*Termination of Hungarian citizenship  
Renunciation*

*Article 8*

(1) A Hungarian citizen residing abroad may renounce his or her Hungarian citizenship in a declaration addressed to the President of the Republic if

a) he or she has a foreign citizenship as well, or is able to demonstrate the plausibility of acquiring one.

b) *Repealed.*

c) *Repealed.*

(2) If the conditions established in paragraph (1) are met, the Minister shall submit a proposal to the President of the Republic on the acceptance of the renunciation. The President of the Republic shall issue a certificate attesting the termination of Hungarian citizenship through renunciation. The Hungarian citizenship shall cease on the date of issuance of the certificate.

(3) The Minister shall establish in a decision the lack of meeting the conditions necessary for the acceptance of the renunciation. The Metropolitan Court can be requested to review that decision.

(4) Within one year of the date of acceptance of the renunciation the person concerned may seek from the President of the Republic the restitution of his or her Hungarian citizenship if he or she has not acquired a foreign citizenship.

*Withdrawal of Hungarian citizenship*

*Article 9*

(1) Hungarian citizenship may be withdrawn from a person who acquired his or her Hungarian citizenship by breaching the law, in particular, by communicating false data, or concealing data or facts, and thereby misleading the authorities. There shall be no withdrawal more than ten years after the date of acquisition of the Hungarian citizenship.

(2) The Minister shall establish in a decision the existence of any facts justifying the withdrawal of citizenship. The Metropolitan Court can be requested to review that decision.

(3) The President of the Republic shall – on a proposal submitted by the Minister – decide on the termination of Hungarian citizenship by withdrawal.

(4) The decision on the withdrawal of Hungarian citizenship shall be published in the Hungarian Gazette/Official Journal (Magyar Közlöny). Hungarian citizenship shall cease on the date of publication of the decision.

*Attestation of Hungarian citizenship*

*Article 10*

Hungarian citizenship may be attested by means of a valid personal identity card, a valid Hungarian passport or a citizenship certificate.

## *Article 11*

(1) At the request of the person concerned, the Minister shall attest in a citizenship certificate the existence or termination of Hungarian citizenship, or the fact that the person indicated in the certificate is not a Hungarian citizen.

(2) The citizenship certificate shall be valid for a period of one year as of the date of issuance.

(3) The citizenship certificate shall contain the following:

- a) name of the authority acting in the procedure and the case number;
- b) name, and place and date of birth of the applicant,
- c) the establishment of facts,
- d) reference to the legal act serving as a basis for the establishment of facts,
- e) place and date of adoption of the decision, name of the issuing official, his or her grade and the seal of the authority,
- f) the term of validity of the citizenship certificate.

(4) The Metropolitan Court can be requested to review the citizenship certificate as well as the decision on the rejection of an application for issuing a citizenship certificate.

(5) No application for reconsideration or for derogation may be submitted in the procedure conducted for the issuance of a citizenship certificate.

## *Article 12*

At the request of an agency in the field of justice, criminal prosecution, aliens policing, national security or military administration, a notary (chief notary), a notary public, a consular and foreign authority, and of any other authorities or state agencies, the Minister shall establish the existence or termination of the client's Hungarian citizenship, or the fact that the client is not a Hungarian citizen.

## *Procedure for citizenship*

### *Article 13*

(1) The declaration and application aimed at acquiring citizenship, the declaration of renunciation of citizenship and the application for issuing a citizenship certificate (hereinafter jointly referred to as “application for citizenship”) may be submitted to

- a) the registrar of the mayor’s office of a municipality and in Budapest the registrar of the mayor’s office of a district,
- b) the registrar operating at the seat of the notary of a district centre as specified in a special legal act,
- c) the Hungarian consular official, or
- d) the public agency designated by the Government to be in charge of managing citizenship matters.

