

Translation from Finnish

Legally binding only in Finnish and Swedish

Ministry of the Interior, Finland

Citizenship Act

(359/2003, amendments up to 781/2022 included)

By decision of Parliament, the following is enacted:

Chapter 1

General provisions

Section 1

Objectives and scope of the Act

This Act lays down provisions on the requirements for the acquisition, retention and loss of Finnish citizenship and on the procedure for considering such matters.

The objectives of this Act are to regulate the acquisition and loss of Finnish citizenship taking account of the interests of both individuals and the State, to prevent and reduce statelessness and to implement and promote the principles of good governance and legal protection when considering and making decisions on matters of citizenship.

Section 2

Definitions

In this Act:

1) *citizenship* means a legislative bond between an individual and the State establishing the individual's status in the State as well as the key rights and obligations between the individual and the State;

2) *alien* means a person who is not a Finnish citizen;

- 3) *involuntarily stateless* means a person who has no citizenship in any state and who has remained stateless against his or her own will or against the will of the person who has custody of him or her (custodian);
- 4) *voluntarily stateless* means a person who has no citizenship in any state and who has remained stateless against his or her own will or against the will of his or her custodian;
- 5) *person with unknown citizenship* means a person for whom there is no information on citizenship or statelessness;
- 6) *citizenship status* means present or former citizenship, statelessness or citizenship being unknown;
- 7) *child* means an unmarried person who is under 18 years of age;
- 8) *spouse* means the married spouse of the person concerned or a person living in marriage-like circumstances with the person concerned; provisions on a spouse also apply to a person living with the person concerned in a relationship in accordance with the Act on Registered Partnerships (950/2001);
- 9) *applicant* means a person who has made an application or declaration in order to acquire or be released from Finnish citizenship or on behalf of whom the custodian or guardian has made an application or declaration in order to acquire or be released from Finnish citizenship; and
- 10) *co-applicant* means a child in the custody of the applicant for whom the applicant wishes to acquire or be released from Finnish citizenship on an application or declaration linked to the applicant's application or declaration. (579/2011)

Section 3 (974/2007)

Duties of the Finnish Immigration Service

Decisions on the acquisition, retention and loss of Finnish citizenship and on the determination of citizenship status under this Act are made by the Finnish Immigration Service.

Standard forms needed for applications or declarations referred to in this Act are issued by the Finnish Immigration Service.

Section 4

Preventing statelessness

The provisions of this Act on the loss of and release from citizenship may not be applied if, as a consequence of the application of these provisions, a person were to become stateless.

Section 5

Hearing children and custodians

A child who has reached 12 years of age shall be heard in respect of any application or declaration concerning him or her. Any custodian other than the one who has made the application or declaration shall also be heard in respect of the application or declaration, except in cases where his or her whereabouts are unknown and cannot be ascertained.

A child who has reached 15 years of age cannot acquire Finnish citizenship on application or by declaration nor can he or she be released from it if he or she has stated his or her objection to being granted or released from citizenship. Similarly, a child cannot acquire Finnish citizenship on application or by declaration nor can he or she be released from it if a custodian other than the one who has made the application or declaration has stated his or her objection to the child being granted or released from citizenship.

The application or declaration can be approved in spite of objections by the child or a custodian other than the one who has made the application or declaration if this is deemed to be in the best interests of the child. In order to establish the best interests of the child, a statement is requested from the body referred to in section 6 of the Social Welfare Act (710/1982), unless this is manifestly unnecessary.

Section 6 (579/2011)

Established identity

Acquiring Finnish citizenship requires that the applicant's identity has been reliably established.

Proof of a person's identity can be provided by means of documents or by providing other information which is considered reliable on the person's name, date of birth, family relations, citizenship and other personal data necessary to decide the matter. When establishing a person's identity, any information provided earlier by the person on his or her own and his or her child's identity to a public authority shall be taken into account.

If an alien has used an identity registered in the Population Information System for at least for the past ten years, his or her identity is deemed to be established in accordance with subsection 1 even where he or she had earlier used more than one identity.

A change in a person's name, date of birth or citizenship leads to an interruption in the ten-year period referred to in subsection 3 if the change cannot be regarded as minor. Other changes relating to identity can also lead to an interruption in the period of time if the change is, on the basis of an overall assessment of the established identity, considered to create a new identity.

Section 7

Permanent residence and domicile

When assessing an alien's residence in Finland, permanent residence and domicile mean in this Act a person's actual and principal place of residence where his or her residence is of a permanent nature.

Section 8

Being born in Finland

In this Act, being born on a Finnish vessel or aircraft in the territory of a foreign state or in international territory is equivalent to being born in Finland.

Chapter 2

Finnish citizenship by birth

Section 9 (260/2018)

Children

A child acquires Finnish citizenship by birth if:

1) the mother is a Finnish citizen;

2) the father is a Finnish citizen; and

a) married to the child's mother; or

b) the child is born in Finland and the man's paternity of the child is established;

3) the father is dead but was at the time of his death a Finnish citizen; and

a) married to the child's mother; or

b) the child is born in Finland and the man's paternity of the child is established; or

4) the child is born in Finland and does not acquire the citizenship of any foreign state at birth, and does not even have a secondary right to acquire the citizenship of any other foreign state by birth.

A child who is born in Finland acquires Finnish citizenship based on the place of birth if his or her parents have refugee status in Finland or if they have otherwise been provided protection against the authorities of their state of citizenship. A further requirement is that the child does not acquire either parent's citizenship except through registration of the child's birth with an authority of the parent's state of citizenship or through another procedure requiring the assistance of an authority of that state. If the protection referred to above has been given to only one of the parents, a further requirement is that the child does not acquire the other parent's citizenship by birth nor has even a secondary right by birth to acquire it.

