

Article 28. Applications for the reacquisition of Dominican nationality shall be subject to a fixed fee of ten pesos for inland revenue stamps to be affixed to the application.

Article 29. Except for the case mentioned in the foregoing article, the fees provided for in this chapter shall not include fees which may be payable for documents.

CHAPTER VIII. EXEMPTIONS AND REDUCTIONS

Article 30. Naturalization by presidential prerogative and naturalization of aliens rendering technical or special services in the armed forces shall be exempt from fees or dues.

Article 31. Married women and children applying for naturalization together with the husband shall be required to pay only one-half of the fees provided for in this Act.

Article 32. When application for naturalization is made by persons who are nationals of Latin-American countries by birth or origin, the fees and dues provided for in this Act shall be reduced by one-half.

Article 33. The present Act repeals and replaces Acts No. 1227 of 4 December 1929, No. 1029 of 14 November 1935, No. 1083 of 1 April 1936, No. 64 of 3 February 1939, No. 508 of 25 July 1941, No. 484 of 15 January 1944, No. 961 of 3 August 1945, and No. 1144 of 5 April 1946 published in issue No. 6424 of the *Gaceta Oficial* of 10 April 1946, and all other legislation contrary to its provisions.

(c) CIVIL CODE.

*Article 12.*¹ A foreign woman who marries a Dominican shall acquire her husband's status, unless the law of her country authorizes her to retain her nationality, in which case she shall have the option of stating in the marriage record that she declines Dominican nationality.

Article 19. A Dominican woman who marries an alien and who wishes to acquire her husband's nationality, provided the law of his country permits it, shall expressly state that wish, which shall be noted in the marriage record. If she wishes to acquire her husband's nationality after the marriage has taken place, she must do so through naturalization.

23. Ecuador

(a) CONSTITUTION OF 31 DECEMBER 1946.²

TITLE II. NATIONALITY

Article 9. A person may be an Ecuadorian national by birth or by naturalization. A person shall be an Ecuadorian national by birth:

(1) If he was born in the national territory and

(a) Both his parents are Ecuadorian nationals, or aliens domiciled in Ecuador at his birth, or unknown; or

¹ As amended by Act No. 3354 of 3 August 1952. Translation by the Secretariat of the United Nations.

² Translation by the Secretariat of the United Nations.

(b) One of his parents is an Ecuadorian national and he resides in Ecuador, or has before attaining the age of eighteen been registered as an Ecuadorian national in the register of births, or has attained that age and has not declared a desire to the contrary; or

(c) Both his parents are aliens and neither is domiciled in Ecuador, and he has attained the age of eighteen and declares his desire to become an Ecuadorian national;

(2) If he was born abroad and his father or mother or both are Ecuadorian nationals:

(a) In the service of Ecuador in the country of his birth at the time thereof; or

(b) In exile or temporarily absent from Ecuador at his birth;

(c) Or aliens domiciled in Ecuador at his birth, and he has attained the age of eighteen and does not express a desire to the contrary.

Article 10. A person born in the territory of the Republic shall ordinarily be presumed to be an Ecuadorian national.

Article 11. A person shall be an Ecuadorian national by naturalization:

(a) If he has been granted Ecuadorian nationality by the Congress in recognition of outstanding services rendered to the country; or

(b) If he has obtained a naturalization certificate in accordance with statute; or

(c) If he was born abroad of alien parents who have later become naturalized in Ecuador, and is under the age of eighteen; in this case he shall retain Ecuadorian nationality unless he expressly renounces it.

Article 12. Neither marriage nor dissolution thereof shall change the nationality of the spouses.

Article 13. Persons who had or acquired Ecuadorian nationality under an earlier Constitution and have not lost it shall retain it.

Article 14. Juridical persons in Ecuadorian law shall be Ecuadorian nationals.

Article 15. A person shall lose Ecuadorian nationality:

(a) By conviction of treason against the country;

(b) By naturalization in another State;

(c) By revocation of his naturalization certificate.

