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## Citizenship Act

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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 subsection 4 of § 107 <sup>3</sup> 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, in part 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
12.09.2018	RT I, 21.09.2018, 1	01.01.2019
20.02.2019	RT I, 13.03.2019, 2	15.03.2019
28.01.2020	RT I, 07.02.2020, 7	17.02.2020
03.06.2020	RT I, 16.06.2020, 1	01.08.2020
25.11.2020	RT I, 03.12.2020, 1	13.12.2020
15.06.2021	RT I, 08.07.2021, 1	15.07.2021
19.07.2022	RT I, 04.08.2022, 3	14.08.2022
20.06.2023	RT I, 06.07.2023, 6	01.01.2024

## 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 their Estonian citizenship on the basis of this Act.

(2) An Estonian citizen may not simultaneously hold the citizenship of another state without taking into account the special rules provided in § 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 their Estonian citizenship as a minor;
- 4) lost through release from or deprivation of Estonian citizenship or as a result of acceptance of the citizenship of another state.

(2) Estonian citizenship is acquired, restored or lost on the conditions and in accordance with the rules provided in this Act.

(3) The provisions of the Administrative Procedure Act apply to administrative proceedings provided in this Act taking into account the special rules of 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 database of persons who have acquired or lost Estonian citizenship, or to whom Estonian citizenship has been restored (hereinafter *database*) is a database which is established by the minister in charge of the policy sector and whose statutes are established by a regulation of the minister in charge of the policy sector.

(2) The purpose of keeping the database is to maintain public order and national security by means of processing the data of persons who have acquired or lost Estonian citizenship or to whom Estonian citizenship has been restored, and the data of the applications submitted by such persons.

(3) In order to achieve the purpose of keeping the database, the data obtained in the course of performing the tasks provided in the European Union legislation, international treaties, laws and regulations received from persons who have acquired or lost Estonian citizenship or to whom Estonian citizenship has been restored, as well as the data received as a result of submission by such persons of applications, and the data of administrative decisions issued and operations performed as part of the respective proceedings.

(3<sup>1</sup>) Upon identification and verification of the identity of any persons for the purposes of § 15<sup>5</sup> of the Identity Documents Act, the identity data of the person entered in database may be processed.

[RT I, 08.07.2021, 1 – entry into force 15.07.2021]

(4) The controller of the database is the Police and Border Guard Board. Processors of the database may be determined by the statutes of the database.

(5) The composition of the data to be recorded in the database and the term during which they are to be preserved are determined in the statutes of the database.

(5<sup>1</sup>) Biometric data processed for the purpose of identification and verification of the identity of persons is deleted from the database immediately after benchmarking.

[RT I, 08.07.2021, 1 – entry into force 15.07.2021]

(6) In private-law as well as public-law relationships, the data in the database which concern administrative decisions issued and operations performed as part of the proceedings specified in subsection 3 of this section may be regarded as data constituting the basis regarding acquisition, restoration, loss or holding of Estonian citizenship.

[RT I, 13.03.2019, 2 – entry into force 15.03.2019]

## § 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 operations and for processing of the applications for taking 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) Where the application is not considered, the state fee is not refunded  
[RT I, 03.02.2015, 1 – entry into force 01.01.2016]

### **§ 2<sup>3</sup>. Processing of personal data of specific type**

In the case of any proceedings provided in this Act, an administrative authority has the right to process health data and biometric data.

[RT I, 08.07.2021, 1 – entry into force 15.07.2021]

### **§ 2<sup>4</sup>. Automatic biometric authentication system database**

(1) The automatic biometric authentication system database (hereinafter *ABIS database*) is an electronic database which objective for the purposes of this Act is to process the biometric data collected for identification and verification of identity in the course of proceedings for acquisition or resumption of citizenship.

