

#### 44. Jordan (Hashemite Kingdom of)

(a) REVISED DRAFT OF TRANS-JORDAN NATIONALITY LAW OF  
1 MAY 1928.

##### PART I. ACQUISITION OF TRANS-JORDAN NATIONALITY

1. All Ottoman subjects habitually resident in Trans-Jordan on the 6th day of August 1924 shall be deemed to have acquired Trans-Jordan nationality.

For the purpose of this Article the term "habitually resident in Trans-Jordan" shall be deemed to include any person who had his usual place of residence in Trans-Jordan during the twelve months preceding the 6th day of August 1924.

2. Any person who has acquired Trans-Jordan nationality by virtue of Article I hereof and has attained his majority and, on or before the 6th day of August 1926 has, by written declaration, stated his option for Turkish nationality, shall, subject to the provisions of Article 4 hereof, be regarded as having ceased to be a Trans-Jordan national.

3. Any person who has attained his majority and, by virtue of Article I hereof, has acquired Trans-Jordan nationality, but differs in race from the majority of the population of Trans-Jordan, and on or before the 6th day of August 1926 has, by written declaration, stated his option for the nationality of one of the States in which the majority of the population is of the same race as himself shall, subject to the consent of that State and to the provisions of Article 4 hereof, be regarded as having ceased to be a Trans-Jordan national.

4. Any person who has exercised the right to opt in accordance with Article 2 or 3 shall be bound to transfer his place of residence from Trans-Jordan within twelve months from the date of option and shall thereupon cease to be a Trans-Jordan national. He shall be entitled to remove from Trans-Jordan free of export duty all movable property owned by him in Trans-Jordan and to retain all immovables owned by him therein.

5. Any Ottoman subject who has attained his majority and was born in Trans-Jordan and who, on or before the 6th day of August 1926 has, by written declaration made as hereinafter provided, stated his desire to become a Trans-Jordan national, may, with the consent of the Chief Minister acquire such nationality.

6. The following persons shall be deemed to be Trans-Jordan nationals:

(a) Any person, wherever born, whose father at the time of that person's birth was a Trans-Jordan national and was either born in Trans-Jordan or attained his Trans-Jordan nationality by naturalization, or in virtue of Article I hereof;

(b) Any person born in Trans-Jordan who has attained his majority and whose father was born in Trans-Jordan and at the time of that person's birth was ordinarily resident in Trans-Jordan provided that such person has not acquired any other nationality.

##### PART II. NATURALIZATION

7. Any person not under disability who fulfils the following conditions, viz:

- (a) That he has had his usual place of residence in Trans-Jordan for two years immediately preceding his application;
  - (b) That he is of good character;
  - (c) That he intends to reside in Trans-Jordan and
  - (d) That he knows the Arabic language
- may apply to the Chief Minister for the grant of a certificate of naturalization as a Trans-Jordan national.

8. The Chief Minister shall have absolute discretion to grant or refuse an application for naturalization and may, if he considers that special circumstances render it conducive to the public good and if his decision is approved by His Highness the Amir, dispense with the condition of two years' previous residence.

9. The person to whom a certificate of naturalization is granted shall be deemed to be a Trans-Jordan national for all purposes.

#### PART III. NATIONAL STATUS OF MARRIED WOMEN AND OF MINOR CHILDREN

10. The wife of a Trans-Jordan national shall be deemed to be a Trans-Jordan national and the wife of an alien shall be deemed to be an alien:

(a) Provided that a woman who has acquired Trans-Jordan nationality by marriage may within two years after the death of her husband or dissolution of the marriage renounce her Trans-Jordan nationality by declaration made in the form hereinafter provided and shall thereupon cease to be a Trans-Jordan national.

(b) Provided also that a woman who has lost Trans-Jordan nationality by marriage may resume it by declaration made in the form hereinafter provided within two years from the death of her husband or the dissolution of her marriage.

11. The minor children of any person who has acquired Trans-Jordan nationality by virtue of this Law shall become Trans-Jordan nationals.

12. If any person loses Trans-Jordan nationality, his minor children shall also lose it but they shall have the right to apply by declaration within two years of attaining their majority to resume Trans-Jordan nationality.