If the child has two mothers under the Parenthood Act (775/2022):

1) the provisions of subsection 1, paragraph 1 on the mother apply to the birth mother; and

2) the provisions of subsection 1, paragraph 2, subparagraph b and paragraph 3, subparagraph b on the father and establishment of paternity apply to the mother and establishment of maternity as referred to in section 5, subsection 1 of the Parenthood Act.

(781/2022)

Section 10 (971/2014)

Adopted children

An adopted child under 12 years of age who is an alien with at least one adoptive parent who is a Finnish citizen acquires Finnish citizenship through adoption as of the date on which the adoption is valid in Finland.

Section 11

Parents' marriage

A child who does not acquire Finnish citizenship under section 9 or who has not acquired Finnish citizenship upon declaration acquires Finnish citizenship based on the marriage of his or her parents as of the date on which the marriage was contracted if the man was a Finnish citizen at the time of the child's birth and has been ever since and the man's paternity of the child was established before the marriage was contracted.

If, however, paternity is established after the contraction of the marriage and the father is still a Finnish citizen, the child acquires Finnish citizenship only as of the date on which paternity is established. If the father has died after the contraction of the marriage, the child acquires Finnish citizenship as of the date on which paternity was established if the father was a Finnish citizen at the time of his death.

Section 12 (260/2018)

Foundlings and children of parents with unknown citizenship

A foundling who is found in Finland is considered to be a Finnish citizen as long as he or she has not been established to be a citizen of a foreign state. If the child has been established to be a citizen of a foreign state only after he or she has reached five years of age, the child, however, retains Finnish citizenship.

A child who was born in Finland to parents with unknown citizenship is considered a Finnish citizen as long as he or she has not been established to be a citizen of a foreign state. The same applies

to a child who was born outside marriage in Finland to a birth mother with unknown citizenship. If the child has been established to be a citizen of a foreign state only after he or she has reached five years of age, the child, however, retains Finnish citizenship.

Chapter 3

Finnish citizenship on application

Section 13

General requirements for naturalisation

When the decision on the application is made, an alien is granted Finnish citizenship on application if:

1) he or she has reached 18 years of age or has married before that;

2) he or she has and has had a permanent residence and domicile in Finland (*period of residence requirement*):

a) for the last five years without interruption (*continuous period of residence*); or

b) for seven years after reaching 15 years of age, with the last two years without interruption (*accumulated period of residence*);

3) he or she has not committed any punishable act other than one for which a fixed fine is imposed nor has a restraining order been imposed on him or her (*integrity requirement*);

4) he or she has not essentially neglected his or her maintenance liability or pecuniary obligations under public law;

5) he or she can provide a reliable account of his or her livelihood; and

6) he or she has satisfactory oral and written skills in the Finnish or Swedish language or, instead of these, corresponding skills in Finnish or Finland-Swedish Sign Language (*language skills requirement*).

(579/2011)

The general requirements for naturalisation may only be derogated from as laid down below.

A person is not naturalised, even if he or she meets the requirements for naturalisation, if there are reasonable grounds to suspect that the naturalisation constitutes a danger to the security of the State or public order, or if the main purpose of acquiring citizenship is to take advantage of a benefit related to Finnish citizenship without intending to settle in Finland, or if naturalisation conflicts with the best interests of the State for some other serious reason on the basis of an overall assessment of the applicant's situation.

Section 14 (579/2011)

Start of the period of residence

The period of residence starts:

- 1) on the date on which the applicant moves or returns to Finland if he or she holds or was before that granted a permit or right to move to Finland on a permanent basis;
- 2) on the date on which the first continuous residence permit is granted if the applicant, when entering Finland, does not have a permit which gives him or her the right to move into the country;
- 3) on the date on which an alien made an application for asylum or residence permit if he or she, on the basis of the application made, was given asylum in Finland or was granted a residence permit on the basis of subsidiary protection or humanitarian protection; or
- 4) for a Nordic citizen, on the date on which he or she moves to Finland or registers his or her notification of move, depending on which of these took place later.

If the applicant's identity has not been established, the approved period of residence commences once he or she has provided proof of his or her identity. The period the applicant has stayed in Finland before that, or part of such period, is approved as part of the period of residence if the applicant has shown initiative in establishing his or her identity and so is any period the applicant has stayed in Finland as a minor, or part of such period, if his or her identity has not been

established due to a reason attributable to the custodian or some other reason beyond the applicant's control.

Section 15 (579/2011)

Period of residence included in the approved period of residence

If the applicant has prior to the granting of a continuous residence permit stayed in Finland under a temporary residence permit, half of the period of residence under the temporary residence permit is, notwithstanding the provisions of section 14, subsection 1, paragraph 2, taken into consideration in the determination of the continuous period of residence. This requires that the applicant has resided in Finland under a continuous residence permit for a minimum period of one year immediately prior to the date of decision on the application.

On the basis of the applicant's age, state of health or other comparable reason, a period of residence without a permit or a part thereof is included in the approved period of residence if this is deemed to be reasonable for the applicant.

Section 16 (579/2011)

Interruptions in the continuous period of residence

Periods of absence other than short ones lead to an interruption in the continuous period of residence. The continuous period of residence is also regarded as interrupted if the periods of absence occur so regularly and are so numerous that the applicant can be considered to have stayed or stay mostly outside Finland. The continuous period of residence is, however, not regarded as interrupted if the absence is due to a well-founded personal reason.

Short periods of absence are included in the continuous period of residence. Such short periods are:

- 1) periods of absence not exceeding one month;
- 2) a maximum of six periods of absence exceeding one but not exceeding two months; and
- 3) a maximum of two periods of absence exceeding two but not exceeding six months.

If the continuous period of residence is regarded as interrupted, stays in Finland are taken into consideration in the determination of the accumulated period of residence in accordance with section 13, subsection 1, paragraph 2, subparagraph b.

Temporary periods of absence exceeding six months but not exceeding one year are not included in the continuous period of residence. They do not, however, lead to an interruption in the continuous period of absence. In the determination of the period of residence, the accumulated period of residence applies to periods of absence exceeding one year.