(2) In any proceedings provided in this Act, the data entered in the ABIS database on the bases of the Identity Documents Act, Consular Act, Code of Criminal Procedure, Imprisonment Act, Act on Granting International Protection to Aliens, Aliens Act, Obligation to Leave and Prohibition on Entry Act and Code of Misdemeanour Procedure may be processed for the purposes of identification and verification of identity.

(3) The data entered in the ABIS database on the basis of the Acts specified in subsection 2 of this section may be processed for the purposes of identification and verification of identity for ensuring public order and national security only in the case the person cannot be identified or their identity cannot be verified on the basis of the data entered in the ABIS database on the basis of this Act.

(4) The provisions of § 15<sup>5</sup> of the Identity Documents Act apply to processing of the data entered in the ABIS database.

(5) The ABIS database is established and its statutes are established by a regulation of the Government of the Republic.

(6) The controller of the ABIS database is the Police and Border Guard Board. The processor is determined in the statutes of the database.

(7) The composition of the data recorded in the ABIS database and the terms for storing the data are prescribed in the statutes of the database.

(8) The data contained in the ABIS database have restricted access and are classified as information intended for internal use.

[RT I, 08.07.2021, 1 – entry into force 15.07.2021]

### **§ 3. Special rules concerning 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 their Estonian citizenship or their 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 where that person has been granted international protection by the Republic of Estonia or another member state of the European Union, the situation in their country of origin has not changed significantly and, for that reason, the person cannot renounce their previous citizenship.

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

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

A certificate of citizenship is issued in accordance with the rules provided in this Act to everyone who acquires or restores their 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) a child at least one of whose parents holds Estonian citizenship at the time of the birth of the child;
- 2) a child who is born after the death of their father who, at the time of his death, held Estonian citizenship.

(2) A 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 a 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>) Where a 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 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 as of submission of an application. The decision is immediately made known in writing to the adoptive parent.

[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 they submit an application for Estonian citizenship, have lived in Estonia for at least eight years on the basis 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 according to the requirements provided in § 8 of this Act;
- 4) know the Constitution of the Republic of Estonia and the Citizenship Act according to the requirements provided in § 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, rõotan 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

Legal permanent income is deemed to include:

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) pension;

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 – entry into force 13.02.2015]

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

(1) For the purposes of this Act, proficiency in the Estonian language denotes general proficiency in basic Estonian needed in everyday life which corresponds to the proficiency level B-1 provided 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 wishes to acquire Estonian citizenship are the following:

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

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

(3) Proficiency in the Estonian language is assessed by way of examination. The rules for holding examinations is established by the Government of the Republic.

(4) Persons who pass the examination are issued a respective certificate.

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

(6) Persons specified in subsection 3 of § 35 of this Act take the examination to the extent and in the manner prescribed in the decision of the expert committee specified in subsection 7 of § 35 of this Act.

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

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

(1) Up to 100 per cent of the tuition fees for the Estonian language training paid to the keeper of a continued education institution that holds an authorisation for conducting continued 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 specified in subsection 3 of § 8 of this Act and the examination on the knowledge of the Constitution of the Republic of Estonia and the Citizenship Act specified in subsection 2 of § 9 of this Act is 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) Reimbursement of language training expenses is organize by the Education and Youth Authority.

[RT I, 16.06.2020, 1 – entry into force 01.08.2020]

(3) In order to have their language training expenses reimbursed, a person who has passed the Estonian language examination and the examination on the knowledge of the Constitution of the Republic of Estonia and the Citizenship Act submits, not later than within three months after passing both of the examinations, an application together with a copy of an identity document and a document certifying the payment of the language training expenses or an officially certified transcript thereof to the Education and Youth Authority.

[RT I, 16.06.2020, 1 – entry into force 01.08.2020]

(4) The Education and Youth Authority transfers the compensation for language training expenses to the bank account indicated in the application of a person who has passed the Estonian language examination and the examination on the knowledge of the Constitution of the Republic of Estonia and the Citizenship Act not later than within two months as of the date of the submission of the application.