13. If a widow or divorced woman who is an alien marries a Trans-Jordan national her children born before the said marriage will not by reason only of such marriage acquire Trans-Jordan nationality.

#### PART IV. LOSS OF TRANS-JORDAN NATIONALITY

14. Any national of Trans-Jordan who becomes voluntarily naturalized in any Foreign State shall thereupon cease to be a Trans-Jordan national, provided that, if at any time thereafter he shall return and have his usual place of residence in Trans-Jordan for the period of at least one year, the Trans-Jordan Government shall have the right to regard him as a Trans-Jordan national while he continues to reside there.

15. If a Trans-Jordan national enters the civil or military service of a Foreign State without the permission of the Trans-Jordan Government and when called upon to do so by the Trans-Jordan Government does not give up such service the Chief Minister may declare that such person has lost his Trans-Jordan nationality.

16. Any person who has acquired Trans-Jordan nationality in virtue of Article 6 may, within one year of attaining his majority by written declaration renounce his Trans-Jordan nationality and shall thereupon be deemed to have ceased to be a Trans-Jordan national if he was born and has had his usual place of residence outside Trans-Jordan.

17. A Trans-Jordan national who loses Trans-Jordan nationality shall not thereby be discharged from any obligation arising from any act done by him before he ceased to be a Trans-Jordan national.

PART V. MISCELLANEOUS

18. "Trans-Jordan national" means a person possessing Trans-Jordan nationality either by birth, naturalization or otherwise.

"Alien" is any person other than a Trans-Jordan national.

"Disability" means the status of being a married woman or minor, lunatic or idiot or otherwise legally incompetent.

The age of majority shall for all purposes connected with the application of this Law be taken to be 18 years calculated according to the Solar calendar.

19. The Chief Minister may make Regulations for carrying into effect the objects of this Law generally, and in particular for levying fees. He may issue instructions with respect to the form and registration of:

- (a) Certificates of naturalization;
- (b) Declarations of option for Turkish or Foreign nationality; and
- (c) Declarations of acquisition, resumption, retention and renunciation of Trans-Jordan nationality.

20. For the purpose of considering applications for Trans-Jordan nationality, the following shall be considered as the provisional frontiers between Trans-Jordan and the Hedjaz, Syria and Iraq:

*Frontier between Trans-Jordan and the Hedjaz*

A line drawn from a point two miles South of Aqaba to a point on the Hedjaz Railway two miles South of Mudawara and thence proceeding to the intersection of meridian 38° East and parallel 29° 35' North.

*Frontier between Trans-Jordan and Iraq*

A line drawn from the intersection of meridian 39° East and parallel 32° North to the nearest point on the frontier laid down in Article I of the Franco-British Convention of December 23rd, 1920.

*Frontier between Trans-Jordan and Syria*

As laid down in Article I of the above Convention.

(b) LAW NO. 24 OF 15 NOVEMBER 1944. A LAW TO AMEND THE TRANS-JORDAN NATIONALITY LAW.

1. This law shall be called the Trans-Jordan Nationality (Amendment) Law. It shall come into force one month after the date of its publication in the Official Gazette.

2. Herein the Trans-Jordan Nationality Law is called the Principal Law.

3. Article 8 of the Principal Law is amended to read as follows:

“8 (a) The Council of Ministers shall have absolute discretion to grant or refuse any application for naturalization and may, if they consider that special circumstances render it conducive to the public good, and if their decision is approved by His Highness the Amir, dispense with the condition of two years previous residence.

“(b) A certificate of naturalization shall not be granted to any person unless such person by reason of becoming naturalized in Trans-Jordan loses any nationality which he had at the time of such naturalization.

“(c) A certificate of naturalization shall not be granted to any person who has become a Trans-Jordan national by naturalization but has lost such nationality by becoming naturalized in a foreign state.

“(d) A certificate of naturalization granted by the Council of Ministers shall be issued under the signature of the Minister of Interior.

4. Article 14 of the Principal Law is amended to read as follows:

“14. Any national of Trans-Jordan who becomes naturalized in any foreign state with the consent of the Council of Ministers shall thereupon cease to be a Trans-Jordan national.”

(c) ADDITIONAL LAW (NO. 56 OF 1949) TO THE NATIONALITY LAW.