Article 16. Nationality may be recovered in accordance with statute.

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(b) DECREE NO. 985 OF 14 JUNE 1950 GOVERNING NATURALIZATION, EXTRADITION AND EXPULSION. ¹

CHAPTER 1. NATURALIZATION OF ALIENS

Article 1. All aliens without distinction who comply with the requirements of the law and the present regulations are eligible to apply for naturalization as Ecuadorian nationals.

Article 2. In order to qualify for a certificate of naturalization, a person must:

¹ See *Registro Oficial*, May-June 1950, Nos. 503-553. Translation by the Secretariat of the United Nations.

(1) Have legal capacity in accordance with his personal status and the Ecuadorian laws;

(2) Possess a lawful property, business, occupation or trade permitting him to support himself;

(3) Have resided in the country for five years after obtaining the final residence certificate;

(4) Have been of irreproachable conduct before and during his residence;

(5) Speak and write Spanish, and have general knowledge of the national history and geography as well as of the Constitution of the Republic; and

(6) Produce a certificate from the diplomatic or consular representative concerned showing that by becoming naturalized the applicant loses his previous nationality.

In default of such a certificate, other forms of proof shall be admissible.

Article 3. Where any other action is necessary in order to renounce the previous nationality, this must be taken before the certificate is granted, in order that no alien naturalized as an Ecuadorian may have dual nationality.

Article 4. Application for naturalization must be made to the Ministry of Foreign Affairs through the Directorate-General for Immigration and Aliens. In the provinces, application may be made to the provincial authority, which shall forward it to the Directorate-General for Immigration and Aliens with such information as it considers relevant.

The Directorate-General for Immigration and Aliens shall forward it to the Ministry of Foreign Affairs, with confidential information on the following points:

(1) Identity, nationality, marital status, economic standing, means of livelihood of the applicant;

(2) The fact that the applicant has entered Ecuadorian territory and has honourably resided in it for the period prescribed by the present regulations; and

(3) Activities in which the alien has engaged in the country since entry.

Article 5. An alien woman, married to an alien who has applied for naturalization can apply for her naturalization jointly with her husband. In this case, the certificates of naturalization will be granted individually.

Article 6. An alien woman married to an Ecuadorian citizen can acquire her husband's nationality, either by declaration made at the time of her marriage to the effect that she adopts the Ecuadorian nationality and renounces her previous nationality, or at any time after her marriage by means of an application addressed to the Minister of Foreign Affairs, who will take the necessary decision.

Article 7. The minor children of an alien who applies for naturalization may be included in the application and obtain naturalization provided that they are under parental authority; they retain, however, the right to opt for the nationality of their origin when they reach the age of eighteen years.

Article 8. The Ministry of Foreign Affairs, on the basis of the confidential information received from the Directorate-General for Immigration and Aliens, and provided the legal requirements are fulfilled, shall issue through its Legal Department an opinion whether naturalization may legally be granted; and, if so, shall submit the matter to the President of the Republic.

Article 9. When the President of the Republic has authorized the grant of the certificate of naturalization, the Ministry of Foreign Affairs shall

issue it; and, when it has been signed by the President of the Republic and countersigned by the Minister of Foreign Affairs, shall have it delivered by the Metropolitan or Provincial Governor to the applicant who, on receiving it, shall take the oath of renunciation of his previous nationality and of loyalty to his new country. A copy of the record of these proceedings shall be sent to the Ministry of Foreign Affairs, to be entered in the Naturalization Registers of the Chancellery, which shall inform the Directorate-General of the Civil Register and the Directorate-General of Immigration and Aliens, who shall respectively enter and delete the naturalized person's name in the appropriate registers.

Article 10. After naturalization has been granted, the Chancellery shall send official notification of this fact to the government of the naturalized person's previous country.

Article 11. The certificate of naturalization is liable to cancellation for the following causes:

- (1) Those indicated in *Article 15 (a)* and *(b)* of the Constitution;
- (2) If it has been obtained by fraud;
- (3) If, in the judgment of the Ministry of the Interior, the naturalized person becomes a disturbing element on moral, social or political grounds;
- (4) If the naturalized person is absent from the Republic for an uninterrupted period of more than four years.