Section 17 (579/2011)

Proof of language skills

Proof of meeting the language skills requirement can be provided through the completion of:

- 1) the National Certificate of Language Proficiency test at proficiency level 3;
- 2) the public administration language examination demonstrating satisfactory oral and written skills;
- 3) the Finnish primary and lower secondary education syllabus with Finnish or Swedish as the native language or second language;
- 4) the Finnish general upper secondary education syllabus with Finnish or Swedish as the native language or second language;
- 5) the Finnish matriculation examination in Finnish or Swedish, including having passed the test in Finnish or Swedish as a native language or second language;
- 6) an initial vocational qualification completed in Finnish or Swedish referred to in the Act on Vocational Education and Training (630/1998);
- 7) a further vocational qualification or specialist vocational qualification completed in Finnish or Swedish referred to in the Act on Vocational Education and Training for Adults (631/1998);

8) language studies in Finnish or Swedish under section 6, subsection 1, paragraph 1 of the Government Decree on University Degrees (794/2004) or section 8, subsection 1, paragraph 1 of the Government Decree on Universities of Applied Sciences (352/2003), or a maturity test in Finnish or Swedish.

Section 18 (579/2011)

Derogating from the period of residence

An alien may be granted Finnish citizenship notwithstanding section 13, subsection 1, paragraph 2 if:

- 1) he or she has strong ties to Finland on the basis of his or her long period of legal residence in Finland or for some other corresponding reason; and
- 2) he or she has and has had a permanent residence and domicile in Finland for the past two years without interruption.

A further requirement is that:

- 1) it is unreasonably difficult for the applicant to be engaged in permanent full-time employment in Finland without Finnish citizenship;
- 2) the applicant has, through no fault of his or her own, been considered a Finnish citizen for a minimum of 10 years due to such a mistake made by a Finnish authority which has resulted in a major consequence related to the rights or obligations of a Finnish citizen; or
- 3) there are otherwise very serious reasons for derogating from the period of residence requirement.

Section 18a (579/2011)

Derogating from the period of residence requirement where the language skills requirement is met

An alien may be granted Finnish citizenship notwithstanding section 13, subsection 1, paragraph 2 if he or she meets the language skills requirement laid down in section 13, subsection 1, paragraph 6 and:

- 1) he or she has strong ties to Finland in accordance with section 18, subsection 1, paragraph 1; and
- 2) he or she has and has had a permanent residence and domicile in Finland for the past four years without interruption or for a total of six years following the date on which he or she reached 15 years of age, with the last two years without interruption.

Section 18b (579/2011)

Derogating from the language skills requirement

An alien may be granted Finnish citizenship notwithstanding section 13, subsection 1, paragraph 6 if:

- 1) it is unreasonably difficult for the applicant to be engaged in permanent full-time employment in Finland without Finnish citizenship;
- 2) the applicant is 65 years old or older and has refugee status, subsidiary protection status or a residence permit granted on the basis of humanitarian protection in Finland;
- 3) the applicant cannot meet the language skills requirement because of his or her state of health or sensory or speech disability;
- 4) there are otherwise very serious reasons for derogating from the language skills requirement.

A derogation from the language skills requirement may be granted to an applicant who is illiterate or aged 65 years or older and has been granted a residence permit on grounds other than those referred to in subsection 1, paragraph 2 if the applicant has elementary comprehension and speaking skills in Finnish or Swedish or has participated regularly in studies in Finnish or Swedish.

Proof of illiteracy and the existence of the other requirements referred to in subsection 2 is supplied by a certificate provided by the applicant's Finnish or Swedish language teacher.

Section 19 (579/2011)

Derogating from the integrity requirement

An alien may be granted Finnish citizenship notwithstanding section 13, subsection 1, paragraph 3 if it is considered on the basis of an overall assessment of the applicant's situation that there are reasonable grounds to derogate from the integrity requirement. Particular attention is paid in the assessment to:

- 1) the time that has passed since the commitment of the offence or offences;
- 2) the nature of the act and the severity of the punishment imposed; and
- 3) whether or not the applicant has repeatedly committed punishable acts.

Even a sentence passed outside Finland may be taken into account in the assessment, provided that the act for which the punishment was imposed would in corresponding circumstances be an offence under Finnish law.

An alien referred to in subsection 1 may not be granted Finnish citizenship before the termination of any probationary period of his or her conditional imprisonment or any restraining order imposed on him or her.

Section 19a (579/2011)

Determination of waiting periods

If an application for citizenship is rejected under section 13, subsection 1, paragraph 3, the applicant can be imposed a waiting period during which he or she may not be naturalised without a justifiable reason. The granting of citizenship during or after the waiting period requires a new application in conjunction with which a new assessment takes place on whether or not the requirements for the granting of citizenship are met.

The waiting period referred to in subsection 1 is:

1) with regard to fines, a minimum of one year and a maximum of three years from the date on which the offence was committed;

2) with regard to conditional imprisonment, monitoring sentence, community service, juvenile punishment and offences where the court has waived punishment, a minimum of two and a maximum of four years from the date on which the offence was committed; (409/2015)

3) with regard to unconditional imprisonment, a minimum of three and a maximum of seven years from the date on which the sentence was completed.

If an applicant has committed more than one punishable offence, the respective waiting periods resulting from the offences are not added together. The waiting period to be selected among the alternatives is the one with the furthest termination date added by a minimum of two months and a maximum of one year per each other offence resulting in a waiting period depending on the nature of the act and the severity of the punishment imposed thereon while not exceeding the maximum waiting period laid down specifically for each type of punishment in subsection 2.

The length of the waiting period under subsections 2 and 3 is determined on the basis of an overall assessment of the applicant's situation. In this overall assessment, the issues referred to in section 19 and the applicant's individual circumstances are taken into consideration.

