

Issuer:	Riigikogu
Type:	act
In force from:	18.01.2017
In force until:	31.12.2018
Translation published:	13.01.2017

## Citizenship Act

Passed 19.01.1995  
RT I 1995, 12, 122  
Entry into force 01.04.1995

Amended by the following acts

Passed	Published	Entry into force
18.10.1995	RT I 1995, 83, 1442	20.11.1995
08.12.1998	RT I 1998, 111, 1827	12.07.1999
14.06.2000	RT I 2000, 51, 323	10.07.2000
14.11.2001	RT I 2001, 93, 565	01.02.2002
05.06.2002	RT I 2002, 53, 336	01.07.2002
19.06.2002	RT I 2002, 62, 376	01.08.2002
15.10.2002	RT I 2002, 90, 518	10.11.2002
29.01.2003	RT I 2003, 18, 101	01.03.2003
10.12.2003	RT I 2003, 82, 550	01.01.2004
11.02.2004	RT I 2004, 12, 80	20.03.2004
23.11.2004	RT I 2004, 84, 570	01.04.2005
10.12.2003	RT III 2004, 1, 1	10.12.2003
19.10.2005	RT I 2005, 61, 472	01.01.2006
15.06.2006	RT I 2006, 29, 224	08.07.2006
07.05.2009	RT I 2009, 27, 166	30.07.2009
20.05.2009	RT I 2009, 30, 177	01.07.2010
10.03.2010	RT I 2010, 12, 65	04.04.2010
12.06.2012	RT I, 02.07.2012, 1	01.08.2012
13.06.2012	RT I, 02.07.2012, 7	01.08.2012
13.06.2012	RT I, 10.07.2012, 3	01.04.2013
03.06.2014	RT I, 20.06.2014, 1	30.06.2014
19.06.2014	RT I, 29.06.2014, 109	01.07.2014, the official titles of ministers replaced in accordance with s. 107 <sup>3</sup> (4) of the Government of the Republic Act starting from the version in force on 01.07.2014
21.01.2015	RT I, 03.02.2015, 1	13.02.2015, partially 01.01.2016
18.02.2015	RT I, 23.03.2015, 5	01.07.2015
14.12.2016	RT I, 03.01.2017, 1	18.01.2017

## Chapter 1 General provisions

### § 1. Estonian citizen

(1) An Estonian citizen is a person who holds Estonian citizenship at the time of entry into force of this Act or a person who acquires or restores his or her Estonian citizenship in accordance with this Act.

(2) An Estonian citizen may not simultaneously hold the citizenship of another state without prejudice to the special rules established in section 3 of this Act.

[ RT I, 03.02.2015, 1 – entry into force 01.01.2016]

## **§ 2. Acquisition, resumption and loss of Estonian citizenship**

(1) Estonian citizenship is:

- 1) acquired by birth;
- 2) acquired by naturalisation;
- 3) restored to a person who lost his or her Estonian citizenship as a minor;
- 4) lost through release from or deprivation of Estonian citizenship or as a result of the acceptance of the citizenship of another state.

(2) Estonian citizenship is acquired, restored or lost under the conditions and following the procedure provided in this Act.

(3) The provisions of the Administrative Procedure Act apply to administrative proceedings provided in this Act without prejudice to the rules specific to this Act.

[ RT I 2006, 29, 224 – entry into force 08.07.2006]

## **§ 2<sup>1</sup>. Database of persons who have acquired or lost Estonian citizenship, or to whom Estonian citizenship has been restored**

(1) The constitutive regulations for keeping the database of persons who have acquired or lost Estonian citizenship, or to whom Estonian citizenship has been restored (hereinafter, 'the database') are established by a regulation of the minister responsible for the area.

(2) The database is kept in order to process data for the purpose of conducting the proceedings specified in this Act and to keep records of persons who have acquired or lost Estonian citizenship, or to whom Estonian citizenship has been restored, and of their applications.

(3) The data that serve as the basis for an entry in the database have legal significance. The remaining data are for information only.

[RT I 2009, 27, 166 – entry into force 30.07.2009]

## **§ 2<sup>2</sup>. State fee**

(1) The state fee is paid in the amount provided in the State Fees Act for the performance of the following acts and for the processing of the applications for the taking of the following administrative decisions:

- 1) considering an application for acquisition of Estonian citizenship;
- 2) considering an application for resumption of Estonian citizenship;
- 3) considering an application for release from Estonian citizenship.

(2) If the application is not considered, the state fee is not refunded.

[ RT I, 03.02.2015, 1 – entry into force 01.01.2016]

## **§ 3. Special rules concerning the holding of multiple citizenships**

[ RT I, 03.02.2015, 1 – entry into force 01.01.2016]

(1) A person who as a minor acquires Estonian citizenship as well as the citizenship of another state must renounce either his or her Estonian citizenship or his or her citizenship of the other state within three years after attaining the age of 18 years.

(2) The requirement of release from the previous citizenship does not apply to a person who applies for the acquisition or resumption of Estonian citizenship if that person has been granted international protection by the Republic of Estonia or another member state of the European Union, the situation in his or her country of origin has not changed significantly and, for that reason, the person cannot renounce his or her previous citizenship.

[ RT I, 03.02.2015, 1 – entry into force 01.01.2016]

## **§ 4. Certificate of citizenship**

A certificate of citizenship is issued following the procedure provided in this Act to everyone who acquires or restores his or her Estonian citizenship.

# **Chapter 2**

## **Conditions for acquisition of Estonian citizenship**

## **§ 5. Acquisition of Estonian citizenship by birth**

(1) Estonian citizenship is acquired by birth by:

- 1) any child at least one of whose parents holds Estonian citizenship at the time of the birth of the child;

2) any child who is born after the death of his or her father who, at the time of his death, held Estonian citizenship.