[RT I, 16.06.2020, 1 – entry into force 01.08.2020]

### **§ 8<sup>2</sup>. Arrangements for language training**

(1) Applied higher education institutions (hereinafter even *arranger of language training*) that falls within the area of government of the Ministry of the Interior arranges the language training required for aliens to attain the level of proficiency in Estonian that is necessary in order to apply for Estonian citizenship.

(2) The minister in charge of the policy sector establishes the number of student places for language training by a regulation.

(3) Arrangements for language training cover the Estonian language training at the levels of A1, A2 and B1, as well as the entry into a language training agreement (hereinafter *agreement*) with the alien on the conditions provided in this Act, and, in the case of breach of the agreement, of collection of the cost of language training and of the sum reimbursed.

(4) The minister in charge of the policy sector may enter into administrative contracts for the arrangement of language training in which at least the following is agreed upon:

- 1) the language proficiency level taught and the number of training module hours;
- 2) the time and place for arranging language training;

- 3) arrangements for entry into and termination of the agreement;
- 4) arrangements for payment of reimbursement;
- 5) arrangements for participation in language training;
- 6) procedural arrangements for reclaiming the cost of language training and any sums reimbursed.

(5) Supervision over the performance of the administrative contract is performed by the Ministry of the Interior.

(6) Where the administrative contract is terminated unilaterally or where, for other reasons, it is impossible for the person who was entrusted with the administrative task on the basis of the administrative contract specified in subsection 4 to continue performing the administrative task, arrangements for further performance of the task are made by the applied higher education institution in the area of government of the Ministry of the Interior.  
[RT I, 21.09.2018, 1 – entry into force 01.01.2019]

### **§ 8<sup>3</sup>. Participation in language training**

(1) One-time agreements may be entered into for the purpose of completing the course of language training with aliens who wish to acquire Estonian citizenship.

(2) The agreement may be entered into with an alien:

- 1) who is at least 15 years of age;
- 2) who has lived in Estonia on the basis of a residence permit or right of residence at least five years;
- 3) who, within the last two years preceding the entry into the agreement, has not participated, at the desired level, in the Estonian language training which was funded or co-funded from the budget of the Republic of Estonia; and
- 4) in whose respect the circumstances provided in subsection 1 of § 21 of this Act do not apply.

(3) In order to enter into an agreement with a minor who is 15–18 years of age, the minor's parent or guardian must give consent.

(4) Compliance with the conditions provided in clauses 2 and 4 of subsection 2 of this section is verified by the Police and Border Guard Board at the request of the arranger of language training.

(5) By the agreement, the alien undertakes to take language training courses until they achieve the level of B1 in Estonian, to comply with the conditions provided in § 6 of this Act and to submit the application for Estonian citizenship within one year of passing the examination for the level of B1 in Estonian.

(6) Where the alien does not, within the time-limit specified in subsection 5 of this section, comply with the condition set out in subsection 2<sup>1</sup> of § 6 of this Act, they may, subject to agreement with the arranger of language training, submit the application for Estonian citizenship within three years of passing the examination for the level of B1 in Estonian.

(7) An alien who has entered into an agreement and who has been granted unpaid study leave for participating in language training, is paid, for each language proficiency level, compensation equal to 20 calendar days' pay according to their average salary in accordance with the rules established in subsection 8 of § 29 of the Employment Contracts Act. The upper limit for calculating the compensation is the Estonian annual average gross monthly salary last published by Statistics Estonia.

(8) The agreement is deemed fulfilled when the alien has complied with the conditions provided in subsections 5 and 6 of this section.

(9) Where the alien does not fulfil the agreement or where, at the time of entry into the agreement, they did not comply with the conditions for entry into thereof, the arranger of language training arranges collection from the alien of the cost of language training and of any compensation paid or sums reimbursed.

