

Arab countries and to foreigners who are residing in Libya and who at the coming into force of this Constitution have had their normal residence in Libya for a period of not less than ten years. Persons of the latter category may opt for Libyan nationality in accordance with the conditions prescribed by the law, provided they apply for it within three years as from the 1st of January 1952.

Article 10. No one may have Libyan nationality and any other nationality at the same time.

50. Liechtenstein

ACT OF 14 NOVEMBER 1933

ON THE ACQUISITION AND LOSS OF NATIONALITY.¹

General

Article 1. The acquisition and loss of Liechtenstein nationality shall henceforth be governed exclusively by the provisions of this Act, without prejudice, however, to international agreements.

Article 2. Every national of Liechtenstein shall be required to be a citizen of a commune of the principality; however, this provision shall not apply to members of the princely house.

Acquisition of nationality

Article 3. Liechtenstein nationality is acquired:

- (a) By birth and legitimation
- (b) By marriage
- (c) by grant.

(a) By birth

Article 4. Legitimate children of Liechtenstein nationals possess Liechtenstein nationality by virtue of their birth. A child shall be deemed to be legitimate if, having been born out of wedlock of Liechtenstein nationals, he is treated as legitimate in consequence of the removal of the impediment to marriage or by reason of an honest mistake on the part of the spouses, or is legitimated by subsequent marriage or declared legitimate by the Prince in the exercise of prerogative powers (articles 160 to 162 of the General Civil Code).

A child born out of wedlock shall possess Liechtenstein nationality so long as the mother possesses Liechtenstein nationality and so long as she does not, by subsequently marrying the father of that child, lose Liechtenstein nationality and legitimate the child by that subsequent marriage. A child born of an alien woman and legitimated by her subsequent marriage to a Liechtenstein national shall not be recognized as a Liechtenstein national unless the parentage is proved.

(b) By marriage

Article 5. If an alien woman marries a Liechtenstein national she acquires Liechtenstein nationality without special grant, subject, however, to the provisions of article 29 of the Communes Act of 24 May 1864.

¹ Translation by the Secretariat of the United Nations.

Similarly, if an alien obtains Liechtenstein nationality by grant, his wife acquires the said nationality, unless they have been judicially separated or the marriage has been dissolved or annulled.

(c) *By grant*

Article 6. An alien shall not qualify for the grant of Liechtenstein nationality unless:

(a) He possesses full legal capacity according to the law of the country of which he is then a national; in default of such capacity, the consent of the father or legal representative may be accepted;

(b) He can prove that, in the event of the grant of Liechtenstein nationality, he is assured of admission as a citizen in a Liechtenstein commune;

(c) He can prove that he loses his previous nationality upon acquiring Liechtenstein nationality. If, however, according to the law of his country of origin, he retains his previous nationality in the event of acquiring a foreign nationality, this condition may be waived; the Government of the principality may dispense with the production of evidence of release from the previous national allegiance. In any such case, however, the person concerned may not claim the protection of the Liechtenstein authorities in his dealings with the country of which he was previously a national;

(d) He has been domiciled in the territory of the principality of Liechtenstein for at least three years; as an exception, this condition may be waived in special cases.

Article 7. The following documents shall be attached to any application for the grant of Liechtenstein nationality, which shall be addressed to the Government:

(a) The birth certificate of the applicant and, if he is married, of his wife, the marriage certificate, the death certificate of a former spouse, and the birth certificates of legitimate minor children. These documents may be replaced by a family certificate delivered by the competent authorities if this certificate contains the requisite particulars in an officially attested form;

(b) If the applicant has been judicially separated or his marriage has been dissolved or annulled, the original or certified copy of the relevant court order;

(c) A passport, residence card (*Heimatschein*) or similar identity document issued by the competent authorities and constituting evidence of the nationality of the applicant and of the members of his family;

(d) Evidence of the applicant's domicile in the territory of the principality of Liechtenstein;

(e) A certificate of good character delivered by the competent authorities of the place of residence. This certificate shall refer also to the applicant's wife and to his minor children over the age of fourteen years. If the latter are resident in another commune a separate certificate shall be submitted for them;

(f) Documentary evidence of property and income in the form of bank statements, tax assessments, and the like;

(g) If the applicant is not domiciled in Liechtenstein, evidence to show that he has come to an agreement with the Revenue Department, after

consultation with the Assessment Board of the commune where he proposes to reside, concerning his liability to taxation;

(h) If the applicant wishes to retain or applies for recognition of his titles of nobility, the patent of nobility or a certified copy thereof;

(i) A certificate of religious denomination.

Article 8. The retention or recognition of a title of nobility shall not imply any privileges.

Article 9. An agent signing an application on behalf of the applicant shall be required to prove his authority by an officially certified power of attorney.

Fees

Article 10. A fee shall be payable by each applicant in respect of the grant of Liechtenstein nationality. This fee shall be not less than half the sum payable by the applicant in respect of his admission as a citizen in a Liechtenstein commune. In special cases the said fee may be reduced by the Government. An appropriate special fee shall be fixed by the Government in each individual case in respect of the retention or recognition of titles of nobility. These fees shall be paid to the Princely Treasury in Vaduz before the issue of the certificate of naturalization.

Article 11. The applicant's relations with the State of which he is then a national, and his other personal and family circumstances, shall be investigated before the grant of Liechtenstein nationality. His application shall be refused if these relations and circumstances are such that there is reason to fear that the State might suffer some prejudice as a consequence of the grant of Liechtenstein nationality.