(2) Any child who is found in Estonia and whose parents are unknown is declared by order of the court, at the application of the guardian of the child, to have acquired Estonian citizenship by birth.  
[ RT I, 03.02.2015, 1 – entry into force 01.01.2016]

(2<sup>1</sup>) At the written application of an adoptive parent who is an Estonian citizen, by decision of the governmental authority authorised by the Government of the Republic, a minor alien child is deemed to have acquired Estonian citizenship by birth, provided the adoptive parent was an Estonian citizen at the time of the birth of the child.  
[ RT I, 03.02.2015, 1 – entry into force 01.01.2016]

(2<sup>2</sup>) If the written application is submitted by an adoptive parent who was not an Estonian citizen at the time of the birth of the child, a minor alien child, by decision of the governmental authority authorised by the Government of the Republic, is deemed to have acquired Estonian citizenship as of the date on which Estonian citizenship was granted to the adoptive parent.  
[ RT I, 03.02.2015, 1 – entry into force 01.01.2016]

(3) No one may be deprived of an Estonian citizenship acquired by birth.

(4) The decision specified in subsections 2<sup>1</sup> and 2<sup>2</sup> of this section is made within two months following the submission of an application.  
[ RT I 2003, 18, 101 – entry into force 01.03.2003]

## **§ 6. Conditions for acquiring Estonian citizenship**

An alien who wishes to acquire Estonian citizenship must:

- 1) be at least 15 years of age;
- 2) hold a long-term residence permit or the right of permanent residence;  
2<sup>1</sup>) prior to the date on which he or she submits the application for Estonian citizenship, have lived in Estonia for at least eight years on the ground of a residence permit or by right of residence, of which at least five years on a permanent basis;  
[ RT I, 03.02.2015, 1 – entry into force 01.01.2016]
- 2<sup>2</sup>) [repealed – RT I, 03.02.2015, 1 – entry into force 01.01.2016]
- 2<sup>3</sup>) have a registered place of residence in Estonia;
- 3) be proficient in the Estonian language in accordance with the requirements provided in section 8 of this Act;
- 4) know the Constitution of the Republic of Estonia and the Citizenship Act in accordance with the requirements provided in section 9 of this Act;
- 5) have a permanent legal income;  
[ RT I, 03.02.2015, 1 – entry into force 13.02.2015]
- 6) be loyal to the Estonian state;
- 7) take an oath: "*Taotledes Eesti kodakondsust, tõotan olla ustav Eesti põhiseaduslikule korrale.*" [In applying for Estonian citizenship, I swear to be loyal to the constitutional order of Estonia.]  
[ RT I 2006, 29, 224 – entry into force 08.07.2006]

## **§ 7. Legal permanent income**

The following are deemed to be permanent legal income:

- 1) remuneration earned lawfully under a contract of employment, contract of service, civil law contract or membership;
- 2) income obtained from lawful business activity or property;
- 3) pensions;
- 4) grants;
- 5) maintenance payments;
- 6) benefits paid under a law;  
[ RT I 2005, 61, 472 – entry into force 01.01.2006]
- 7) maintenance provided by a family member with a permanent legal income.  
[ RT I, 03.02.2015, 1 - jõust. 13.02.2015]

## **§ 8. Requirements for and assessment of proficiency in the Estonian language**

(1) For the purposes of this Act, proficiency in the Estonian language means general proficiency in basic Estonian needed in everyday life which corresponds to the proficiency level B-1 specified in the Language Act or to an equivalent level.  
[ RT I, 02.07.2012, 7 – entry into force 01.08.2012]

(2) The proficiency requirements in the Estonian language for a person who wants to acquire Estonian citizenship are the following:

- 1) the applicant is able to cope in most everyday situations;
- 2) the applicant is able to describe experiences, events, dreams and goals and can briefly give reasons for and explain his or her views and intentions;
- 3) the applicant is able to fully understand the gist on familiar topics such as work, school and leisure;
- 4) the applicant is able to compose a simple text on a topic which he or she is familiar with or takes an interest in.

[RT I, 02.07.2012, 7 – entry into force 01.08.2012]

(3) The applicant's proficiency in the Estonian language is assessed by way of examination. The procedure for holding examinations is established by the Government of the Republic.

(4) An applicant who passes the examination is issued a corresponding certificate.

(5) Applicants who have acquired a basic, secondary or higher education in the Estonian language are not required to take the examination.

(6) The applicants referred to in section 35(3) of this Act take the examination to the extent and in the manner set out in the decision of the expert committee referred to in section 35(7) of this Act.

[RT I, 02.07.2012, 7 – entry into force 01.08.2012]

### **§ 8<sup>1</sup>. Reimbursement of language training expenses**

(1) Up to one hundred percent of the fee for Estonian language training paid to the keeper of a continued education institution that holds an authorisation for conducting continuing education courses for the Estonian language targeted to the preparation of participants for proficiency examination by a person who has passed the Estonian language examination provided for in section 8(3) of this Act and the examination on the knowledge of the Constitution of the Republic of Estonia and the Citizenship Act provided for in section 9(2) of this Act will be reimbursed to that person within the limit established by the Government of the Republic.

[RT I, 23.03.2015, 5 – entry into force 01.07.2015]

(2) The Ministry for Education and Research arranges the reimbursement of language training expenses. The minister responsible for the area may enter into a regulatory contract with a government foundation to effect reimbursement of language training expenses. Supervision over the performance of the regulatory contract is exercised by the Ministry for Education and Research.

[RT I, 02.07.2012, 7 – entry into force 01.08.2012]

(3) In order to have his or her language training expenses reimbursed, an applicant who has passed the Estonian language examination and the examination on knowledge of the Constitution of the Republic of Estonia and the Citizenship Act, submits to the Ministry for Education and Research or to the government foundation referred to in subsection 2 of this section, not later than within three months after passing both examinations, the corresponding application together with a copy of an identity document and a document certifying the payment of language training expenses or an officially certified copy thereof.

