

1 prescribed manner to the Cabinet to be naturalized as a citizen.

2 (2) Where, on an application made pursuant to Subsection
3 (1) and as a result of such inquiries (if any) as the Cabinet may cause
4 to be made, the Cabinet is satisfied that the person making the application -

5 (a) was, on the date of application, and has been,
6 during the period of 5 years immediately prior
7 to that date, ordinarily resident in the Marshall
8 Islands; and

9 (b) is domiciled in the Marshall Islands; and

10 (c) is of good character, based upon available evidence,
11 including the recommendations of the Ministry of
12 Foreign Affairs and the Local Government Council
13 of the community in which he has been resident or
14 intends to reside; and

15 (d) unless prevented by physical or mental disability,
16 is able to speak and understand Marshallese sufficiently
17 for normal conversational purposes; and

18 (e) has an understanding and respect for the customs
19 and traditions of the Marshall Islands; and

20 (f) has the means of support for himself and his
21 dependents; and

22 (g) has a reasonable knowledge and understanding of the
23 Constitution and the rights, privileges,
24 responsibilities and duties of citizenship; and

25 (h) subject to Section 12, has renounced in the prescribed
26 manner any other citizenship which he may possess; and

1 (i) has taken and subscribed, in the prescribed manner,
2 the prescribed oath of allegiance, then the Cabinet,
3 in its discretion, may grant the application, but
4 otherwise shall refuse it.

5 (3) Where an applicant requests that any child of his named
6 in the application become a citizen by naturalization, the child shall
7 become a citizen by naturalization, when, pursuant to the application,
8 the applicant becomes a citizen by naturalization, provided there is included
9 in the application a statement by the other parent or legal guardian (if any)
10 that he or she also wishes the child to become a citizen.

11 (4) When an application under Subsection (1) is granted,
12 the Cabinet shall cause to be issued to the applicant and to any child
13 who becomes or will become a citizen pursuant to Subsection (3) a certificate
14 of naturalization in the prescribed form.

15 (5) A person to whom a certificate of naturalization is issued
16 becomes naturalized as a citizen which effect from the date stated in the
17 certificate.

18 (6) For the purposes of this section, the date of an application
19 is the date on which it is lodged with the Clerk of the Cabinet.

20 (7) For the purpose of determining the period of residence
21 of any person in the Marshall Islands, any period during which the person
22 was not legally in the Marshall Islands as an immigrant shall be disregarded.

23 (8) Where a person applying under this section is a person
24 who has lost or renounced his citizenship of the Marshall Islands, any
25 period of residence in the Marshall Islands before he lost or renounced
26 his citizenship shall be disregarded for the purpose of determining his

1 period of residence in the Marshall Islands.

2 Section 5. Citizenship by naturalization (public benefit).

3 (1) Any person who may not be eligible for citizenship by
4 naturalization under Section 4 may make application in the prescribed manner
5 to the Cabinet to be naturalized as a citizen, and the Cabinet may in its
6 discretion grant the application if the Cabinet is satisfied that -

7 (a) either -

8 (i) the applicant has rendered distinguished public
9 service to the Marshall Islands; or

10 (ii) conferral of citizenship is otherwise in the
11 public interest; and

12 (b) the applicant is domiciled in the Marshall Islands.

13 (2) Persons naturalized under this section may, in the discretion
14 of Cabinet, not be required to renounce any other citizenship they may possess
15 and may maintain dual citizenship.

16 (3) The number of persons who shall be naturalized as citizens
17 under this section shall not exceed five in any one calendar year.

18 Section 6. Effect of decision.

19 Subject to the provisions of Article II of the Constitution, the
20 decision of the Cabinet not to grant an application for citizenship under
21 this Part is final.

22 PART III. - LOSS AND RENONCIATION OF CITIZENSHIP.

23 Section 7. Loss of citizenship (general).

24 (1) A person who has reached full age and is of full capacity
25 is subject to loss of citizenship, after hearing and for cause, upon
26 application by the Minister to the High Court, on the ground that he has
27 obtained the nationality or citizenship of another country by a voluntary

1 act (other than marriage), except with the express approval of the Cabinet.