Section 20 (327/2009)

Derogations pertaining to those granted international protection and involuntarily stateless persons

An alien may be granted Finnish citizenship notwithstanding section 13, subsection 1, paragraph 2 if:

1) he or she has refugee status in Finland, has been granted a residence permit on the basis of subsidiary protection or humanitarian protection or is involuntarily stateless; and

2) he or she has and has had a permanent residence and domicile in Finland:

a) for the last four years without interruption; or

b) for a total of six years since reaching 15 years of age, with the last two years without interruption.

A citizenship application made by a person as referred to in subsection 1 is considered urgently.

Section 21 (579/2011)

Derogations pertaining to Nordic citizens

An Icelandic, Norwegian, Swedish or Danish citizen may be granted Finnish citizenship notwithstanding section 13, subsection 1, paragraph 2 if he or she has and has had permanent residence and domicile in Finland for the last two years without interruption.

Section 22

Derogations pertaining to a Finnish citizen's spouse

A Finnish citizen's spouse may be granted Finnish citizenship notwithstanding section 13, subsection 1, paragraph 2 if:

1) the spouses live and have lived together for a minimum of three years or a deceased Finnish citizen's spouse had lived together with his or her spouse for a minimum of three years before his or her death; and (579/2011)

2) the applicant has and has had permanent residence and domicile in Finland:

a) for the last four years without interruption; or

b) for a total of six years since reaching 15 years of age, with the last two years without interruption.

Section 23

Derogations pertaining to co-applicants

A co-applicant under 15 years of age may be granted Finnish citizenship notwithstanding section 13, subsection 1, paragraphs 2 and 6 if, when the decision is made on the application, he or she has and has had a permanent residence and domicile in Finland.

A co-applicant who has reached 15 years of age may be granted Finnish citizenship notwithstanding section 13, subsection 1, paragraph 2 if, when the decision is made on the application, he or she has and has had a permanent residence and domicile in Finland for the last four years without interruption or a total of six years since reaching seven years of age, with the last two years without interruption.

Section 24

Naturalisation of children

A child may be granted Finnish citizenship on an application made by his or her custodian or guardian if:

1) the person who has made the application is a Finnish citizen and the child lives with this person;
or

2) naturalisation is otherwise deemed to be in the best interests of the child for other serious reasons.

(579/2011)

A child referred to in subsection 1 may be granted Finnish citizenship notwithstanding section 13, subsection 1, paragraphs 2 and 6 if, when the decision is made on the application, the child is under 15 years of age and he or she has permanent residence and domicile in Finland.

If the child has reached 15 years of age when the decision is made on the application, he or she may be granted Finnish citizenship notwithstanding section 13, subsection 1, paragraph 2 provided that he or she has and has had permanent residence and domicile in Finland for the last four years without interruption or a total of six years since reaching seven years of age, with the last two years without interruption.

If a child referred to in subsection 3 is a former Finnish citizen or a Nordic citizen, the requirement for the approval of the application is, however, a period of residence of two years.

Section 25

Effects of gaining full legal capacity on pending applications

If a co-applicant reaches 18 years of age or marries before a decision has been made on the application, he or she shall supplement the application so that it applies to him or her.

If a child reaches 18 years of age or marries before a decision has been made on an application that his or her custodian has made on behalf of him or her, the child shall confirm the application with his or her own signature. If the application is not confirmed, it shall be rejected.

For persons referred to in subsections 1 and 2, the Finnish Immigration Service shall set a reasonable time limit by which they shall supplement or confirm their application. Requirements under section 23, subsection 2 and section 24, subsection 3 apply to applicants who have supplemented or confirmed their citizenship application if the requirements were met before the applicant gained full legal capacity. (974/2007)

Chapter 4

Finnish citizenship by declaration

Section 26 (781/2022)

Aliens whose father or mother is a Finnish citizen

An alien who does not acquire Finnish citizenship under section 9 may acquire Finnish citizenship by declaration if the father, or the mother referred to in section 5, subsection 1 of the Parenthood Act, was a Finnish citizen when the alien was born and the alien was born:

- 1) in Finland and paternity or maternity was established after he or she had reached 18 years of age or married before that; or
- 2) outside Finland and paternity or maternity has been established.

Section 27 (971/2014)

Adopted children who have reached 12 years of age

If a child who is an alien has reached 12 years of age before adoption, he or she acquires Finnish citizenship by declaration if at least one of the adoptive parents is a Finnish citizen and the adoption is valid in Finland.

Section 28

Young persons

A person who has reached 18 but not 23 years of age acquires Finnish citizenship by declaration if he or she has and has had a permanent residence and domicile in Finland for a minimum total of 10 years, with a minimum period of two years without interruption before the date of making of the declaration, and if he or she has not been sentenced to imprisonment.

If an applicant referred to in subsection 1 was born in Finland, the requirement for the approval of the declaration is, however, a six-year period of residence. If an applicant referred to in subsection 1 has permanent residence and domicile in Iceland, Norway, Sweden or Denmark before the date of making of the declaration, this residence is equivalent to residence in Finland, but only for the five years preceding the date of declaration and only to the extent that the period of residence occurred before 16 years of age.

Finnish citizenship cannot be acquired under subsection 1 by a person who has lost Finnish citizenship on the grounds that he or she has provided false information nor by a citizen or former citizen of a hostile state after a state of defence has been declared.

Section 29 (564/2019)

Former Finnish citizens

A former Finnish citizen acquires Finnish citizenship by declaration.

A person who has lost Finnish citizenship under section 32, 33 or 33a or who has been sentenced by final judgment for an offence referred to in the latter section to a punishment referred to therein cannot acquire Finnish citizenship under subsection 1.

Section 30 (579/2011)

Nordic citizens

An Icelandic, Norwegian, Swedish or Danish citizen who has reached 18 years of age acquires Finnish citizenship by declaration if he or she has acquired Icelandic, Norwegian, Swedish or Danish citizenship through a procedure other than naturalisation, if he or she has and has had a

permanent residence and domicile in Finland for the last five years, and if he or she has not been sentenced to a custodial sentence during that period.