[RT I, 02.07.2012, 7 – entry into force 01.08.2012]

(4) The Ministry for Education and Research or the government foundation referred to in subsection 2 of this section reimburses, not later than within two months from the date of the submission of the corresponding application, the language training expenses to the bank account stated in the application of the applicant who has passed the Estonian language examination and the examination on knowledge of the Constitution of the Republic of Estonia and the Citizenship Act.

[RT I, 02.07.2012, 7 – entry into force 01.08.2012]

### **§ 9. Requirements for and assessment of knowledge of the Constitution of the Republic of Estonia and of the Citizenship Act**

(1) A person who wishes to acquire Estonian citizenship must know:

- 1) the general principles of the Estonian constitutional order which are provided in Chapters I and III of the Constitution of the Republic of Estonia;
- 2) the fundamental rights, freedoms and duties of every person which are provided in Chapter II of the Constitution of the Republic of Estonia;
- 3) the powers of the *Riigikogu*, the President of the Republic, the Government of the Republic and the courts of law as provided in the Constitution of the Republic of Estonia;
- 4) the conditions and procedure for acquisition, restoration and loss of Estonian citizenship as provided in the Citizenship Act.

(2) Knowledge of the Constitution of the Republic of Estonia and the Citizenship Act is assessed by way of examination which is held in Estonian. The procedure for the holding of the examination is established by the Government of the Republic.

(2<sup>1</sup>) The Ministry for Education and Research prepares and arranges the examination, coordinates the preparation of examination materials and issues examination certificates.

[RT I, 02.07.2012, 7 – entry into force 01.08.2012]

(2<sup>2</sup>) The minister responsible for the area may enter into a regulatory contract with a government foundation for the purpose of preparing and arranging the examination, coordinating the preparation of the examination materials and issuance of examination certificates. The Ministry of Education and Research exercises supervision over the performance of the regulatory contract.

[RT I, 02.07.2012, 7 – entry into force 01.08.2012]

(3) An applicant who passes the examination is issued the corresponding certificate.

(4) Applicants referred to in section 35(3) of this Act take the examination to the extent and in the manner set out in the decision of the expert committee referred to in section 35(7) of this Act.

[RT I, 02.07.2012, 7 – entry into force 01.08.2012]

(5) The Government of the Republic establishes a database to keep record of the examinations on knowledge of the Constitution of the Republic of Estonia and the Citizenship Act and of the certificates issued (hereinafter, 'the database of examinations and certificates') which is part of the government information system.

[RT I 2010, 12, 65 – entry into force 04.04.2010]

(6) The constitutive regulations of the database of examinations and certificates are established by the Government of the Republic.

[RT I 2010, 12, 65 – entry into force 04.04.2010]

(7) With respect to the database of examinations and certificates, the Ministry for Education and Research is the data controller.

[RT I 2010, 12, 65 – entry into force 04.04.2010]

(8) Persons in whose respect the database of examinations and certificates contains a record have the right to access any data concerning themselves in that database; other persons may access such data if this is required in order to perform a function provided by an Act of the *Riigikogu* or an international agreement.

[RT I 2010, 12, 65 – entry into force 04.04.2010]

#### **§ 10. Acquisition of Estonian citizenship for achievements of special merit**

(1) The application of the requirements provided in points 2–4 of section 6 of this Act is not mandatory with regard to persons whose achievements are of special merit to the Estonian state.

(2) Achievements of special merit may be achievements in the area of science, culture, sports or in other areas.

(3) Estonian citizenship for achievements of special merit may be granted to not more than ten persons in a year.

(4) Proposals for granting citizenship for achievements of special merit may be made by members of the Government of the Republic.

(5) The Government of the Republic must substantiate its decisions to grant citizenship for achievements of special merit. Refusals to grant citizenship for achievements of special merit are not substantiated.

(6) The name of the member of the Government of the Republic who made the proposal for a grant of citizenship and the reasons for which the citizenship was granted are published in the *Riigi Teataja*.

[RT I 2006, 29, 224 – entry into force 08.07.2006]

#### **§ 11. Staying in Estonia on a permanent basis**

[Repealed – RT I, 03.02.2015, 1 – entry into force 13.02.2015]

#### **§ 12. Documents to be submitted for acquisition of Estonian citizenship**

(1) In order to acquire Estonian citizenship, the applicant submits the corresponding application to which he or she annexes documents proving facts that bear relevance to the taking of the decision on the grant of Estonian citizenship.

[RT I, 03.01.2017, 1 - entry into force 18.01.2017]

(2) When submitting the application for the acquisition of Estonian citizenship, the applicant must prove that he or she has been or will be released from his or her previous citizenship in relation to his or her acquisition of Estonian citizenship or that he or she has been declared a stateless person.

(3) Subsection 2 of this section does not apply to persons referred to in section 3(2) of this Act.

