

CITIZENSHIP OF THE REPUBLIC OF MACEDONIA ACT

1. GENERAL PROVISIONS

Article 1

This Act defines the manner and conditions of acquisition and termination of citizenship of the Republic of Macedonia, determination of citizenship, the state institution responsible for making decisions in such cases, certification of citizenship and keeping records of citizens of the Republic of Macedonia.

Article 2

A citizen of the Republic of Macedonia may also hold citizenship of another State.

A citizen of the Republic of Macedonia holding citizenship of another State is considered within the Republic of Macedonia to be exclusively a citizen of the Republic of Macedonia, unless otherwise stipulated by international agreement.

II. ACQUISITION OF CITIZENSHIP OF THE REPUBLIC OF MACEDONIA

Article 3

Citizenship of the Republic of Macedonia shall be acquired by:

1. Origin,
2. Birth in the territory of the Republic of Macedonia,
3. Naturalization, or
4. International agreement.

1. By Origin

Article 4

A child shall acquire citizenship of the Republic of Macedonia by origin if:

1. At the time of the child's birth both parents are citizens of the Republic of Macedonia;
2. At the time of the child's birth one of the parents is a citizen of the Republic of Macedonia and the child is born in the Republic of Macedonia, unless the parents have agreed that the child acquire the citizenship of the other parent, or
3. At the time of the child's birth one of the parents is a citizen of the Republic of Macedonia and the other parent is unknown, holds unknown citizenship or holds no citizenship, and the child is born abroad.

An adopted child shall also acquire citizenship of the Republic of Macedonia by origin in the event of full adoption where both adoptive parents are citizens of the Republic of Macedonia or where one of them is a citizen of the Republic of Macedonia.

Article 5

A child born abroad to parents one of whom at the time of the child's birth is a citizen of the Republic of Macedonia, and the other of whom is a foreign citizen, shall acquire citizenship of the Republic of Macedonia by origin, provided that before reaching the age of 18 years the child is reported for registration as a citizen of the Republic of Macedonia, or if before reaching the age of 18 years the child has become, together with the parent who is a citizen of the Republic of Macedonia, a permanent resident of the Republic of Macedonia. In the event of a legal dispute over custody of the child, citizenship shall be acquired after the court's decision has gone into effect.

Subject to the conditions of paragraph 1 of this article, citizenship of the Republic of Macedonia may also be acquired by a person who has not been registered by both parents, after that person has submitted a form for registration to citizenship of the Republic of Macedonia before reaching the age of 23 years.

The registration form from paragraphs 1 and 2 of this article shall be submitted to the institution responsible for keeping registers where additional births are registered or to the diplomatic/consular representative office of the Republic of Macedonia abroad.

A child acquiring citizenship of the Republic of Macedonia under the terms of article 4 of this Act and paragraphs 1 and 2 of this article, shall be considered a citizen of the Republic of Macedonia from the time of birth,

2. By Birth in the Territory of the Republic of Macedonia

Article 6

Citizenship of the Republic of Macedonia shall be acquired by a child found in the territory of the Republic of Macedonia whose parents are unknown.

The child referred to in paragraph I of this article shall be deprived of citizenship of the Republic of Macedonia if before reaching the age of 15 years it is established that the child's parents are foreign citizens.

3. By Naturalization

Article 7

Citizenship of the Republic of Macedonia by naturalization may be acquired by an alien who has submitted a request for admission to citizenship of the Republic of Macedonia, provided that he/she satisfies the following conditions:

1. That he/she is at least 18 years of age;
2. That he/she has legally and continuously been resident in the territory of the Republic of Macedonia for at least 15 years up to the time of the submission of the request;
3. That he/she is psychologically and physically healthy;
4. That he/she is provided with housing and a permanent source of income;
5. That he/she has had no criminal proceedings instituted against him/her in the State whose citizen he/she is or in the Republic of Macedonia;
6. That he/she speaks the Macedonian language;

7. That his/her admission to citizenship of the Republic of Macedonia does not endanger the national security or defence of the Republic of Macedonia, or

8. That he/she has discharge from foreign citizenship or has proof that discharge will be granted if he/she is admitted to citizenship of the Republic of Macedonia.

The satisfaction of the condition of paragraph 1, item 6 of this article shall be determined by a special commission established by the Government of the Republic of Macedonia.

The condition of paragraph 1, item 8 of this article shall be considered satisfied if the person submitting the request has no citizenship of any State,

Notwithstanding paragraph 1, item 8 of this article, the person may acquire citizenship of the Republic of Macedonia if he/she has given a statement renouncing his/her foreign citizenship.

In the case of a decision rejecting the request for admission to citizenship of the Republic of Macedonia by naturalization according to paragraph 1, item 7 of this article the reasons according to which the responsible state institution has been guided in reaching such a decision do not have to be specified.

Article 8

An emigrant from the Republic of Macedonia and his/her descendants up to the first line of descent may acquire citizenship of the Republic of Macedonia by naturalization although he/she may not satisfy the conditions of article 7, paragraph 1, items 2 and 8 of this Act.

Article 9

An alien who has been married to a citizen of the Republic of Macedonia for at least three years and has been continuously resident in the territory of the Republic of Macedonia for at least one year up to the submission of the request, may acquire citizenship of the Republic of Macedonia by naturalization although he/she may not satisfy the conditions of article 7, paragraph 1, items 2, - 6 and 8 of this Act.