Section 31

Date for the acquisition of citizenship

Citizenship on the basis of a declaration is considered acquired on the date the declaration has become pending at the competent authority if the requirements for acquiring citizenship were met on the date on which the declaration became pending. In other cases, citizenship is considered acquired on the date on which the requirements laid down for the acquisition of citizenship are met.

Chapter 5

Loss and retention of Finnish citizenship

Section 32 (781/2022)

Effects of annulment of paternity or maternity

If the husband's paternity has been annulled or if an action which has resulted in his paternity being annulled has been brought before the child has reached five years of age, or if an established paternity has been annulled, or if maternity has been annulled in the situation referred to in section 5, subsection 1 of the Parenthood Act, or if an action which has resulted in the annulment of paternity or maternity has been brought within five years of establishing paternity or maternity, a decision may be made to the effect that the child loses his or her Finnish citizenship acquired on the basis of his or her father's or mother's citizenship. A decision on this is based on an overall assessment of the child's situation. In the assessment, particular account shall be taken of the child's age and ties to Finland.

Section 33

Loss of citizenship on the basis of the provision of false information

If a person has provided such false or misleading information on his or her person or other false or misleading information the knowledge of which would have resulted in the refusal of Finnish citizenship, or withheld such a relevant circumstance which would have had the same effect, a

decision can be made to the effect that the person loses his or her Finnish citizenship acquired on application or by declaration.

If a child has acquired Finnish citizenship together with a person referred to in subsection 1 or if the citizenship of a person referred to in subsection 1 has been a requirement for the child to acquire Finnish citizenship, a decision on loss of Finnish citizenship can also be made with regard to the child. A child cannot, however, lose Finnish citizenship if the child's parent is a Finnish citizen.

A decision referred to in subsections 1 and 2 is based on an overall assessment of the person's situation. In addition to the reprehensibility of the act, the assessment also takes into account the circumstances in which it was committed and of the ties to Finland of the person who has made the application or declaration. With regard to a child, account shall also be taken of the child's age and ties to Finland.

A decision on the loss of citizenship cannot be made in cases under subsections 1 and 2 if more than five years have passed since a decision was made on the citizenship application or declaration. If, however, a matter concerning loss of citizenship has become pending before five years have passed since a decision on citizenship was made, a decision can be made even after this. If the decision on a citizenship application has been given on the condition that the applicant is released from his or her current citizenship before acquiring Finnish citizenship, the decision is not deemed to be made until it has been declared that the condition is met or a new decision without a condition has been given.

Section 33a (564/2019)

Loss of citizenship on the basis of committing treason, high treason or terrorist offence

If a person who, in addition to Finnish citizenship, holds the citizenship of another state has been sentenced in Finland by final judgment for an offence against the vital interests of Finland as set forth in chapter 12, sections 1–6; chapter 13, section 1 or 2; chapter 34a, section 1, subsection 1, paragraphs 5–8, section 1, subsection 2 or 3, section 1a, section 3, subsection 1, section 4, 4a, 4c or 5 of the Criminal Code (39/1889) to imprisonment or a combination sentence of at least five years, a decision can be made to the effect that the person loses Finnish citizenship. A person who has been sentenced to a punishment referred to above for an attempt of an offence referred to

above or for complicity in such an offence or an attempt thereof can also lose his or her citizenship.

If a joint punishment has been imposed for two or more offences, the loss of citizenship also requires that at least one of the offences is an offence referred to in subsection 1 and that, according to the judgment, the punishment imposed for the offence would have been a punishment referred to in subsection 1 if imposed separately.

A person cannot lose his or her citizenship if he or she was under 18 years of age when committing the offence or if more than five years have elapsed since the judgment referred to in subsection 1 became final.

Section 33b (564/2019)

Assessment when deciding on the loss of citizenship on the basis of an offence

A decision on the loss of citizenship referred to in section 33a is made on the basis of an overall assessment of the person's situation. The assessment takes into account the person's ties to Finland and his or her other state of citizenship. When assessing these ties, at least his or her history of residence and stay, family ties and language skills as well as his or her schooling, studies, employment and other economic activities in the states of citizenship shall be taken into account. The assessment shall also take into account the possible consequences for the family members of the person.

Section 34

Retention of citizenship upon reaching 22 years of age

A Finnish citizen who also holds the citizenship of a foreign state retains Finnish citizenship upon reaching 22 years of age only if he or she has a sufficient connection with Finland.

A sufficient connection is deemed to exist if:

- 1) the person was born in Finland and his or her municipality of residence as referred to in the Municipality of Residence Act (201/1994) is in Finland when he or she reaches 22 years of age;

2) the person's municipality of residence has been in Finland or his or her permanent residence and domicile in Iceland, Norway, Sweden or Denmark for a minimum total of seven years before he or she has reached 22 years of age; or

3) the person has, after reaching 18 years of age but before reaching 22 years of age:

a) notified a Finnish mission, the Digital and Population Data Services Agency or the State Department of Åland in writing of his or her wish to retain Finnish citizenship; (1161/2019)

b) applied for a Finnish passport or identity card or received a Finnish passport or identity card; (668/2016)

c) completed or is currently completing military or non-military service or service referred to in the Act on Voluntary Military Service for Women (194/1995); or

d) acquired Finnish citizenship on application or by declaration.

(579/2011)

Section 35

Release from Finnish citizenship

A Finnish citizen who also holds the citizenship of a foreign state or who wishes to become a citizen of a foreign state may be released from Finnish citizenship on application. The application shall state the reason why the applicant wishes to be released from Finnish citizenship. The application is not approved if the applicant's municipality of residence is in Finland and if the aim of the release is to escape an obligation related to Finnish citizenship.