2 Section 8. Loss of citizenship by registration or naturalization.

3 A person registered as a citizen pursuant to Article XI Section
4 2 of the Constitution or naturalized under sections 4 or 5 of this Act,
5 is subject to cancellation of the naturalization or registration, after
6 hearing and for cause, upon application by the Minister to the High Court,
9 on the ground of -

- 10 (a) concealment of a material fact or wilful
11 misrepresentation in applying for registration or
12 naturalization; or
13 (b) advocacy of the overthrow or alteration of the
14 Government by unlawful means; or
15 (c) commission of, or attempt or preparation to commit,
16 an act of espionage, sabotage, or sedition against
17 the Government, or conspiring with or aiding and abetting
18 another to commit such an act.

19 Section 9. Renunciation of citizenship.

20 (1) Subject to Subsections (2) and (3), a citizen who is of full
21 age and full capacity may, in the prescribed manner, renounce his citizenship.

22 (2) A person may not renounce his citizenship unless -

- 23 (a) he already holds some other nationality or citizenship;
24 or
25 (b) the renunciation is for the purpose of his obtaining
26 some other nationality or citizenship.

27 (3) During a time of war, citizenship may not be renounced
28 without the prior consent of the Cabinet.

1 (4) Subject to Section 12 any child who automatically obtains
2 the citizenship of another country as well as citizenship of the Marshall
3 Islands must, within one year of attaining the age of eighteen years,
4 renounce the citizenship of the other country or lose citizenship in the
5 Marshall Islands, provided he has not lost the citizenship of the other
6 country.

7 PART IV. - CITIZENSHIP BY REGISTRATION.

8 Section 10. National security limitations on citizenship;

9 Disqualifications.

10 (1) In the interest of national security, no person may become
11 a citizen by registration pursuant to Article XI, Section 2 of the
12 Constitution unless the High Court is satisfied that the person making
13 the application is of good character.

14 (2) In making such determination the High Court shall give
15 substantial weight to the recommendations of the Ministry of Foreign
16 Affairs and the Local Government Council of the community in which the
17 applicant has been resident and intends to reside.

18 (3) For the purpose of determining the period of residence
19 of any person in the Marshall Islands for citizenship by registration
20 under Article XI, Section 2 of the Constitution, any period during which
21 the person was not legally in the Marshall Islands as an immigrant shall
22 be disregarded.

23 Section 11. Dual citizenship.

24 Subject to Section 12, no person may become a citizen by
25 registration pursuant to Article XI, Section 2 of the Constitution unless he
26 has renounced any citizenship which he may possess and has taken and
27 subscribed, in the prescribed manner, the prescribed oath of allegiance.

1 PART V. - MISCELLANEOUS.

2 Section 12. Renunciation of foreign citizenship in certain cases.

3 (1) If in a case where this Act requires an applicant for
4 citizenship to renounce another citizenship or nationality, and either -

5 (a) the law of his country of citizenship or nationality
6 prevents him from renouncing; or

7 (b) it is otherwise impracticable for him to renounce,
8 the applicant may instead make a declaration in a
9 form approved by the Cabinet that -

10 (c) he intends, when it becomes practicable for him to
11 do so, to renounce that citizenship or nationality;
12 and

13 (d) he will not exercise any privilege or accept any
14 benefit of that citizenship or nationality; and

15 (e) he regards himself as, and will act in all respects
16 as, a citizen of the Marshall Islands alone.

17 (2) If it becomes practicable for a person to whom Subsection
18 (1) applies to renounce the other citizenship or nationality, the Cabinet
19 may by order require him to do so, and if he fails to do so within a
20 reasonable time fixed by the Cabinet for the purpose the Cabinet may,
21 by order, deprive him of his citizenship of the Marshall Islands.

32 Section 13. Regulations.

23 The Cabinet may make regulations, not inconsistent with this
24 Act, prescribing all matters that are required or permitted by this Act
25 to be prescribed, or that are necessary or convenient to be prescribed,
26 for carrying out or giving effect to this Act.

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2 /s/ Atlan Anien
3 Atlan Anien, Speaker
4 Nitijela of the Marshall Islands

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8 Attest:

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12 /s/ Donald F. Capelle
13 Donald F. Capelle, Clerk
14 Nitijela of the Marshall Islands

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Concurred: Hon. Janet McCoy
High Commissioner
4/9/84