(4) The list of particulars to be presented in the application for the acquisition of Estonian citizenship, and of documents to be annexed to the application, and the requirements for the submission of the application are established by a regulation of the minister responsible for the area.  
[RT I, 03.01.2017, 1 - entry into force 18.01.2017]

## **Chapter 3**

### **Conditions for acquisition of Estonian citizenship as a minor**

#### **§ 13. Acquisition of Estonian citizenship as a minor**

(1) A minor under 15 years of age is granted Estonian citizenship if this is applied for on behalf of the minor by the minor's parents who are Estonian citizens, or by one parent who is an Estonian citizen following an agreement with the parent who is not an Estonian citizen which bears officially certified signatures of the parties, or by the minor's single parent who is an Estonian citizen.  
[RT I, 03.02.2015, 1 – entry into force 13.02.2015]

(2) A minor under 15 years of age on whose behalf the application for Estonian citizenship is made in accordance with subsection 1 of this section must reside permanently in Estonia on the basis of an Estonian residence permit or the right of residence.  
[RT I, 03.02.2015, 1 – entry into force 01.01.2016]

(2<sup>1</sup>) A minor under 1 year of age on whose behalf the application for Estonian citizenship is made in accordance with subsection 1 of this section must be staying in Estonia, but is not required to hold an Estonian residence permit or the right of residence in Estonia.  
[RT I, 03.02.2015, 1 – entry into force 01.01.2016]

(3) A minor under 15 years of age who has been assigned a guardian is granted Estonian citizenship at the application of the minor's guardian who is an Estonian citizen, provided the minor resides permanently in Estonia on the basis of an Estonian residence permit or the right of residence.  
[RT I, 03.02.2015, 1 – entry into force 01.01.2016]

(3<sup>1</sup>) A minor under 1 year of age who has been assigned a guardian is granted Estonian citizenship at the application of the minor's guardian who is an Estonian citizen, provided the minor is staying in Estonia, regardless of whether or not the minor holds an Estonian residence permit or the right of residence in Estonia.  
[RT I, 03.02.2015, 1 – entry into force 01.01.2016]

(4) A minor under 15 years of age who was born in Estonia or who immediately after birth takes up permanent residence in Estonia together with his or her parent(s) is granted Estonian citizenship by naturalisation as of the moment of his or her birth, provided his or her parents or single parent whom no state recognises under valid laws as its citizen have or has lawfully resided in Estonia for at least five years by the moment of the child's birth.  
[RT I, 03.02.2015, 1 – entry into force 01.01.2016]

(5) In order to renounce the Estonian citizenship granted in accordance with subsection 4 of this section, before the child attains the age of one year, the parents or the single parent who raises the child have the right to submit the corresponding application to the governmental authority authorised by the Government of the Republic.  
[RT I, 03.01.2017, 1 - entry into force 18.01.2017]

(5<sup>1</sup>) In the case set out in subsection 5 of this section, the child is considered to be a person whom no state recognises under valid laws as its citizen until Estonia or another state grants him or her citizenship.  
[RT I, 03.02.2015, 1 – entry into force 01.01.2016]

(6) The definition provided in subsections 4 and 5<sup>1</sup> of this section concerning persons whom no state recognises under valid laws as its citizens also extends to persons who, before 20 August 1991, were citizens of the Union of Soviet Socialist Republics and who have not been recognised by any other state, under the relevant valid laws, to be citizens of that state.  
[RT I, 03.02.2015, 1 – entry into force 01.01.2016]

#### **§ 14. Acquisition of Estonian citizenship as a minor together with a parent**

[RT I, 03.02.2015, 1 – entry into force 01.01.2016]

(1) A minor under 15 years of age is granted Estonian citizenship together with his or her parent who is applying for Estonian citizenship at the application of the minor's parents or single parent, provided the minor resides permanently in Estonia on the basis of an Estonian residence permit or the right of residence.

(2) A minor under 1 year of age is granted Estonian citizenship together with his or her parent who is applying for Estonian citizenship at the application of the minor's parents or single parent, provided the minor is staying in Estonia, regardless of whether or not the minor holds an Estonian residence permit or the right of residence in Estonia.

[ RT I, 03.02.2015, 1 – entry into force 01.01.2016]

#### **§ 14<sup>1</sup>. Single parent**

A parent is deemed to be a single parent if:

1) the population register records no information concerning the child's other parent or the information in the population register has been entered on the basis of statements made by one parent only;

[ RT I 2009, 30, 177 – entry into force 01.07.2010]

2) the other parent has been stripped of all of his or her custody rights;

[ RT I, 03.02.2015, 1 – entry into force 13.02.2015]

3) the other parent is declared to be a fugitive pursuant to the procedure established by law and he or she has been a fugitive for one year;

4) the other parent has restricted active legal capacity or is missing;

[ RT I 2002, 53, 336 – entry into force 01.07.2002]

5) the other parent is dead;

6) the parents are not married to one another or if the parents divorce and the child remains with the parent residing in Estonia, whilst the other parent does not live in Estonia and has lost contact with the child and the parent raising the child.

#### **§ 15. Documents to be submitted in order for a minor to acquire Estonian citizenship**

(1) The list of particulars to be presented in the applications submitted in the cases provided in sections 13 and 14 of this Act regarding the acquisition of Estonian citizenship by a minor under 15 years of age, the list of documents to be annexed to those applications and the requirements for the submission of the applications are established by a regulation of the minister responsible for the area.

[RT I, 03.01.2017, 1 - entry into force 18.01.2017]

(2) [Repealed – RT I, 03.02.2015, 1 – entry into force 01.01.2016]

(3) [Repealed – RT I, 03.02.2015, 1 – entry into force 01.01.2016]

## **Chapter 4 Conditions for resumption of Estonian citizenship**

#### **§ 16. Entitlement to restoration of Estonian citizenship**

(1) Anyone who has lost his or her Estonian citizenship as a minor is entitled to its restoration.

(1<sup>1</sup>) Persons in respect of whom the provisions of section 13(5) or 36<sup>3</sup>(2) have been applied at the request of their parents or single parent are also regarded as persons who have lost their Estonian citizenship as a minor.

[ RT I, 03.02.2015, 1 – entry into force 01.01.2016]

(2) A person who wishes his or her Estonian citizenship to be restored must reside permanently in Estonia on the basis of an Estonian residence permit or the right of residence.