If the applicant is not yet a citizen of a foreign state when the decision is made on the application, he or she may be released from Finnish citizenship only by a decision the entry into force of which requires that the applicant produces proof of the acquisition of citizenship of a foreign state within the time limit mentioned in the decision. After the Finnish Immigration Service has received proof of the acquisition of citizenship of a foreign state, a certificate is issued of the requirement being met. (579/2011)

Chapter 6

Determination of citizenship status and notifications by public authorities

Section 36

Determination of citizenship status

The Finnish Immigration Service determines citizenship status at the request of a public authority or the party concerned if the matter is of importance with regard to the existence of Finnish citizenship or some right or obligation related to it, the correctness of any entry in public authorities' filing systems, an alien's residence in Finland or some other reason corresponding to these. (974/2007)

If the citizenship of a person with a municipality of residence in Finland is unknown, efforts shall be made to determine that person's citizenship status. Citizenship status is, however, not determined if the person's identity has not been established in other respects.

Section 37

Provision of information on how to retain citizenship

Information is extracted from the Population Information System every year on people registered as Finnish citizens who will reach 18 years of age that year and whose address where they can be reached is found in the Population Information System. Information is, however, not extracted on people whose municipality of residence has been in Finland for a minimum total of seven years.

People on whom information is extracted from the Population Information System are given instructions on how to proceed in order to retain citizenship upon reaching 22 years of age. The Finnish Immigration Service is responsible for giving such instructions. The instructions are given in the year the person reaches 18 years of age. (974/2007)

Section 38 (1161/2019)

Duties of the Digital and Population Data Services Agency and the State Department of Åland related to determination of citizenship

Where a person retains Finnish citizenship upon reaching 22 years of age on the basis of a sufficient connection, the Digital and Population Data Services Agency or the State Department of

Åland makes an entry to that effect in the Population Information System and notifies the party concerned of the entry.

Information is regularly extracted from the Population Information System on people who have reached 22 years of age and are entered in the Population Information System as citizens of Finland and a foreign state. If a person has lost Finnish citizenship upon reaching 22 years of age because he or she has not had a sufficient connection with Finland, the Digital and Population Data Services Agency or the State Department of Åland makes an entry to that effect in the Population Information System and notifies the party concerned of this if his or her address is available.

Section 39 (1161/2019)

Obligation of parties concerned to provide information

For the determination of citizenship status, the party concerned shall provide the Finnish Immigration Service and, in cases referred to in section 38, the Digital and Population Data Services Agency or the State Department of Åland, with all information in his or her possession related to the acquisition or loss of citizenship and assist in obtaining the necessary information and documents to the extent that such an assistance can reasonably be required from him or her.

Section 40

Public authorities' obligation to notify each other

The Finnish Immigration Service notifies the competent authorities of decisions on Finnish citizenship to be entered in the Population Information System. (974/2007)

The Digital and Population Data Services Agency and the State Department of Åland notify the Finnish Immigration Service of any child born in Finland whose parents have been entered in the Population Information System as stateless or whose parents' citizenship is unknown. (1161/2019)

After a Finnish mission has received information on a person's wish to retain Finnish citizenship or after a Finnish passport has been issued by the police or a mission to a person who has reached 18 but not 22 years of age, the police or the mission notifies the Population Information System thereof. A similar notification is also given by the Defence Command or the Centre for Non-Military Service when a Finnish citizen who is under 22 years of age has completed military or non-military

service in Finland. An entry of the retention of Finnish citizenship under section 34 shall be made in the System before the person reaches 22 years of age. (971/2014)

Notification referred to in subsection 3 is not, however, necessary if the person's municipality of residence has been in Finland for a minimum total of seven years.

Chapter 7

Request for review

Section 41 (974/2007)

Request for review of decisions of the Finnish Immigration Service

A decision made by the Finnish Immigration Service under this Act may be appealed against to an administrative court as provided in the Administrative Judicial Procedure Act (586/1996).

Section 42 (564/2019)

Request for review of decisions of administrative courts

A decision of an administrative court may be appealed against only if the Supreme Administrative Court grants leave to appeal.

The Finnish Immigration Service also has the right of appeal referred to in subsection 1 to the extent that a decision by the Finnish Immigration Service has been reversed or amended by a decision of an administrative court.

Chapter 8

Further provisions

Section 43

Co-applicants in applications and declarations

A co-applicant can be granted Finnish citizenship on application or by declaration only together with the applicant. The requirements concerning the applicants under chapter 4 do not apply to co-applicants in declarations.

Subsection 2 was repealed by Act 971/2014. (971/2014)

Section 44

Filing applications and declarations

An application and declaration referred to in this Act shall be personally submitted to the Finnish Immigration Service. An application for release from Finnish citizenship, a declaration for a child referred to in section 26, a declaration for an adopted child referred to in section 27 and a declaration referred to in section 29, subsection 1 can also be submitted to a Finnish mission or honorary consulate. An application or declaration on behalf of a child applicant shall be made and submitted by his or her custodian or guardian. Any co-applicant or child applicant shall be present when the application or declaration is submitted. (502/2016)

The Finnish Immigration Service checks the identity of the applicant or the custodian who submits an application or declaration on behalf of a child. If the co-applicant or the child applicant has a travel document or an identity card of his or her own, the Finnish Immigration Service also checks the child's identity. If the declaration is filed outside Finland, the identity is checked by the mission. (502/2016)

The continued consideration of the application or declaration following the check referred to in subsection 2 is conditional on the payment of the processing fee of the Finnish Immigration Service. The fee is determined in accordance with the Act on Criteria for Charges Payable to the State (150/1992). Further provisions on the fee are issued by decree of the Ministry of the Interior. (974/2007)

The Administrative Procedure Act (434/2003) applies to the processing of matters under this Act at honorary consulates. (974/2007)