1. This law is called “Additional law to the Jordanian Nationality” and to be carried out as from the date of its publication in the Official Circulation Journal.

2. At the time when this law is carried out, all the inhabitants or residents of the Jordan and the Western Part, which is ruled by the Jordan Government, and who carried the Palestinian Nationality, are considered as Jordanians and are entitled to all the benefits as well as the duties and obligations of the Transjordanians.

(d) NATIONALITY LAW, NO. 6 OF 4 FEBRUARY 1954.<sup>1</sup>

#### CHAPTER I. GENERAL PROVISIONS

*Article 1.* This Law shall be called the Jordanian Nationality Law, 1954, and shall come into force on the date of its publication in the Official Gazette.

*Article 2.* In this Law, except where the context otherwise requires:

“Jordanian” means any person who by virtue of this Law possesses Jordanian nationality.

“Alien” means any person who is not a Jordanian.

“Arab” means, for the purposes of this Law, any person whose father was of Arab origin and who is a national of a State Member of the Arab League.

“Emigrant” means any Arab born in the Hashemite Kingdom of the Jordan or in the usurped part of Palestine who emigrated from or quitted the country, or a child, wherever born, of such a person.

“Incapacity” means the condition of any person who is a minor or of unsound mind or mentally defective or incapable at law.

<sup>1</sup> Translation by the Secretariat of the United Nations.

“Full age” in all matters to which this Law applies means the age of eighteen solar years.

*Article 3.* A person shall be a Jordanian national if:

(1) He acquired Jordanian nationality under the Jordanian Nationality Law, 1928, or the amendments thereto;

(2) He acquired Jordanian nationality under Law No. 56 of 1949;

(3) Not being Jewish, he possessed Palestinian nationality before 15 May 1948 and at the date of publication of this Law was ordinarily resident in the Hashemite Kingdom of the Jordan.

*Article 4.* Any Arab who at the date of publication of this Law is resident in the Hashemite Kingdom of the Jordan and has resided there continuously for not less than fifteen years may acquire Jordanian nationality if he renounces his nationality of origin and the law of his country permits him to do so.

*Article 5.* His Majesty may, with the approval of the Council of Ministers, grant Jordanian nationality to any emigrant who submits a written declaration of option therefor, on condition that he relinquishes any other nationality possessed by him at the time of application.

*Article 6.* (1) Save as otherwise provided in this Law, every declaration or application shall be submitted to the Minister of the Interior or his deputy.

(2) Every application which under this Law may be granted only if some requirement has been complied with shall be accompanied by certificates or documents proving compliance with that requirement.

*Article 7.* For the purposes of articles 4, 5 and 6 a person shall be deemed to be a Jordanian national from the date of his receipt of notice that his application has been granted by the competent authority.

#### CHAPTER II. NATIONALITY OF DEPENDANTS

*Article 8.* (1) The wife of a Jordanian shall be a Jordanian national, and the wife of an alien shall be an alien.

(2) A woman who has acquired Jordanian nationality by marriage may renounce the same within two years from the death of her husband or the dissolution of her marriage by making a declaration in the form prescribed in this Law, and shall thereby lose her Jordanian nationality.

(3) A woman who has lost her Jordanian nationality by marriage may recover the same within two years from the death of her husband or the dissolution of her marriage by making a declaration in the form prescribed in this Law.

*Article 9.* The children, wherever born, of a Jordanian shall be Jordanians.

*Article 10.* If any person loses Jordanian nationality, his minor children shall lose it also, but may apply to recover it by making a declaration within two years from the date on which they attain full age.

*Article 11.* Children of a widow or a divorced woman born before her marriage to a Jordanian shall not acquire Jordanian nationality by reason only of that marriage.

## CHAPTER III. NATURALIZATION

*Article 12.* Any person other than a Jordanian who is not incapable may apply to the Council of Ministers for grant of a certificate of Jordanian naturalization if:

- (1) He has been ordinarily resident in the Hashemite Kingdom of the Jordan for a period of four years preceding the date of his application;
- (2) He has not been convicted of any offence reflecting upon his honour or morals;
- (3) He intends to reside in the Hashemite Kingdom of the Jordan;
- (4) He knows the Arabic language, and
- (5) He is of good behaviour and repute.

