

NO. 196 OF 1993: RESTORATION AND EXTENSION OF SOUTH AFRICAN CITIZENSHIP ACT,

STATE PRESIDENT'S OFFICE

No. 9.

5 January 1994

NO. 196 OF 1993: RESTORATION AND EXTENSION OF SOUTH AFRICAN CITIZENSHIP ACT,
1993.

ACT

To provide for the restoration and extension of South African citizenship to certain citizens of the Republics of Transkei, Bophuthatswana, Venda and Ciskei with effect from 1 January 1994; and to provide for matters connected therewith.

(Afrikaans text signed by the State President.) (Assented to 22 December 1993.)

BE IT ENACTED by the State President and the Parliament of the Republic of South Africa, as follows:-

Definitions

1. In this Act, unless the context otherwise indicates

- (i) "former South African citizen" means any person who in terms of any provision of an Act mentioned in the Schedule ceased to be a South African citizen; (iii)
- (ii) "principal Act" means the South African Citizenship Act, 1949 (Act No. 44 of 1949); (i)
- (iii) "state" means the Republic of Transkei, Bophuthatswana, Venda or Ciskei. (ii)

Restoration of South African citizenship

2. Every former South African citizen who would not have ceased to be a South African citizen in terms of any provision of the principal Act if an Act mentioned in the Schedule had not been passed, shall be a South African citizen.

Citizenship by birth or descent

3. Every person, excluding a former South African citizen, who if an Act mentioned in the Schedule had not been passed, would have been a South African citizen by birth or descent, and who would not have ceased to be such a South African citizen in terms of any provision of the principal Act if he had been
a South African citizen, shall be a South African citizen by birth or descent.

Citizenship by naturalization

4. Any person, excluding any person referred to in section 2 or 3, who in terms of an Act mentioned in the Schedule or in terms of any law of a state
was a citizen of such a state, may in accordance with section 10 of the principal Act apply for a certificate of naturalization as a South African citizen, and such application shall be granted in terms of that section if at the commencement of this Act such person complied with the requirements prescribed by that section.

Application of Acts specified in Schedule

5. With effect from 1 January 1994 no provision of an Act mentioned in the Schedule determining citizenship or depriving a person of his South African citizenship, shall apply to a person who is a South African citizen, or to who South African citizenship has been restored or extended, under section 2, 3 or 4

Interpretation of certain references in other laws to South African citizens and citizenship

6. A reference in the principal Act or in any other law

(a) to a South African citizen, or to South African citizenship, in terms of the principal Act shall for the purposes of the principal Act or any such law, unless clearly inappropriate, be construed as including a reference to a South African citizen, or to South African citizenship, in terms of this Act; or

(b) to a South African citizen, or to South African citizenship, in terms of the principal Act by birth, descent or naturalization shall for the purposes of the principal Act or any such law, unless clearly inappropriate, be construed as including a reference to a South African citizen, or to South African citizenship, in terms of this

Act

by both, descent or naturalization, as the case may be.

Repeal of Act 73 of 1986

7. The Restoration of South African Citizenship Act, 1986 (Act No 73 of 1986) hereby repealed.

Short title and commencement

8. This Act shall be called the Restoration and Extension of South African Citizenship Act, 1993, and shall come into operation on 1 January 1994.