The Act on Electronic Services and Communication in the Public Sector (13/2003) applies to electronic services. If an application or declaration has been submitted electronically, the identity check referred to in subsection 2 shall take place prior to the final decision on the matter and the processing fee referred to in subsection 3 shall be paid prior to the commencement of the processing of the application. (620/2007)

Section 45

Documents to be enclosed with applications

The applicant shall enclose with his or her citizenship application proof of his or her skills in the Finnish or Swedish language referred to in section 17 and an account of his or her livelihood in Finland referred to in section 13, subsection 1, paragraph 5. Proof of language skills is, however, not required if the applicant is a child under 15 years of age. If a co-applicant who has reached 15 years of age is included in the application, the applicant shall also enclose with the application proof of the co-applicant's skills in the Finnish or Swedish language. If the child reaches 15 years of age after the application is filed but before a decision has been made on the application, proof of his or her language skills shall be enclosed with the application. (579/2011)

If the applicant, in support of his or her application, wishes to invoke a provision on a derogation laid down in this Act, he or she shall enclose proof of the facts on which the claim is built with his or her application.

Section 46

Providing additional information

The applicant may be obliged to enclose with his or her citizenship application a document corresponding to an extract from the criminal records of the states in which the applicant, or a co-applicant who has reached 15 years of age, has resided for a minimum of two years if such a document can reasonably be obtained. Alternatively, the applicant may give his or her consent to obtaining such a document.

The Finnish Security and Intelligence Service, the National Bureau of Investigation, the Defence Command and the relevant social welfare authorities can be requested to issue a statement on an application.

The Finnish Immigration Service, the Finnish Security and Intelligence Service and the National Bureau of Investigation can invite the applicant to provide information needed for the processing of the application or declaration. Where possible, these authorities shall also interview the applicant. If the application or declaration is filed abroad, the Finnish mission may at the request of the Finnish Immigration Service invite the applicant to provide information needed for the processing of the matter. (971/2014)

The applicant can also be obliged to provide other additional information if this is necessary to establish whether the requirements for approving an application or declaration are met.

Section 47 (974/2007)

Documents to be submitted to the Finnish Immigration Service

Documents relating to applications, declarations or determination of citizenship status referred to in this Act submitted to public authorities shall be original documents. The Finnish Immigration Service may also approve a certified copy of a document if the copy can be considered reliable.

A document issued by a foreign authority shall be legalised or accompanied by a certificate issued by a competent authority of the state concerned, unless it is manifestly unnecessary to legalise the document or to attach a certificate to it. The applicant or other party concerned shall on his or her own initiative in the pending matter arrange to have documents translated into Finnish or Swedish. The Finnish Immigration Service may also accept documents other than legalised documents and documents not accompanied by an above-mentioned certificate as well as documents which have not been translated if this is justifiable on the basis of the document concerned and the nature of the matter.

The Finnish Immigration Service may accept electronic documents submitted in a manner laid down in the Act on Electronic Services and Communication in the Public Sector if the documents can be considered reliable.

Section 48 (619/2020)

Section 48 was repealed by Act 619/2020.

Section 49

Providing contact details

Those filing a matter referred to in this Act on their own initiative are obliged to provide the authorities considering the matter with their contact details and any changes to them.

Section 50

Decisions and service of decisions

Reasons for a decision favourable to the applicant made under this Act need not be given. If a decision is only partially favourable or if a favourable decision on a child was made against the other custodian's or the child's will, the reasons for the decision are stated.

A decision favourable to the applicant and a decision on the determination of citizenship status can be served by sending the decision by post to the address given by the applicant. The addressee is considered to have been informed of the decision in Finland at the latest on the seventh day and abroad no later than 30 days after the letter was sent, unless otherwise shown. (579/2011)

Decisions other than those favourable to the applicant are served by post against an acknowledgment of receipt. A decision can also be handed over to an addressee or his or her representative on the basis of an authorisation provided by the applicant, his or her custodian or a party to another citizenship matter or his or her custodian. In this case, a written certificate of service shall be drawn up, indicating the person effecting the service and the addressee and date of the service. If an intended service abroad cannot be effected, the document shall be served by publication in Finland as laid down in the Act on Service in Administrative Matters (232/1966).

Decisions on matters filed by an applicant in accordance with section 44, subsection 5 can be served in a manner laid down in the Act on Electronic Services and Communication in the Public Sector. (620/2007)

Section 51

Further provisions

Further provisions on the authorities' duties relating to the filing and consideration of applications, declarations and matters pertaining to the determination of citizenship status, payment of the processing fee where the matter is filed at an honorary consulate and the arrangement of cooperation between public authorities for the appropriate coordination of measures, and attendance to communication in matters relating to Finnish citizenship are laid down by government decree.

Provisions on which of the Finnish missions manage the duties laid down for missions in this Act are laid down in section 9 of the Consular Services Act (498/1999) and in the decree issued under it. (971/2014)

Chapter 9

Transitional provisions and entry into force

Section 52

Entry into force

This Act enters into force on 1 June 2003.

This Act repeals the Nationality Act of 28 June 1968 (401/1968), as amended (*previous Act*).

Measures necessary for the implementation of this Act may be undertaken before its entry into force.

Section 53

General transitional provisions

This Act applies to matters filed after the entry into force of the Act, subject to the derogations provided below.

Instead of the period of residence under section 13, subsection 1, paragraph 2, the period of residence under the previous Act applies to the applicant and co-applicant of a citizenship application where the application is filed after the entry into force of this Act if the applicant meets the requirement set for the period of residence in the previous Act when the application is filed and the application is filed within a year after the entry into force of this Act.

The provisions of this Act on the accumulated period of residence apply, however, to a citizenship application referred to in subsection 2 if they result in an outcome that is more favourable to the applicant.

Section 54

Matters pending at the time of the entry into force of this Act

As regards the requirements set for the acquisition and retention of citizenship, the previous Act applies to a citizenship declaration and to an application for the retention of citizenship pending at

the time of the entry into force of this Act, and the provisions of the previous Act on the loss and retention of citizenship apply to a matter under section 8b, subsections 1 and 3 of the previous Act.