(2) The application to be submitted shall contain the data specified by a legal act and be drafted in Hungarian, except in the case of an application for issuing a citizenship certificate. The application shall be duly signed. At the time of submitting the application, the personal identity of the applicant shall be verified and the data included therein shall be checked against those figuring in the attached documents.

(3) An application for verifying the citizenship of another person may be submitted by an applicant who justifies his or her legitimate interest in this regard.

(4) The application for citizenship shall be forwarded to the Minister by the registrar within five days, or by the consul via the first diplomatic mail following its receipt.

#### *Article 14*

(1) The application for citizenship shall contain the following data of the person concerned:

- a) family and first name received at birth, married name (hereinafter jointly referred to as „name”), place and date of birth, mother’s name,
- b) place and date of current and earlier marriage(s), the spouse(s)’ name(s), place and date of birth, his or her (their) mother’s name,
- c) ascendants’ name, place and date of birth, place and date of the ascendants’ marriage,
- d) address and
- e) data concerning his or her citizenship and the date of leaving to live in a foreign country.

(2) The application pursuant to Article 12 shall contain the data set out in point a) of paragraph (1) and all the other data that are available out of the set of data specified in paragraph (1).

(3) The applicant shall attach to the application for citizenship his or her birth certificate and the documents certifying his or her marital status as well as the documents, specified in a special legal act, substantiating the fulfilment of the conditions that are defined in Articles 4, 5, 8 and 11 of this Act as necessary for the assessment of the application for citizenship.

(4) If the data set out in points a) to c) of paragraph (1) are included in the Hungarian birth registry, and the applicant is not in the possession of a document necessary for verifying the data, the Minister shall, on his or her request, ensure that the document is obtained. If such data are necessary for the assessment of the application that can be found in the registry or files of other Hungarian authorities, the Minister shall ensure that those data are obtained.

(5) Unless otherwise required by international treaty or in the absence of reciprocity, the foreign language document shall be attached to the application for citizenship

- a) with an authenticated Hungarian translation and
- b) unless there is an invincible obstacle thereto, with diplomatic super legalisation.

(6) If the application for citizenship is not complete, or the applicant did not attach the official documents necessary for its assessment – apart from the derogation set out in paragraph (4) -, the Minister may call upon the applicant to submit the missing documents within a time limit and may warn the applicant of the legal consequences of any default. In the case of a missing document, a time limit shall be prescribed by taking into account the period necessary for obtaining that document. In the case of an application for issuing a citizenship certificate, the time limit for communicating the call for remedying the default shall be 15 days after the receipt of the application.

#### *Article 15*

(1) An application for citizenship may be submitted by a person with full legal capacity in person, while on behalf of a person with limited legal capacity or with no legal capacity, by his or her statutory representative.

(2) When submitting an application for naturalization or re-naturalization, or a declaration of renunciation, a person with limited legal capacity shall be interviewed as well.

(3) The declaration of consent of both parents shall be attached to a minor person's renunciation of his or her Hungarian citizenship, unless there is an invincible obstacle thereto.

(4) Spouses or a parent living together with his or her minor child, or a child of full age with no legal capacity may submit a joint application for naturalization or renaturalization, or a joint declaration of renunciation of the Hungarian citizenship.

### *Article 16*

(1) The Minister shall forward the certificate of naturalization to the competent mayor at the applicant's residence within 15 days after its issuance, or if paragraphs (3), (6) or (7) of Article 4 or Article 5 applies, to the mayor or, via diplomatic courier, to the competent Hungarian consular official.

(2) The mayor or consular official shall – within 15 days after the receipt of the document – notify the applicant about the date and place of taking the oath or pledge of allegiance.

(3) The oath or pledge of allegiance shall be taken within two months after the delivery of the notice. The Minister may – on request – extend that time limit.

(4) If the oath or pledge of allegiance is not taken within a period of one year after the delivery of the notice due to the default of the applicant, the decision on naturalization or re-naturalization shall cease to have effect.