(10) The arranger of language training issues to the alien a notice of the cost of language training and of the compensation paid or sums reimbursed, which serves as the basis for the alien to repay the cost of language training, the compensation paid and sums reimbursed to them. The notice of the cost of language training, the compensation paid and the sum reimbursed constitutes an enforcement instrument the purposes of clause 21 of subsection 1 of § 2 of the Code of Enforcement Procedure.

(11) The arranger of language training may exempt the alien from the obligation to repay the cost of language training, the compensation paid and the sum reimbursed where, for valid reasons, it is impossible for the alien to perform the agreement.

(12) The arranger of language training may not charge the alien any fees for arranging the language training or for administration of the agreement.

(13) The minister in charge of the policy sector establishes the conditions and rules for entry into language training agreements, participation in language training, payment of reimbursements, calculation and repayment of the cost of language training and the sum reimbursed, as well as the list of personal particulars to be submitted by a regulation.

(14) Calculation of the cost of language training, the compensation paid and the sum to be reimbursed, which are specified in subsection 13 of this section, is based on the cost of the training module, the number of participation events within that module as well as the compensation paid and the sum reimbursed to the alien.  
[RT I, 21.09.2018, 1 – entry into force 01.01.2019]

### **§ 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 rules for holding examinations is established by the Government of the Republic.

(2<sup>1</sup>) The Education and Youth Authority co-ordinates the preparation of examinations, arranges the examinations, and issues examination certificates.

[RT I, 16.06.2020, 1 – entry into force 01.08.2020]

(2<sup>2</sup>) [Repealed – RT I, 16.06.2020, 1 – entry into force 01.08.2020]

(3) Persons who pass the examination are issued a respective certificate.

(4) Persons specified in subsection 3 of § 35 of this Act take the examination to the extent and in the manner prescribed in the decision of the expert committee specified in subsection 7 of § 35 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 examinations on knowledge of the Constitution of the Republic of Estonia and of the Citizenship Act, and to keep account of the certificates issued (hereinafter *database of tests*).

[RT I, 13.03.2019, 2 – entry into force 15.03.2019]

(6) The statutes of the database of tests, including the particulars of the data, the term during which data are to be preserved and access privileges to the data, are established by the Government of the Republic by a regulation.

[RT I, 13.03.2019, 2 – entry into force 15.03.2019]

(7) The Education and Youth Authority is the controller of the database of tests; and the processor is determined by the statutes of the database.

[RT I, 16.06.2020, 1 – entry into force 01.08.2020]

(7<sup>1</sup>) [Repealed – RT I, 16.06.2020, 1 – entry into force 01.08.2020]

(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 where this is required in order to perform a duty prescribed by law or an international treaty.

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

(9) The following data are recorded in the database of tests:

- 1) data concerning the passing of the exam;
- 2) data concerning the conduct of the exam;
- 3) data of the test;
- 4) data of the exam scores;
- 5) data of challenges filed against exam results;
- 6) data of the certificates;
- 7) statistical data.

[RT I, 13.03.2019, 2 – entry into force 15.03.2019]

(10) The statutes of the database of tests may specify the particulars of the data specified in subsection 9 of this section and the rules concerning their recording in the database.

[RT I, 13.03.2019, 2 – entry into force 15.03.2019]

(11) The data in the database of tests have informational and statistical significance.

[RT I, 13.03.2019, 2 – entry into force 15.03.2019]

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

(1) The application of the requirements provided in clauses 2–4 of § 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 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 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 respective application to which they annex 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 they have been or will be released from their previous citizenship due to their acquisition of Estonian citizenship or that they have been declared a stateless person.

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

(4) The list of the data 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 in charge of the policy sector.