[ RT I, 03.02.2015, 1 – entry into force 01.01.2016]

#### **§ 17. Documents to be submitted for the restoration of Estonian citizenship**

(1) In order to restore his or her Estonian citizenship, the applicant must submit the corresponding application to which he or she annexes documents proving facts that bear relevance to the taking of the decision on the restoration of Estonian citizenship.

[RT I, 03.01.2017, 1 - entry into force 18.01.2017]

(2) When submitting the application for the restoration of Estonian citizenship, the applicant must prove that he or she has been or will be released from his or her previous citizenship in relation to his or her acquisition of Estonian citizenship or that he or she has been declared a stateless person.

(3) Subsection 2 of this section does not apply to persons referred to in section 3 of this Act.

(4) The list of particulars to be presented in the application for the restoration of Estonian citizenship, the list of documents to be annexed to the application and the requirements for the submission of the application are established by a regulation of the minister responsible for the area.

## **Chapter 5**

### **Procedure for the acquisition of Estonian citizenship and for the restoration of Estonian citizenship**

#### **§ 18. Submission of documents**

(1) A person who wishes to acquire Estonian citizenship or to restore his or her Estonian citizenship submits the required documents to the governmental authority authorised by the Government of the Republic.

(2) On behalf of a minor under 15 years of age or an adult with restricted active legal capacity, the documents referred to in subsection 1 of this section are to be submitted and the steps specified in this Act are to be taken by his or her parent or his or her guardian who is an Estonian citizen.

[ RT I, 03.02.2015, 1 – entry into force 13.02.2015]

#### **§ 19. Registration and consideration of documents submitted for acquiring Estonian citizenship or for restoration of Estonian citizenship**

(1) An application for the acquisition of Estonian citizenship or for the restoration of Estonian citizenship is registered and accepted for consideration by the governmental authority authorised by the Government of the Republic provided that, together with the application, the applicant submits all documents that applicants for Estonian citizenship are required to present and that are listed in section 12(4) or, in the case of a minor under 15 years of age, in section 15 of this Act, or all documents that are required for the restoration of Estonian citizenship and that are listed in section 17(4) of this Act.

[ RT I, 03.02.2015, 1 – entry into force 01.01.2016]

(2) The governmental authority authorised by the Government of the Republic issues a certificate to the applicant regarding the registration and acceptance for consideration of his or her application; the format of the certificate is established by regulation of the minister responsible for the area.

[ RT I, 03.02.2015, 1 – entry into force 01.01.2016]

(3) Within six months following the registration and acceptance for consideration of an application for the acquisition of Estonian citizenship, the governmental authority authorised by the Government of the Republic transmits that application, together with its substantiated proposal, to the Government of the Republic for taking a decision on the grant of Estonian citizenship.

[ RT I, 03.02.2015, 1 – entry into forces 01.01.2016]

(4) Within three months following the registration of an application for the acquisition of Estonian citizenship on behalf of a minor under 15 years of age, the governmental authority authorised by the Government of the Republic transmits that application, together with its substantiated proposal, to the Government of the Republic for taking a decision on the grant of Estonian citizenship.

[ RT I, 03.02.2015, 1 – entry into force 01.01.2016]

(4<sup>1</sup>) [Repealed – RT I, 03.02.2015, 1 – entry into force 01.01.2016]

(5) Within six months following the registration of an application for the restoration of Estonian citizenship, the governmental authority authorised by the Government of the Republic transmits that application, together with its substantiated proposal, to the Government of the Republic for taking a decision on the restoration of Estonian citizenship.

[ RT I, 03.02.2015, 1 – entry into force 01.01.2016]

(6) [Repealed – RT I, 03.02.2015, 1 – entry into force 01.01.2016]

#### **§ 20. Decision on the grant or restoration of Estonian citizenship**

(1) Decisions on the grant or restoration of Estonian citizenship are taken by the Government of the Republic, except where Estonian citizenship is acquired under section 13(4) of this Act.

[ RT I, 03.02.2015, 1 – entry into force 01.01.2016]

(2) An order of the Government of the Republic on the grant or restoration of Estonian citizenship enters into force as of the date of its execution, unless a different date is specified in the order.

(3) In accordance with the order of the Government of the Republic to grant or restore an Estonian citizenship to the person who requests it, the governmental authority authorised by the Government of the Republic issues a citizenship certificate to the applicant.

#### **§ 21. Refusal to grant or restore Estonian citizenship**

(1) Estonian citizenship is not granted or restored to an applicant who:



1) by submitting false information when applying for Estonian citizenship, has concealed facts which preclude the grant or restoration of Estonian citizenship;

[ RT I, 02.07.2012, 1 – entry into force 01.08.2012]

2) does not observe the constitutional order and laws of Estonia;

3) has engaged in actions against the Estonian state and Estonian national security;

4) has committed a criminal offence for which he or she was sentenced to imprisonment for more than one year and whose conviction has not been spent or who has been repeatedly convicted of intentionally committed criminal offences;

5) has been employed or is currently employed by foreign intelligence or security services;

6) has served as a commissioned member of the armed forces of a foreign state or who has been assigned to the reserve forces of such state or has retired from such forces, as well as to his or her spouse who entered Estonia due to the member of the armed forces being seconded in relation to service, assignment to the reserve or retirement.

(1<sup>1</sup>) As an exception, Estonian citizenship may be granted or restored to a person who has been repeatedly convicted of intentionally committed criminal offences and whose convictions have been spent, taking into consideration the circumstances related to the commission of the criminal offences and the person of the offender.

[ RT I 2006, 29, 224 – entry into force 08.07.2006]

(2) Estonian citizenship may be granted or restored to a person who has retired from the armed forces of a foreign state if the person has been married for at least five years to a person who acquired Estonian citizenship by birth, provided the marriage has not been divorced.