### *Article 17*

(1) The Minister shall, within one year, issue the certificate defined in paragraph (2) of Article 5/A, or adopt the decision pursuant to paragraph (3) of Article 5/A.

(2) The Minister shall submit the proposal referred to in paragraph (1) of Article 6 to the President of the Republic within three months after the receipt of the application by the public agency in charge of managing citizenship matters. The Minister shall, within three months, present his or her recommendation concerning the acceptance of the renunciation of citizenship, or adopt a decision pursuant to paragraph (3) of Article 8.

(3) The Minister shall respond to an application for issuing the citizenship certificate and to any official request referred to in Article 12 within three months.

(4) The time limits established in paragraphs (1) to (3) shall commence on the date of receipt by the Minister of the declaration, application or official request, and they may, in cases duly justified, be extended once by three months.

(5) The time limits established in paragraphs (1) to (3) shall not include

a) the period between the call for remedying the default and the realization thereof;

b) the period of suspension of the procedure;

c) the period of assessment prescribed in point d) of paragraph (3) of Article 19;

d) the period between the official request addressed to any other authorities or public agencies in order to obtain a data or a document relevant for the citizenship and the receipt of the response.

(6) The applicant may withdraw his or her application for naturalization or renaturalization, or declaration of renunciation before the final decision is taken by the President of the Republic, or his or her application for a citizenship certificate before it is issued. In such cases the Minister shall terminate the procedure.



(7) In a procedure for citizenship the applicant may be represented by a person empowered to act on his or her behalf, except where his or her proper action is required by this Act. The public agency conducting the citizenship procedure is entitled to examine the power of representation, and shall refuse the action by a person who lacks the capacity to act as a representative or fails to produce adequate proof of his or her empowerment.

(8) If the conclusion of a citizenship procedure is subject to the prior resolution of a matter that falls within the competence of another public agency, the Minister shall suspend the procedure. If it is for the applicant to initiate the procedure before that other public agency, the Minister shall call upon the applicant to do so within a prescribed time limit. If the applicant fails to follow up on that call, the Minister shall terminate the procedure, or shall, on the basis of the data available, take a decision or make a proposal to the President of the Republic.

(9) In the case of an application for issuing the citizenship certificate, the Minister shall issue an order containing his or her decision on the refusal of an application without considering it on merit, the termination or the suspension of the procedure as well as the burden of paying the procedural costs.

### *Protection of data, supply of data* *Article 18*

The following persons and agencies shall have access to documents of citizenship:

- a) the person concerned by the matter, and following his or her death, his or her descendants and ascendants;
- b) public agencies carrying out judicial, criminal investigation and national security tasks in matters falling within their competence, in the course of their proceedings as regulated by law.

### *Article 19*

(1) Data related to the acquisition of Hungarian citizenship, including those set out in paragraph (1) of Article 14 and in Article 20/A, shall be supplied by the competent registrar operating at the location where the oath or pledge of allegiance is taken or, in the case of persons being naturalized pursuant to paragraph (3), (6) and (7) of Article 4 or Article 5, by the competent registrar operating at the location where the oath or pledge of allegiance is taken, or by the public entity, designated by the Government to be in charge of managing citizenship matters for the other registrars, as well as for the authorities in charge of keeping the registry of citizens' personal data and addresses, of aliens policing and of refugee matters and for the Central Statistics Office.

(2) In the case of termination of Hungarian citizenship, the Minister shall notify the authority in charge of keeping the registry of citizens' personal data and addresses, the authority issuing birth, marriage and death certificates, the authority issuing passports, the Central Statistics Office and, in respect of persons potentially subject to military service and persons subject to military service, the Data Processing Centre of the Hungarian Army.

(3) In the course of the procedure for citizenship, the Minister

- a) shall have access to the registry of births, marriages and deaths, the basic documents related thereto, and may request copies thereof;

b) may request data from and shall have access to the registry of citizens' personal data and addresses and the registry of aliens;

c) may request data from police records, the registry of convicted criminals and persons under criminal proceedings as well as from the prosecutor's offices and the courts;

d) may request an opinion from the notaries, consuls, guardians, aliens policing authorities, and shall request an opinion from the police and the competent national security service.