The requirement set for the period of residence under the previous Act applies to a citizenship application pending at the time of the entry into force of this Act if the applicant, at the time of the entry into force of this Act, has and has had permanent residence and domicile in Finland for at least the minimum period of time required for residence under the previous Act and the livelihood requirement set under the previous Act is met. The provisions of this Act on the accumulated period of residence apply, however, to the application if they result in an outcome that is more favourable to the applicant.

The requirement for respectable life under the previous Act or the provisions of section 13, subsection 1, paragraphs 3–5 and section 19 of this Act apply to a citizenship application pending at the time of the entry into force of this Act, whichever provisions result in an outcome that is more favourable to the applicant.

With regard to proof of skills in the Finnish or Swedish language, section 1, subsection 2 and section 5, subsection 2 of the Nationality Decree (699/1985) apply to a citizenship application and an application for the retention of citizenship pending at the time of the entry into force of this Act.

Section 55

Conditional naturalisation decisions

Section 11, subsection 1 of the previous Act can be applied to a decision given under section 4, subsection 3 of the previous Act within a period of time laid down in the decision.

At the written request of an applicant mentioned in a decision under subsection 1, the Finnish Immigration Service can decide to repeal the condition if the request was made within the period of time laid down in the decision. If the condition also applies to a co-applicant, repealing the condition for his or her part also requires, in addition to the applicant's written request, the consent of the co-applicant's custodians and of a co-applicant who has reached 12 years of age. Furthermore, when making a decision on the matter, the provisions of this Act on hearing a child and a custodian shall be observed where appropriate. If the co-applicant has reached 18 years of

age or married after the decision was given, he or she shall request the condition to be repealed with regard to him or her. (974/2007)

An alien becomes a Finnish citizen under subsection 1 on the date when the Finnish Immigration Service, by its decision, states that the condition is met. If the Finnish Immigration Service decides under subsection 2 that the condition be repealed, Finnish citizenship is deemed to be acquired on the date on which the decision on repealing the condition was made. (974/2007)

Section 56

Application of the loss of citizenship provisions of citizenship legislation previously in force

The provisions on loss of citizenship contained in Finnish citizenship legislation previously in force may not be applied if, as a consequence of the application of these provisions, a person were to become stateless.

Section 57

Retention of citizenship under the previous Act

Section 34 of this Act does not apply to a person who reaches 22 years of age after the entry into force of this Act and who has been found to retain Finnish citizenship under section 8b, subsection 1 or 3 of the previous Act. Furthermore, section 34 of this Act does not apply to a person who reaches 22 years of age after the entry into force of this Act if a decision has been given on his or her application referred to in section 8b, subsection 2 of the previous Act to the effect that he or she retains citizenship.

Section 58

Declarations on the basis of the father's Finnish citizenship

An alien born outside marriage before the entry into force of this Act acquires Finnish citizenship by declaration if the father was a Finnish citizen at the time of the child's birth and paternity has been established. A declaration may also be made if the father was dead at the time of the child's birth but was a Finnish citizen at the time of his death and paternity has been established. The declaration shall be made within five years of the entry into force of this Act.

Section 59

Citizenship declarations made by adopted children under 12 years of age

An adopted child who is under 12 years of age acquires Finnish citizenship by declaration if the decision on adoption was made before the entry into force of this Act. A further requirement is that at least one of the adoptive parents is a Finnish citizen and that the adoption is valid in Finland. The declaration shall be made within five years of the entry into force of this Act.

Section 60

Citizenship declarations to be made within a fixed period of time

A former Finnish citizen acquires Finnish citizenship by declaration if he or she has lost Finnish citizenship before the entry into force of this Act under:

- 1) section 1, subsection 1 of the Act on the Loss of Finnish Citizenship (181/1927);
- 2) section 10 of the Act on Acquiring and Loss of Finnish Citizenship (325/1941);
- 3) section 8 of the Nationality Act (401/1968); or
- 4) section 8 of the Act amending the Nationality Act (584/1984).

An alien who has reached 18 years of age acquires Finnish citizenship by declaration if:

- 1) his or her parent has acquired Finnish citizenship through a procedure other than naturalisation;
and
- 2) his or her parent was a Finnish citizen at time of the entry into force of this Act or if his or her parent has died before the entry into force of this Act but was a Finnish citizen at the time of his or her death; or
- 3) his or her parent would be entitled to acquire Finnish citizenship under subsection 1 or if the requirements under subsection 1 for regaining Finnish citizenship would be met with regard to the deceased parent.

A person referred to in subsection 2 does not, however, acquire Finnish citizenship if he or she is a former Finnish citizen who has been released from Finnish citizenship on an application made by him or her.

The declaration referred to in subsections 1 and 2 shall be made within five years of the entry into force of this Act.

Section 61

Filing citizenship declarations

In addition to the provisions laid down in section 44, a declaration made under sections 58–60 may also be submitted to the relevant Finnish diplomatic mission, consulate or honorary consulate.

A declaration can also be sent to a mission by post. In such cases the declaration will not become pending until the processing fee referred to in section 44, subsection 3 has been paid. The mission shall check the applicant's identity on the basis of the declaration sent to it by post and, if necessary, by obtaining additional information. If the identity cannot be checked in any other way, the relevant Finnish diplomatic mission or the consulate headed by a career official may set the condition for the continuation of the declaration process whereby the applicant must visit the mission in person. With regard to declarations sent to it, an honorary consulate shall, if necessary, request another mission to make such a decision.

Section 62

Retention of citizenship upon reaching 22 years of age

Where Finnish citizenship is granted under sections 58 and 60, the applicant is deemed to have a sufficient connection with Finland under section 34, subsection 2 on the basis of the citizenship declaration made by him or her if the applicant has reached 18 but not 22 years of age when the decision is made.