(3) Estonian citizenship is not granted to a person whose parent or guardian, when applying for Estonian citizenship for the person, submitted false information concerning facts which bear relevance to taking the decision on the grant of Estonian citizenship.

[ RT I, 03.02.2015, 1 – entry into force 13.02.2015]

## **Chapter 6**

### **Conditions and procedure for loss of Estonian citizenship**

#### **§ 22. Loss of Estonian citizenship**

A person ceases to be an Estonian citizen:

- 1) when he or she is released from Estonian citizenship;
- 2) when he or she is deprived of Estonian citizenship;
- 3) when he or she accepts the citizenship of another state.

#### **§ 23. Documents to be submitted for release from Estonian citizenship**

(1) In order to be released from Estonian citizenship, the applicant must submit the corresponding application to which he or she annexes documents proving facts that bear relevance to the taking of the decision on releasing the applicant from Estonian citizenship.

[RT I, 03.01.2017, 1 - entry into force 18.01.2017]

(2) The list of particulars to be presented in the application for release from Estonian citizenship, the list of documents to be annexed to the application and the requirements for the submission of the application are established by a regulation of the minister responsible for the area.

[RT I, 03.01.2017, 1 - entry into force 18.01.2017]

#### **§ 24. Submission of documents**

(1) Documents for release from Estonian citizenship must be submitted to the governmental authority authorised by the Government of the Republic, or to an Estonian foreign representation if the person resides permanently in a foreign state.

(2) On behalf of a minor under 15 years of age or an adult with restricted active legal capacity, the documents referred to in subsection 1 of this section are submitted by his or her parent or guardian.

[ RT I, 03.02.2015, 1 – entry into force 13.02.2015]

#### **§ 25. Registration and consideration of documents submitted for release from Estonian citizenship**

(1) The documents submitted for release from Estonian citizenship are registered and accepted for consideration in the governmental authority authorised by the Government of the Republic.

(2) The governmental authority authorised by the Government of the Republic issues a certificate to the applicant regarding the registration and acceptance for consideration of his or her documents; the format of the certificate is established by regulation of the minister responsible for the area.  
[ RT I, 03.02.2015, 1 – entry into force 01.01.2016]

(3) Within one year after the date on which the applicant's documents are registered, the governmental authority authorised by the Government of the Republic submits the documents to the Government of the Republic for taking a decision on the release of the applicant from Estonian citizenship.

#### **§ 26. Restrictions on release from Estonian citizenship**

Release from Estonian citizenship may be refused if:

- 1) the release will render the applicant stateless;
- 2) the applicant has outstanding obligations before the Estonian government;
- 3) [repealed – RT I, 10.07.2012, 3 – entry into force 01.04.2013]

#### **§ 27. Decision on release from Estonian citizenship**

The decision on release from Estonian citizenship is taken by the Government of the Republic.

#### **§ 28. Deprivation of Estonian citizenship**

(1) A person is deprived of Estonian citizenship by an order of the Government of the Republic if he or she:

- 1) while an Estonian citizen, enters the public service or military service of a foreign state without the permission of the Government of the Republic;
- 2) joins the intelligence or security service of a foreign state or an armed organisation of such a state, which is set up in accordance with military principles or which engages in military exercises;
- 3) has attempted to change the constitutional order of Estonia by force;
- 4) when acquiring Estonian citizenship or in relation to the restoration to him or her of Estonian citizenship, submits false information or conceals facts which would have precluded the grant or restoration of Estonian citizenship to him or her;
- 5) is a citizen of another state but has not been released from Estonian citizenship.

(2) No one may be deprived of Estonian citizenship because of his or her beliefs.

(3) Subsection 1 of this section does not apply to persons who have acquired Estonian citizenship by birth.

(4) Clause 5 of subsection 1 of this section also applies to persons who acquired Estonian citizenship as minors, subject to the special rule established in section 3(1) of this Act.  
[ RT I, 03.02.2015, 1 – entry into force 01.01.2016]

#### **§ 29. Loss of Estonian citizenship due to acceptance of the citizenship of another state or renunciation of Estonian citizenship**

(1) The governmental authority authorised by the Government of the Republic deems a person to have ceased to be an Estonian citizen when the person accepts the citizenship of another state or when he or she renounces Estonian citizenship in favour of the citizenship of another state.

(2) Subsection 1 of this section also applies to persons who acquired Estonian citizenship as minors, subject to the special rule established in section 3(1) of this Act.  
[ RT I, 03.02.2015, 1 – entry into force 01.01.2016]

#### **§ 30. Return of documents constituting proof of Estonian citizenship**

A person who has lost Estonian citizenship returns the documents which constitute proof of his or her Estonian citizenship to the governmental authority authorised by the Government of the Republic.

## **Chapter 7 Final provisions**

#### **§ 31. Consent to grant or restore Estonian citizenship to a minor, or to release a minor from Estonian citizenship**

In order to acquire Estonian citizenship, to have his or her Estonian citizenship restored or to be released from Estonian citizenship, a minor of 15 to 18 years of age must have the consent of his or her parent or guardian.  
[ RT I, 03.02.2015, 1 – entry into force 13.02.2015]

#### **§ 32. Grant of citizenship to a person who has been erroneously defined as an Estonian citizen**

[ RT I, 02.07.2012, 1 – entry into force 01.08.2012]

(1) Having regard to subsections 2 and 3 of this section, the governmental authority authorised by the Government of the Republic recognises a person who has been erroneously acknowledged by such authority to be an Estonian citizen in the course of a procedure of issuing an Estonian identity document, to have acquired Estonian citizenship on the legal ground under which he or she was erroneously acknowledged as an Estonian citizen.