Article 12. After examining the application for naturalization and the supporting documents as required by statute and after obtaining satisfactory information concerning the applicant, the Government shall submit the application to the Diet (*Landtag*). If the Diet approves the application, the Government shall submit the requisite proposal to the Prince, who has the exclusive right, subject to the exception provided for in article 15, to grant Liechtenstein nationality.

No person shall have a right to the grant of Liechtenstein nationality.

Article 13. The communal citizenship acquired by the grant of Liechtenstein nationality shall not imply any right to the use or to the proceeds of communal property.

Article 14. After Liechtenstein nationality has been granted, the Government, or its duly authorized agent, shall accept the oath of allegiance sworn by the person concerned. Only male persons of full age shall swear the oath of allegiance.

Recovery of nationality

Article 15. The Government is hereby empowered, with the consent of the citizens' assembly of the commune of which the person concerned was formerly a citizen, to authorize the reinstatement, free of charge, in Liechtenstein nationality and communal citizenship to any person who was formerly a national and a citizen, provided that that person is domiciled in the principality or had been obliged by special circumstances to renounce the said nationality, and provided further that that person applies for the reinstatement in the said nationality and citizenship within

ten years after returning to Liechtenstein. Article 7, paragraphs (a) to (f), and article 13 shall apply *mutatis mutandis*.

Grant of nationality honoris causa

Article 16. If an alien has rendered services by the furtherance of the cultural and economic interests of the principality or of a commune, in particular by enhancing the possibilities of employment and earnings of the population, or contributes by some special means to a rise in the revenues of the principality and communes, honorary Liechtenstein nationality (but not communal citizenship) may be granted to him by the Prince on the proposal of the Government, or, with the approval of the Prince and with the concurrence of the Government, a commune may grant him honorary communal citizenship (but not Liechtenstein nationality).

Loss of nationality

Article 17. Liechtenstein nationality is lost by:

- (a) Renunciation express or implied;
- (b) Marriage;
- (c) Deprivation of nationality.

(a) By express renunciation

Article 18. Any Liechtenstein national of either sex may renounce Liechtenstein nationality on the condition that he:

- (a) has full legal capacity according to the law of the country whose nationality he possesses or is applying for; and
- (b) can prove that he has already acquired, or has been promised, the nationality of another country for himself, his spouse and his legitimate minor children.

The relevant application shall be supported by official certificates indicating the birth and the sex of the legitimate minor children. Persons who have been placed under the supervision of a trustee or guardian shall be required to submit such applications through their legal representative.

The Government shall be the authority competent to issue the document of release from the allegiance.

In the case of a married man it shall be a consequence of his renunciation that his wife and legitimate minor children likewise lose Liechtenstein nationality.

(b) By implied renunciation

Article 19. A person who acquires the nationality of another State according to the law of that State and who allows thirty years to elapse from the date on which he acquired that foreign nationality without renewing his residence card in Liechtenstein, shall be deemed to have renounced his nationality by implication. In the event of implied renunciation as aforesaid, that person's wife, children and descendants shall also be deemed to have renounced Liechtenstein nationality.

(c) By marriage

Article 20. A woman shall cease to be a Liechtenstein national if she marries an alien.

(d) By deprivation of nationality

Article 21. At any time before the expiry of five years after the date on which an alien acquired Liechtenstein nationality by grant, the Government may deprive him of this nationality if it should be discovered that the conditions which under this Act govern the grant of nationality had not been fulfilled. Nevertheless, the Government is empowered at any time (regardless of the aforesaid time-limit) to deprive a person of Liechtenstein nationality if he acquired it by fraud.

The fees paid under article 10 of this Act shall not be reimbursable.

Article 22. The loss of nationality implies the loss of communal citizenship.

Final provisions

Article 23. This Act repeals and supersedes the Act of 28 March 1864 (LGB1. No. 3), the Act of 27 July 1920 (LGB1. No. 9) and article 72 of the administrative and transitional regulations of 20 January 1926 (LGB1. No. 4) to give effect to the legislation relating to persons and corporations.

Article 24. This Act, not being of an urgent character, shall enter into force on the day of its publication.¹

51. Luxembourg**LOI DU 9 MARS 1940 SUR L'INDIGÉNAT LUXEMBOURGEOIS².****I. DES LUXEMBOURGEOIS D'ORIGINE**

Article 1. Sont Luxembourgeois:

1) L'enfant légitime né, même en pays étranger, d'un père ayant la qualité de Luxembourgeois au jour de la naissance;

2) L'enfant né dans le Grand-Duché de parents légalement inconnus, à moins que l'acte de naissance de l'enfant n'indique, d'après les déclarations faites à l'officier de l'état civil, une étrangère comme mère du nouveau-né.

L'enfant trouvé dans le Grand-Duché est présumé, jusqu'à preuve du contraire, être né sur le sol luxembourgeois.

Article 2. L'enfant naturel dont la filiation maternelle est légalement constatée pendant sa minorité et avant son émancipation, suit la condition de sa mère, au jour de l'acte de reconnaissance ou du jugement déclaratif de sa filiation.

Il suit la condition de son père, si la reconnaissance volontaire ou judiciaire de sa filiation paternelle est antérieure ou concomitante à celle de sa filiation maternelle.

Si le jugement déclaratif de filiation n'est rendu qu'après la mort de la mère resp. du père, l'enfant suit la condition que le reconnaissant avait au jour de son décès.

Article 3. L'enfant naturel légitimé pendant sa minorité et avant son émancipation, suit la condition de son père au jour de la légitimation, si celui-ci est Luxembourgeois ou sujet d'une nation dont la loi confère aux enfants légitimés la nationalité de leur père.

¹ 10 January 1934.

² Complément au Code civil, p. 1089, 1952.