

THE JAMAICAN NATIONALITY ACT

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SCHEDULES

THE JAMAICAN NATIONALITY ACT

[6th August, 1962.]

Acts
8 of 1962,
39 of 1965,
1 of 1979
1st Sch.,
5 of 1993,
19 of 1999.

1. This Act may be cited as the Jamaican Nationality Act

Short title.

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

Interpre-
tation.

“alien” means a person who is not a Commonwealth citizen, a British protected person or a citizen of the Republic of Ireland;

“British protected persons” means a person who is a British protected person for the purposes of the British Nationality Act, 1948 of the United Kingdom;

“child” includes an illegitimate child;

“the Commonwealth” means Jamaica, any country mentioned in the First Schedule and any dependency of any such country;

First
Schedule.

“the Constitution” means the Constitution of Jamaica;

“foreign country” means a country (other than the Republic of Ireland) that is not part of the Commonwealth;

“Jamaican consulate” means the office of a consular officer of the Government of Jamaica where a

register of births is kept, or where there is no such office, such office as may be prescribed;

1/1979
1st Sch.

“minor” means a person who has not attained the age of eighteen years.

(2) For the purposes of this Act, a person born aboard a registered ship or aircraft, or aboard an unregistered ship or aircraft of the government of any country, shall be deemed to have been born in the place in which the ship or aircraft was registered or, as the case may be, in that country.

1/1979,
1st Sch.

(3) A person shall for the purposes of this Act be of full age if he has attained the age of eighteen years and of full capacity if he is not of unsound mind.

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

Registra-
tion of
certain
persons as
citizens.
First
Schedule.

3. A citizen of any country mentioned in the First Schedule, or a citizen of the Republic of Ireland, being a person of full age and capacity may, on making application therefor to the Minister in the prescribed manner, be registered at the discretion of the Minister as a citizen of Jamaica if he satisfies the Minister that he has been—

- (a) ordinarily resident in Jamaica; or
- (b) in Crown service under the Government of Jamaica; or
- (c) partly the one and partly the other, throughout the period of five years ending with the date

of his application, or such shorter period so ending as the Minister may in the special circumstances of any particular case accept.

4.—(1) The Minister may at his discretion cause the minor child of any citizen of Jamaica to be registered as a citizen of Jamaica upon application made in the prescribed manner by a parent or guardian of the child. Minors.

(2) The Minister may, in such special circumstances as he thinks fit, cause any minor to be registered as a citizen of Jamaica.

(3) Where under any enactment in force in Jamaica relating to the adoption of children an adoption order is made in respect of a minor not a citizen of Jamaica then if the adopter or in the case of a joint adoption, either of the adopters, is a citizen of Jamaica the minor shall become a citizen of Jamaica as from the date of the order. 5/1993
S. 2.

5. A person registered under section 3 or 4 shall be a citizen of Jamaica by registration as from the date on which he is registered. Effect of
registration
as a citizen.

5A.—(1) A person who, being married to a Jamaican citizen, is entitled to be registered as a citizen of Jamaica pursuant to subsection (1) of section 7 of the Constitution, may, upon making the prescribed application, be denied such registration in accordance with subsection (2) of that section if the person has been convicted in any country of an offence specified in subsection (2) of this section. Offences
in respect
of which
registra-
tion may
be denied
under sec-
tion 7 of
Constitu-
tion.
19/1999
S. 2.

- (2) The offence referred to in subsection (1) is—
- (a) an offence—
- (i) involving violence, fraud or dishonesty; or
 - (ii) the production, sale or otherwise dealing in any drug contrary to the provisions of any law for the time being in force; or
- (b) where it is committed in a country other than Jamaica—
- (i) an offence punishable under the law of that country with imprisonment for a term of two years or any greater punishment; and
 - (ii) the act or omission constituting the offence, or the equivalent act of omission, would constitute an offence against the law of Jamaica if it took place within Jamaica or, in the case of an extra territorial offence, in corresponding circumstances outside Jamaica.

Naturaliza-
tion of
aliens
and British
protected
persons.

Second
Schedule.

6. The Minister may at his discretion, if application therefor is made to him in the prescribed manner by any alien or British protected person of full age and capacity who satisfies him that he is qualified under the provisions of the Second Schedule for naturalization, grant to him a certificate of naturalization, and the person to whom this certificate is granted shall, on taking the oath of allegiance