(2) The governmental authority authorised by the Government of the Republic may refuse to recognise the acquisition of Estonian citizenship on the grounds specified in subsection 1 of this section by the person whom that authority erroneously acknowledged to be an Estonian citizen in the course of a procedure of issuing an Estonian identity document if, in respect of that person, the circumstances listed under points 2–6 of section 21(1) or points 2 or 3 of section 28(1) of this Act apply.

(3) The governmental authority authorised by the Government of the Republic may refuse to recognise the acquisition of Estonian citizenship on the grounds specified in subsection 1 of this section by a person whom that authority erroneously acknowledged to be an Estonian citizen in the course of a procedure of issuing an Estonian identity document if it is established that he or she was acknowledged to be an Estonian citizen in the course of the procedure of issuing an Estonian identity document as a result of the submission of a forged document or a document containing false information or as a result of a knowing submission of false information.

(4) Subsection 1 of this section applies and subsections 2 and 3 do not apply to any person whom the governmental authority authorised by the Government of the Republic erroneously acknowledged to be an Estonian citizen due to the status of another person whom that authority had erroneously acknowledged to be an Estonian citizen in the course of a procedure of issuing an Estonian identity document.

(5) The governmental authority authorised by the Government of the Republic may choose not to apply subsection 1 of this section in respect of the person concerned if this is requested by the person, provided he or she is at least 15 years of age.

(6) Where the person concerned is under 15 years of age or has restricted active legal capacity, the governmental authority authorised by the Government of the Republic may choose not to apply subsection 1 of this section if this is requested by the statutory representative of the person concerned.

(7) The decision of the governmental authority authorised by the Government of the Republic to recognise, in accordance with subsection 1 of this section, the acquisition of Estonian citizenship by a person who is a citizen of another state, enters into force on the day following the day that person submits to the authority a certificate which shows that the person has been released from the citizenship of the other state.

(8) The decision to grant Estonian citizenship by naturalisation or to grant an Estonian residence permit or the right of residence in Estonia to the person concerned becomes invalid as of the day the decision to recognise the acquisition by that person of Estonian citizenship in accordance with subsection 1 of this section enters into force.

[ RT I, 03.02.2015, 1 – entry into force 13.02.2015]

(9) When subsection 1 of this subsection is applied in respect of a person, until the decision is taken to recognise his or her acquisition of Estonian citizenship on that ground, the rights and obligations deriving from his or her status as an alien or as a person who has acquired Estonian citizenship by naturalisation are deemed to have arisen lawfully.

[RT I, 02.07.2012, 7 – entry into force 01.08.2012]

### **§ 33. Special conditions for acceptance of documents and the calculation of time periods**

The requirement of holding a long-term residence permit or the right of permanent residence provided in clause 2 of section 6 of this Act does not apply in respect of applicants for Estonian citizenship who settled in Estonia or were born in Estonia before 1 July 1990.

[ RT I, 03.02.2015, 1 – entry into force 01.01.2016]

### **§ 34. Special requirements regarding proficiency in the Estonian language**

(1) Applicants for Estonian citizenship who are not less than 65 years of age are exempt from the requirements provided in section 8(2)(4) of this Act when taking the language examination.

[ RT I, 03.02.2015, 1 – entry into force 13.02.2015]

(2) [Repealed – RT I 2000, 51, 323 – entry into force 10.07.2000]

(3) [Repealed – RT I 2000, 51, 323 – entry into force 10.07.2000]

(4) [Repealed – RT I 2000, 51, 323 – entry into force 10.07.2000]

### § 35. Special conditions for acquisition of Estonian citizenship

- (1) Adults with restricted active legal capacity who apply for Estonian citizenship are exempt from compliance with the conditions provided in clauses 3–7 of section 6 of this Act.
- (2) Persons who, for health reasons, are unable to comply with the conditions provided in clauses 3 and 4 of section 6 of this Act, are exempt from complying with these conditions.
- (3) Persons who, for health reasons, are unable to fully comply with the requirements provided in points 3 and 4 of section 6 of this Act take the examination specified in sections 8 and 9 of this Act to an extent and in a manner that the state of their health allows.
- (3<sup>1</sup>) Where a person who applies for Estonian citizenship after having turned 15 years of age, and who has, prior to attaining that age, stayed in Estonia for a period of at least 8 years, regardless of whether, during that period, he or she held a residence permit or enjoyed the right of residence, does not meet the requirements provided at clauses 2 and 2<sup>1</sup> of section 6 of this Act, the following requirements are applied instead of those requirements:  
[ RT I, 03.02.2015, 1 – entry into force 01.01.2016 ]
- 1) he or she has not established a permanent residence in another country;
  - 2) at the time of being granted Estonian citizenship, he or she holds a valid residence permit or enjoys the right of residence and
  - 3) in accordance with the corresponding residence permit or the right of residence, he or she has resided in Estonia for six months after the day following the date of registration of his or her application for Estonian citizenship.  
[ RT I, 20.06.2014, 1 – entry into force 30.06.2014 ]
- (4) [Repealed – RT I, 03.02.2015, 1 – entry into force 01.01.2016]
- (5) [Repealed – RT I, 03.02.2015, 1 – entry into force 01.01.2016]
- (6) With regard to the persons referred to in subsection 2 of this section, an expert committee takes a decision which exempts them from complying with the requirements specified in clauses 3 and 4 of section 6 of this Act.  
[ RT I, 03.02.2015, 1 – entry into force 01.01.2016 ]
- (7) With regard to the persons referred to in subsection 3 of this section, in order for them to take the examination specified in sections 8 and 9 of this Act, an expert committee takes a decision regarding the manner in which the person is capable of taking the examination and the part of the examination that the person is exempted from.  
[ RT I, 03.02.2015, 1 – entry into force 01.01.2016 ]
- (8) In order to have recourse to an expert committee, the persons referred to in subsections 2 and 3 of this section submit a statement of the attending physician which confirms the person's inability, due to his or her state of health, to comply in part or in full with the requirements provided in points 3 and 4 of section 6 of this Act.  
[RT I, 02.07.2012, 7 – entry into force 01.08.2012]
- (9) An appeal against the decision of the expert committee specified in subsections 6–8 of this section may be filed in an administrative court within thirty days as of the date of receiving the decision.  
[RT I, 02.07.2012, 7 – entry into force 01.08.2012]
- (10) The conditions and procedure for determining the extent and manner of taking the Estonian language examination and the examination on knowledge of the Citizenship Act and the Constitution of the Republic of Estonia by the citizenship applicants or for exempting applicants from taking those examinations are established by the Government of the Republic.
- (10<sup>1</sup>) The provision of services required by the expert committee referred to in subsections 6–9 of this section is arranged by the Ministry for Education and Research.  
[RT I, 02.07.2012, 7 – entry into force 01.08.2012]
- (10<sup>2</sup>) The minister responsible for the area may enter into a regulatory contract with a government foundation for the purpose for arranging the provision of services to the expert committee referred to in subsections 6–9 of this section. Supervision over the performance of the regulatory contract is exercised by the Ministry for Education and Research.  
[RT I, 02.07.2012, 7 – entry into force 01.08.2012]
- (11) The expert committee specified in subsections 6–9 of this section is formed and the work arrangements thereof are established by a directive of the minister responsible for the area in coordination with the minister responsible for the area.  
[RT I, 29.06.2014, 109 – entry into force 01.07.2014, the title “Minister for Education and Research” in the middle of the sentence and the title “Minister of Social Affairs” at the end of the sentence replaced with the