*Article 13.* (1) The Council of Ministers may in its discretion grant or reject an application for naturalization, save that if the applicant is an Arab and complies with the requirements laid down in article 12 it shall be bound to grant his application.

(2) The Council of Ministers may dispense with the requirement of four years' previous residence if the applicant is an Arab or if for some special reason his naturalization would be in the public interest.

(3) A certificate of Jordanian naturalization shall not be granted to any person unless he loses by such naturalization the nationality he possesses at the date thereof.

(4) A certificate of naturalization shall not be granted to any person who has acquired Jordanian nationality by naturalization but has later lost the same by opting to acquire the nationality of a foreign State.

(5) A certificate of naturalization granted by the Council of Ministers shall bear the signature of the Minister of the Interior or his deputy.

*Article 14.* A person to whom a certificate of naturalization has been granted shall be deemed to be a Jordanian in every respect.

## CHAPTER IV. RENUNCIATION OF NATIONALITY

*Article 15.* Any Jordanian not of Arab origin may renounce his Jordanian nationality and acquire the nationality of a foreign State.

*Article 16.* Any Jordanian of Arab origin may renounce his Jordanian nationality and acquire the nationality of an Arab State.

*Article 17.* Any Jordanian of Arab origin may, with the approval of the Council of Ministers, renounce his Jordanian nationality and acquire the nationality of a foreign State.

## CHAPTER V. LOSS OF JORDANIAN NATIONALITY

*Article 18.* (1) Any person who enters the military service of a foreign State without the prior licence or leave of the Jordanian Council of Ministers and refuses to leave the same when so directed by the Government of the Hashemite Kingdom of the Jordan shall lose his nationality.

(2) The Council of Ministers may, with the approval of His Majesty, declare that a Jordanian has lost Jordanian nationality who:

(a) Has entered the civil service of a foreign State and refuses to leave the same when so directed by the Government of the Hashemite Kingdom of the Jordan, or

(b) Has entered the service of an enemy State.

*Article 19.* The Council of Ministers may, with the approval of His Majesty, cancel a certificate of naturalization granted to any person if:

- (1) He has committed or attempted to commit any act deemed to endanger the security and safety of the State,
- (2) He has lost Jordanian nationality through disclosure of a misrepresentation in the evidence on the strength of which he was granted a certificate of naturalization.

*Article 20.* A Jordanian who loses Jordanian nationality shall not be thereby exempted from any obligation incurred by him as a result of any act done by him before he lost Jordanian nationality.

*Article 21.* The Council of Ministers may make regulations for giving effect to the provisions of this Act and for the collection of fees payable thereunder, and may make orders relating to the form and registration of:

- (1) Certificates of naturalization;
- (2) Declarations of option for nationality;
- (3) Acquisition and renunciation of Jordanian nationality.

#### CHAPTER VI. REPEALS

*Article 22.* Any Ottoman or Jordanian or Palestinian enactment published before this Law in the Official Gazette shall, in so far as it conflicts with the provisions hereof, be repealed.

*Article 23.* The Prime Minister and the Ministers shall give effect to this Law.

### 45. Korea <sup>1</sup>

#### (a) NATIONALITY LAW NO. 16 OF 20 DECEMBER 1948.

*Article 1.* The purpose of this law is to lay down the conditions for acquiring the nationality of the Republic of Korea.

*Article 2.* The following persons shall be deemed to be nationals of the Republic of Korea:

1. A person whose father is a national of the Republic of Korea at the time of his birth;
2. A person whose father was a national of the Republic of Korea at the time of the latter's death if he had died prior to the former's birth;
3. A person whose father is unknown or stateless and whose mother is a national of the Republic of Korea;
4. A person born in the Republic of Korea provided that his parents are unknown or stateless.

An infant found in the Republic of Korea shall be deemed to have been born in the Republic of Korea.

*Article 3.* An alien who is a person as laid down below shall acquire the nationality of the Republic of Korea:

1. The wife of a national of the Republic of Korea;
2. A person recognized by his father or mother who is a national of the Republic of Korea;
3. A naturalized person.

<sup>1</sup> Texts based on the English translation received from the Ministry for Foreign Affairs of the Republic of Korea.