## *Article 20*

Documents of citizenship shall not be discarded, and the Minister shall ensure their proper safekeeping and recording.

### *Name change*

#### *Article 20/A*

(1) A foreign national applying for naturalization may concurrently request

a) to use his or her own or his or her ascendants' former Hungarian family name received at birth;

b) to waive one or more components of his or her family name received at birth, or suffixes or components that refer to gender of his or her name received at birth or his or her married name;

c) to use the Hungarian equivalent of his or her first name.

(2) Any application for change of name shall be substantiated by official documents or an expert opinion.

(3) The Minister shall issue a certificate on the permission of a name change which shall take effect on the date of taking the oath or pledge of allegiance pursuant to Article 7.

(4) Any change of name shall be duly registered.

### *Use of a foreign location name*

#### *Article 20/B*

(1) Without prejudice to paragraph 2, in the course of a procedure for naturalization or renaturalization, the name of a foreign location shall be used in the official form as prescribed by the country concerned. Next to the official name of a foreign location the Hungarian name, if any, shall be indicated as well, in brackets, provided that the location had an official Hungarian name.

(2) If the foreign location had an official Hungarian name, a foreign national applying for naturalization or renaturalization may request the exclusive use thereof in the course of the procedure.

(3) Following the name of a foreign location, the name of the province or federal state, if it can be established on the basis of the documents available, shall be indicated in brackets, and in any case, the name of the country as well.

(4) The name of the country shall be registered in the form as it was valid at the time of the registered event.

## *Final provisions*

### *Article 21*

*Repealed.*

### *Article 22*

Unless this Act provides otherwise, in legal proceedings initiated pursuant to the provisions of this Act, Chapter XX of Act III of 1952 on Civil Proceedings shall apply.

### *Article 23*

(1) For the purposes of this Act, a non-Hungarian citizen with residence in Hungary shall be considered to reside in Hungary as of the date of reporting his or her address if he or she

- a) has a legal status as an immigrant or an established person,
- b) has been recognized as a refugee, and
- c) practices, in accordance with the Act on the right of persons to move and reside freely, his or her right to move and reside freely in Hungary and has fulfilled the requirement of reporting.

(2) For the purposes of this Act, a person shall be considered to reside abroad if he or she has no permanent or habitual residence duly reported in Hungary.

### *Article 24*

(1) This Act shall enter into force on the first day of the fourth month following its promulgation.

(2) *Repealed.*

(3) *Repealed.*

(4) The Government is hereby authorized:

a) to establish the detailed rules concerning the tasks of the Minister as defined in this Act and to assign the central agency (a public agency in charge of managing citizenship matters) that will carry out on behalf of the Minister the tasks set out in paragraphs (2) and (3) of Article 5/A, paragraph (3) of Article 8, paragraph (1) of Article 11, Article 12, paragraphs (4) and (6) of Article 14, paragraphs (1) and (3) of Article 16, paragraphs (1), (3), (4), (6) and, save the proposal, (8) and (9) of Article 17, paragraphs (2) and (3) of Article 19, Article 20 and paragraph (3) of Article 20/A of this Act;

b) to establish the tasks in relation to taking the oath and pledge of allegiance;

c) to establish the tasks of notaries, registrars and consuls in relation to receiving the applications for citizenship, forwarding the documents and notifying the registries of the authorities;

d) to establish the standard forms to be used in the procedure;

e) to establish the requirements for the exam prescribed in point e) of paragraph (1) of Article 4 as well as the tasks of the regional public administration body with general competence of the Government in relation to the exam and the procedural order thereof, the rules on providing proof for the entitlement to be exempted from taking the exam, the content of the exam certificate and the security requirements thereof.