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

## **Chapter 3**

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

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

(1) A minor under 15 years of age is granted Estonian citizenship where 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 by 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 one 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 their parent or parents is granted Estonian citizenship by naturalisation as of the moment of their birth, provided their 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]

(4<sup>1</sup>) A minor who was born in Estonia or who, immediately after birth, takes up permanent residence in Estonia together with their parent or parents who are permanent residents of Estonia and hold a long-term residence permit or the right of permanent residence, and of whom, on the basis of valid laws, one is not recognised by any state as its citizen, and whose other parent is a citizen of another country, is granted Estonian citizenship at the request of their statutory representative, provided a parent or grandparent of the minor was a resident of Estonia as at 20 August 1991.  
[RT I, 07.02.2020, 7 – entry into force 17.02.2020]

(4<sup>2</sup>) The decision of the Government of the Republic concerning the grant of Estonian citizenship to a minor specified in subsection 4<sup>1</sup> of this section who is a citizen of another country takes effect as of the day that follows the day on which a certificate showing that the minor has been released from the citizenship of the other country is presented to a governmental authority authorised by the Government of the Republic.  
[RT I, 07.02.2020, 7 – entry into force 17.02.2020]

(5) In order to renounce 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 respective 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 specified in subsection 5 of this section, a child is considered to be a person whom no state recognises under valid laws as its citizen until Estonia or another state grants them citizenship.  
[RT I, 03.02.2015, 1 – entry into force 01.01.2016]

(6) The definition provided in subsections 4, 4<sup>1</sup> and 5<sup>1</sup> of this section concerning persons whom no state recognises on the basis of 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, on the basis of their valid laws, to be citizens of that state.  
[RT I, 07.02.2020, 7 – entry into force 17.02.2020]

#### **§ 14. Acquisition of Estonian citizenship as minor together with 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 their 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 one year of age is granted Estonian citizenship together with their 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 provided:

1) the population register records no information concerning the child's other parent or the information in the population register has been recorded 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 their custody rights;

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

3) the other parent is declared to be a fugitive in accordance with the rules established by law and they have 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 their partnership is not registered or the parents divorce or terminate their registered partnership contract and the child remains with the parent residing in Estonia, while the other parent does not live in Estonia and has lost contact with the child and the parent raising the child.

[RT I, 06.07.2023, 6 – entry into force 01.01.2024]

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

(1) The list of data to be presented in applications submitted in the situations provided for in §§ 13 and 14 of this Act for the grant of Estonian citizenship to a minor, the list of documents to be annexed to such applications and the requirements for the submission of the applications are established by a regulation of the minister in charge of the policy sector.

[RT I, 07.02.2020, 7 – entry into force 17.02.2020]

(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) Everyone who has lost their Estonian citizenship as a minor is entitled to its restoration.

(1<sup>1</sup>) A person who has lost Estonian citizenship as a minor is also understood to be a person to whom the provisions of subsection 5 of § 13 or subsection 2 of § 36<sup>3</sup> of this Act have been applied at the request of the parents or a parent raising the minor alone.

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

(2) A person who wishes their 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 restoration of Estonian citizenship**

(1) In order to restore their Estonian citizenship, the applicant must submit the respective application to which they annex 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 they have been or will be released from their previous citizenship due to their acquisition of Estonian citizenship or that they have been declared a stateless person.

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

(4) The list of the data 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 in charge of the policy sector.

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

## **Chapter 5 Rules for acquisition of Estonian citizenship and restoration of Estonian citizenship**

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

(1) A person who wishes to acquire Estonian citizenship or to restore their 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 specified in subsection 1 of this section are to be submitted and the operations provided in this Act are to be taken by their parent or 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) A governmental agency authorised by the Government of the Republic registers and processes applications for acquisition or restoration of Estonian citizenship where the person submits, together with the application for citizenship, documents prescribed in subsection 4 of § 12, in the case of a minor under 15 years of age documents prescribed in § 15, and for the restoration of citizenship documents prescribed in subsection 4 of § 17.

[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 their application and the format of the certificate is established by regulation of the minister in charge of the policy sector.