phrase “minister responsible for the area” in accordance with section 107<sup>3</sup>(4) of the Government of the Republic Act]

**§ 36. [Repealed – RT I 2002, 62, 376 – entry into force 01.08.2002]**

**§ 36<sup>1</sup>. Implementation of reimbursement for language training expenses**

(1) Until 31 December 2005, up to 50 percent of the tuition fees paid for Estonian language training to a private school holding an education licence by an applicant who has passed the Estonian language examination and the examination on knowledge of the Constitution of the Republic of Estonia and the Citizenship Act are reimbursed to the applicant up to the limit established by the Government of the Republic.

(2) The tuition fees paid for Estonian language training by an applicant who has passed the Estonian language examination and the examination on knowledge of the Constitution of the Republic of Estonia and the Citizenship Act and who commenced the Estonian language training before 1 January 2004 are reimbursed to the applicant even if the educational and training institution which provided the training does not hold an education licence.

[RT I 2003, 82, 550 – entry into force 01.01.2004]

(3) The requirement provided in section 8<sup>1</sup>(1) of this Act, according to which reimbursement of the tuition fees paid for Estonian language training may be applied for on condition that the continuing education institution has been granted an authorisation to conduct Estonian language training courses targeted to preparing the participants for proficiency examination applies in the case of Estonian language training commenced after 30 June 2016. If the Estonian language training was commenced before that date, the requirements that apply to reimbursement are those that were applicable before the entry into force of this provision.

[RT I, 23.03.2015, 5 – entry into force 01.07.2015]

**§ 36<sup>2</sup>. Conduct of proceedings concerning applications to acquire or restore Estonian citizenship submitted before 1 January 2016**

(1) The conditions applicable to the acquisition or restoration of Estonian citizenship as of 1 January 2016 apply to persons who have submitted their application to acquire or restore Estonian citizenship before 1 January 2016.

(2) If a person has submitted the application to acquire or restore Estonian citizenship in the period running from 30 June to 31 December 2015, the governmental authority authorised by the Government of the Republic transmits the application within nine months following the day of its acceptance for consideration or of the rectification of its defects, to the Government of the Republic to be decided.

[RT I, 03.02.2015, 1 – entry into force 01.01.2016]

**§ 36<sup>3</sup>. Acquisition of Estonian citizenship by minors born before 1 January 2016**

(1) Minors under 15 years of age who were born in Estonia before 1 January 2016 acquire Estonian citizenship by naturalisation starting 1 January 2016 provided:

- 1) the minor’s parents or single parent, whom no state recognises under valid laws as its citizens or citizen, have or has lawfully resided in Estonia for at least 5 years;
- 2) the minor resides in Estonia on a permanent basis.

(2) When in compliance with the requirements of subsection 1 of this section, the minors referred to in subsection 1 of this section do not acquire Estonian citizenship if the minor’s parents or single parent present, before 1 January 2017, to the governmental authority authorised by the Government of the Republic an application to renounce the acquisition of Estonian citizenship by the minor.

(3) The definition provided in subsection 1 of this section concerning persons whom no state recognises under valid laws as its citizens also includes persons who were citizens of the Soviet Union before 20 August 1991 and whom no other state has recognised under valid laws as its citizens.

[RT I, 03.02.2015, 1 – entry into force 01.01.2016]

**§ 36<sup>4</sup>. Proceedings on deeming a minor under 18 years of age to have ceased to be an Estonian citizen through the acceptance of the citizenship of another state or through renunciation of Estonian citizenship**

(1) In respect of minors under 18 years of age, the proceedings opened by the governmental authority authorised by the Government of the Republic on deeming the subject of the proceedings to have ceased to be an Estonian citizen on account of acceptance of the citizenship of another state or on account of renunciation of Estonian citizenship in favour of the citizenship of another state are stayed until 1 January 2016.

(2) The proceedings referred to in subsection 1 of this section are to be completed after 1 January 2016.  
[ RT I, 03.02.2015, 1 – entry into force 13.02.2015]

**§ 37. Repeal of earlier legislation**

[Omitted from this text.]

**§ 38. Entry into force of this Act**

This Act enters into force on 1 April 1995.