If he is absent for reasons beyond his control, the naturalized person may give proof of this to the Ministry of Foreign Affairs and plead that his absence should not be taken into account for the purposes of such cancellation.

A naturalized alien losing Ecuadorian nationality by absence and resuming residence in the country may likewise request from the Ministry of Foreign Affairs the favour of retaining Ecuadorian nationality, affirming his intention of settling permanently in national territory. Provided that the personal qualities of the petitioner entitle him to this favour, the Ministry of Foreign Affairs shall grant his request.

Article 12. The certificate of naturalization shall be cancelled by the Executive Decree promulgated by the Chancellery through a decision of its Legal Department; the Ministry of the Interior and Police shall be responsible for the acceptance and transmission of information and evidence.

Article 13. Cancellation of the certificate of naturalization carries with it expulsion from the national territory where provision therefor is made under (1), article 15 *(a)* of the Constitution, and (2), article 11 of the present regulations.

CHAPTER II. NATURALIZATION OF ECUADORIANS

Article 14. An Ecuadorian who has been naturalized in a foreign country loses Ecuadorian nationality. His wife and their minor children shall also lose Ecuadorian nationality, provided that by virtue of his naturalization they acquire the foreign nationality in question; nevertheless, the wife shall retain the right to recover her nationality of origin upon the dissolution of the marriage and the children shall be entitled to recover their nationality of origin upon attaining their majority.

Article 15. Ecuadorian diplomatic representatives and consular agents shall report to the Chancellery every case where an Ecuadorian national is naturalized in the country where they are accredited, and shall advise the

Chancellor concerning the legal effects of such naturalization on the nationality of origin of the naturalized person and of his wife and children under the law of the country in which he is naturalized.

Article 16. The Chancellery shall keep a record of cases where Ecuadorian nationals are naturalized in other countries, and shall report on each case to the Civil Register so that the appropriate entries may be made.

Article 17. An Ecuadorian who has become naturalized in another country may recover his original nationality if he resumes residence in Ecuador for not less than two years and declares that he renounces his acquired nationality and wishes to regain Ecuadorian nationality; for this purpose he shall submit a formal application to the Ministry of Foreign Affairs together with his certificate of naturalization.

The Ministry of Foreign Affairs, if it considers appropriate, and after consulting the Legal Department, shall take the decision conferring Ecuadorian nationality on the applicant and order the fact to be recorded in the registers of the Chancellery and the Directorate-General of the Civil Register. A certified copy of the decision shall be delivered to the person concerned.

Article 18. In every case where option is permitted under the Constitution, the party concerned shall apply to the Chancellery for recognition as an Ecuadorian.

CHAPTER V. GENERAL PROVISIONS

Article 43. Any case which is affected by these regulations but is not expressly dealt with herein shall be decided by the Chancellery if it is a question of naturalization or extradition and by the Ministry of the Interior if it is a question of deportation.

Article 44. Chapters VI and VII of Executive Decree No. 111 of 29 January 1941 and amendments thereto, and generally any provisions contrary to this Decree, are hereby repealed.

CHAPTER VI. TRANSITIONAL PROVISIONS

I. Any applications for naturalization pending at the date of the entry into force of these regulations shall be dealt with according to the regulations previously in force.

II. A person whose application for Ecuadorian nationality has been admitted in proper form under the regulations previously in force may obtain the corresponding naturalization certificate in accordance with the said regulations.

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24. Egypte

(a) LOI N° 160 DU 13 SEPTEMBRE 1950 SUR LA NATIONALITÉ ÉGYPTIENNE ¹.

Article 1. Sont Egyptiens:

- 1) Les membres de la Famille royale;
- 2) Tout individu qui a établi son domicile en territoire égyptien avant

¹ Journal Officiel, n° 21, du 5 mars 1951.