[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 a 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) 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 a 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 a 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 grant or restoration of Estonian citizenship**

(1) Decisions on grant or restoration of Estonian citizenship are taken by the Government of the Republic, except where Estonian citizenship is acquired on the basis of subsection 4 of § 13 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 on the day of its signing, unless a different date is provided in the order.

(3) According to the order of the Government of the Republic to grant or restore 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 that 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 they 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 professional member of the armed forces of a foreign state or who has been assigned to the reserve forces thereof or has retired therefrom, and nor is Estonian citizenship be granted to or resumed by their spouse or registered partner who entered Estonia due to a member of the armed forces being sent into service, the reserve or into retirement.

[RT I, 06.07.2023, 6 – entry into force 01.01.2024]

(<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 where the person has been married to or in a registered partnership with a person who acquired Estonian citizenship by birth, for the term of at least five years, provided the marriage has not been divorced or the registered partnership contract terminated.

[RT I, 06.07.2023, 6 – entry into force 01.01.2024]

(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 that bear relevance to the taking of 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 they are released from Estonian citizenship;
- 2) when they are deprived of Estonian citizenship;
- 3) when they accept the citizenship of another state.

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

(1) In order to be released from Estonian citizenship, an applicant must submit the respective application to which they annex 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 in charge of the policy sector.

[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 in the case 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 specified in subsection 1 of this section are submitted by their 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 their documents; and the format of the certificate is established by regulation of the minister in charge of the policy sector.

[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 in the case:

- 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 in the case they:

- 1) [repealed – RT I, 04.08.2022, 3 – entry into force 14.08.2022]
- 2) [repealed – RT I, 04.08.2022, 3 – entry into force 14.08.2022]
- 3) have attempted to change the constitutional order of Estonia by force;
- 4) when acquiring Estonian citizenship or in relation to the restoration to them of Estonian citizenship, they submit false information to conceal facts that would have precluded the grant or restoration of Estonian citizenship to them;
- 5) are a citizen of another state but have not been released from Estonian citizenship.

(1<sup>1</sup>) A person may be deprived of Estonian citizenship by an order of the Government of the Republic in the case:

- 1) a conviction for a crime against humanity or a crime of aggression or a crime provided for in §§ 232, 234<sup>2</sup>, 237–237<sup>3</sup> or 237<sup>5</sup> of the Penal Code has entered into force against the person;
- 2) the person has joined a state public or military service or intelligence or security service of a foreign state, or a military-organized or military-exercise foreign organization possessing weapons, where this poses a threat to public order or national security.  
[RT I, 04.08.2022, 3 – entry into force 14.08.2022]

(2) No one may be deprived of Estonian citizenship because of their beliefs.

(3) Subsections 1 and 1<sup>1</sup> of this section do not apply to persons who acquired Estonian citizenship by birth.  
[RT I, 03.12.2020, 1 – entry into force 13.12.2020]

(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 subsection 1 of § 3 of this Act.  
[RT I, 03.02.2015, 1 – entry into force 01.01.2016]

## **§ 29. Loss of Estonian citizenship due to acceptance of 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 they renounce Estonian citizenship in favour of the citizenship of another state.

(2) The provisions of this subsection also apply to persons who acquired Estonian citizenship as minors, taking into account the special rule provided in subsection 1 of § 3 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 their 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 minor, or to release minor from Estonian citizenship**

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

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

(2) A 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 where, in respect of that person, the circumstances provided for in clauses 2–6 of subsection 1 of § 21 or clause 3 of subsection 1 or subsection 1<sup>1</sup> of § 28 of this Act apply.

[RT I, 04.08.2022, 3 – entry into force 14.08.2022]

(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 where it is established that they were 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 where this is requested by the person, provided they are 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 where this is requested by the statutory representative of the person concerned.

(7) The decision specified in subsection 1 of this section of the governmental authority authorised by the Government of the Republic to recognise the acquisition of Estonian citizenship by a person who is a citizen of another state, enters into force as of 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 specified in subsection 1 of this section to recognise the acquisition by that person of Estonian citizenship enters into force.

