

No. 6296

**POLAND
and
HUNGARY**

**Convention to regulate the nationality of persons having dual
nationality. Signed at Budapest, on 5 July 1961**

Official texts: Polish and Hungarian.

Registered by Poland on 29 August 1962.

**POLOGNE
et
HONGRIE**

**Convention réglementant la nationalité des personnes ayant
la double nationalité. Signée à Budapest, le 5 juillet 1961**

Textes officiels polonais et hongrois.

Enregistrée par la Pologne le 29 août 1962.

[TRANSLATION — TRADUCTION]

No. 6296. CONVENTION¹ BETWEEN THE POLISH PEOPLE'S REPUBLIC AND THE HUNGARIAN PEOPLE'S REPUBLIC TO REGULATE THE NATIONALITY OF PERSONS HAVING DUAL NATIONALITY. SIGNED AT BUDAPEST, ON 5 JULY 1961

The Council of State of the Polish People's Republic and the Presidential Council of the Hungarian People's Republic,

Considering that there are a number of persons whom both Parties, in accordance with their legislation, regard as their nationals,

Desiring to eliminate the dual nationality of the said persons on the basis of their free decision,

Have resolved to conclude this Convention and for this purpose have appointed as their plenipotentiaries :

The Council of State of the Polish People's Republic :

Zygfryd Sznek, Under-Secretary of State in the Ministry of the Interior;

The Presidential Council of the Hungarian People's Republic :

Dr. Vilmos Garamvölgyi, Deputy Minister for the Interior,

who, having exchanged their full powers, found in good and due form, have agreed as follows :

Article 1

Persons whom both Contracting Parties, in accordance with their legislation, regard as their nationals may decide, pursuant to the provisions of this Convention, which of their two nationalities they wish to retain exclusively.

Article 2

1. Persons mentioned in article 1 who are resident in the territory of one Contracting Party and who opt for the nationality of the other Contracting Party shall file a declaration in writing with the Embassy or competent consular office of the latter Contracting Party.

2. Persons mentioned in article 1 who are resident in the territory of a third State shall file a declaration in writing with the diplomatic mission or consular office of the Contracting Party for whose nationality they opt.

¹ Came into force on 3 February 1962, thirty days after the exchange of the instruments of ratification which took place at Warsaw on 4 January 1962, in accordance with article 13.

3. The declarations referred to in paragraphs 1 and 2 must be filed in duplicate within one year after the date of entry into force of this Convention.

Article 3

1. The declarations referred to in article 2 may be filed only by persons of full age.

2. For the purposes of this Convention, "persons of full age" means persons who have attained the age of eighteen years or persons under the age of eighteen years who are married.

Article 4

1. Children under full age shall possess solely the nationality of their parents where, in accordance with the provisions of this Convention, both parents have the same nationality.

2. Where one parent is a national of one Contracting Party and the other parent is a national of the other Contracting Party, or where, pursuant to this Convention, one parent opts for the nationality of one Contracting Party and the other parent for the nationality of the other Contracting Party, the nationality of a child under full age who possesses dual nationality shall be determined by agreement between the parents. If the parents do not choose the nationality of the Contracting State in whose territory the child is resident, the agreement between the parents must be recorded in a declaration filed in accordance with the provisions of article 2.

3. In the absence of agreement between the parents, children under full age shall retain solely the nationality of the Contracting Party in whose territory they are resident.

4. Children under full age one of whose parents is dead or has been deprived of parental authority shall retain solely the nationality of the parent in whom parental authority is vested.

5. Children under full age whose parents are dead or the whereabouts of whose parents are unknown shall retain solely the nationality of the Contracting Party in whose territory they are resident on the first anniversary of the entry into force of this Convention.

6. Children under full age mentioned in paragraph 2 who are resident in the territory of a third State shall retain, in the absence of agreement between their parents, solely the nationality of the Contracting Party in whose territory they were resident immediately before going abroad; if they were resident in the territory of neither Contracting Party, they shall retain solely their mother's nationality.

7. The provisions of paragraph 5 shall also apply to children under full age who have been placed under guardianship by reason of the forfeiture or