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

(9) When the provisions of subsection 1 of this section are applied to a person, until the decision is taken to recognise their acquisition of Estonian citizenship on that ground, the rights and obligations deriving from their 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, 1 – entry into force 01.08.2012]

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

The requirement of holding a long-term residence permit or the right of permanent residence provided in clause 2 of § 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 Estonian**

(1) Applicants for Estonian citizenship who are at least 65 years of age are exempt from the requirements provided in clause 4 of subsection 2 of § 8 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 § 6 of this Act.

(2) Persons who, for health reasons, are unable to comply with the conditions provided in clauses 3 and 4 of § 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 clauses 3 and 4 of § 6 of this Act take the examination specified in §§ 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 eight years, regardless of whether they held a residence permit or enjoyed the right of residence during that period, does not meet the requirements provided in clauses 2 and 2<sup>1</sup> of § 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) they have not established a permanent residence in any other country;

2) at the time of being granted Estonian citizenship, they hold a valid residence permit or enjoy the right of residence; and

3) they have resided in Estonia for six months after the day following the date of registration of their application for Estonian citizenship in accordance with the respective residence permit or the right of residence.

[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 specified 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 § 6 of this Act.

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

(7) With regard to the persons specified in subsection 3 of this section, in order for them to take the examination specified in §§ 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 specified in subsections 2 and 3 of this section submit a statement of the attending physician which confirms the person's inability, due to their state of health, to comply in part or in full with the requirements provided in clauses 3 and 4 of § 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 rules 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 specified in subsections 6–9 of this section is arranged by the Education and Youth Authority.

[RT I, 16.06.2020, 1 – entry into force 01.08.2020]

(10<sup>2</sup>) [Repealed – RT I, 16.06.2020, 1 – entry into force 01.08.2020]

(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 in charge of the policy sector in coordination with the minister in charge of the policy sector.

[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 in charge of the policy sector' in accordance with subsection 4 of § 107<sup>3</sup> of the Government of the Republic Act]

### **§ 36. Right of appeal to administrative court**

[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 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 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 where 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 established in subsection 1 of § 8<sup>1</sup> of this Act, according to which reimbursement of the tuition fees paid for Estonian language training may be applied for where 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. Where 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 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) Where a person has submitted the application to acquire or restore Estonian citizenship during the period 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 five years;
- 2) the minor who is under 15 years of age resides in Estonia on a permanent basis.

(2) When in compliance with the requirements of subsection 1 of this section, the minors specified in subsection 1 of this section do not acquire Estonian citizenship where 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 clause 1 of subsection 1 of this section concerning persons whom no state recognises on the basis of valid laws as its citizens even 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 minors under 18 years of age to have ceased to be an Estonian citizens through acceptance of 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 the basis of § 29 of this Act 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 suspended until 1 January 2016.

(2) The proceedings specified in subsection 1 of this section are terminated after 1 January 2016.

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



### **§ 36<sup>5</sup>. Processing of biometric data collected before 1 July 2022**

(1) Photographs and facial images entered in the information technology database of the database of persons who acquired, resumed or lost Estonian citizenship are entered in the ABIS database at the latest on 30 June 2022.

(2) Photographs and facial images entered in the information technology database of the database of persons who acquired, resumed or lost Estonian citizenship before 1 July 2022 may be stored at the same time with the data stored in the ABIS database but up to 30 June 2025 at the latest.

(3) After creation of the ABIS database and until the due date of implementation of the transitional provisions of the ABIS database, photographs and facial images may be processed in the information technology database of the database of persons who acquired, resumed or lost Estonian citizenship.  
[RT I, 08.07.2021, 1 – entry into force 15.07.2021]

### **§ 37. Repeal of earlier legislation**

[Omitted from this text.]

### **§ 38. Entry into force of Act**

This Act enters into force on 1 April 1995.