Article 10

The request for admission to citizenship of the Republic of Macedonia under the terms of article 8 of this Act shall be rejected if at least three years have not elapsed following the termination of citizenship of the Republic of Macedonia by discharge or renouncement before the submission of the request for re-admission to citizenship of the Republic of Macedonia.

Article 11

Notwithstanding article 7 of this Act, an alien of at least 18 years of age may acquire citizenship of the Republic of Macedonia by naturalization if this is of special scientific/scholarly, economic, cultural or national interest, and this shall especially refer to all Macedonians by origin living outside the borders of the Republic of Macedonia.

The Government of the Republic of Macedonia shall give a prior opinion concerning the existence of a special interest under the terms of paragraph 1 of this article.

In addition to the alien referred to in paragraph 1 of this article, citizenship of the Republic of Macedonia may also be acquired by his/her marital partner under the conditions of article 9 of this Act.

Article 12

If both parents have acquired citizenship of the Republic of Macedonia by naturalization, their child under 18 years of age shall also acquire citizenship of the Republic of Macedonia.

If one of the parents has acquired citizenship of the Republic of Macedonia by naturalization, his/her child under 18 years of age shall also acquire citizenship of the Republic of Macedonia, if that parent has requested this and the child lives in the Republic of Macedonia or if both parents have requested this, regardless of where the child lives.

In the event of full adoption, if at least one of the adoptive parents has acquired citizenship of the Republic of Macedonia by naturalization, citizenship of the Republic of Macedonia by naturalization shall also be acquired by the adoptee who is under 18 years of age and lives in the Republic of Macedonia together with his/her adoptive parent(s).

If the child has reached the age of 15 years, the child's consent shall also be necessary for the acquisition of citizenship of the Republic of Macedonia under the terms of paragraphs 1, 2 and 3 of this article.

Article 13

Citizenship of the Republic of Macedonia by naturalization shall be acquired as from the date of conferral of the decision for admission to citizenship of the Republic of Macedonia.

Article 14

The decision for admission to citizenship of the Republic of Macedonia may be revoked following its conferral if it is found that the alien, when submitting the request for admission to citizenship by naturalization, has given false or incorrect information, or has used forged documents.

The decision of paragraph 1 shall be revoked within the period envisaged for legal expiration of the institution of criminal proceedings against criminal acts referred to in paragraph 1 of this article.

In the event referred to in paragraph 1 of this article, the decision for admission to citizenship of the Republic of Macedonia of minors who have acquired citizenship simultaneously with their parents shall also be revoked, in accordance with the provisions of this Act.

Article 15

A minor whose citizenship of the Republic of Macedonia has been terminated by discharge, may again acquire citizenship if by the age of 25 years he/she has legally and continuously been resident in the Republic of Macedonia for at least three years and has submitted a request for readmission to citizenship of the Republic of Macedonia.

III. TERMINATION OF CITIZENSHIP

Article 16

Citizenship of the Republic of Macedonia shall be terminated:

1. By discharge, or
2. In accordance with international agreement.

Article 17

Citizenship of the Republic of Macedonia shall be terminated by discharge if the person submitting a request for discharge satisfies the following conditions:

1. That he/she is at least 18 years of age;
2. That he/she has no impediments with regard to military service;
3. That he/she has settled all property, financial and other legal obligations towards state institutions, organizations, enterprises and other corporations and physical persons;
4. That he/she has regulated all property, financial and other legal obligations from his/her marital relationship and the relationship of parents and children towards persons living in the Republic of Macedonia;
5. That no criminal proceedings have been instituted against him/her in the Republic of Macedonia for criminal acts which are prosecuted in the line of duty, or if he/she has been sentenced to imprisonment, he/she must have served the sentence, or
6. That he/she holds foreign citizenship or has proved that he/she will be granted foreign citizenship.

Consent for the satisfaction of the condition of paragraph 1, item 2 of this article shall be given by the Ministry of Defence.

The responsible state institution shall reject the request for discharge from citizenship of the Republic of Macedonia even if the conditions from paragraph 1 of this article are satisfied when this is necessary for reasons concerning national security or the defence of the Republic of Macedonia, or reasons concerning reciprocity or other reasons with regard to relations with a foreign country.

In the case of a decision rejecting the request for admission to citizenship of the Republic of Macedonia under the terms of paragraph 3 of this article, the reasons according to which the responsible state institution has been

guided in reaching such a decision do not have to be specified.

Citizenship of the Republic of Macedonia shall be terminated for that person as from the date of conferral of the decision for discharge from citizenship of the Republic of Macedonia.

Article 18

The decision for discharge from citizenship of the Republic of Macedonia shall be revoked if the person who has been granted discharge has continued living in the Republic of Macedonia, or if he/E;he has moved to a foreign country and within one year as from the date of conferral of the decision for discharge has not acquired foreign citizenship.

A person who has been granted discharge from citizenship of the Republic of Macedonia, shall submit the request for revocation of the decision to the diplomatic/consular representative office of the Republic of Macedonia abroad or to the responsible state institution in the Republic of Macedonia.

Article 19

Citizenship of the Republic of Macedonia of a child under 18 years of age shall be terminated at the request of both parents whose citizenship of the Republic of Macedonia has been terminated by discharge or if citizenship of the Republic of Macedonia has been terminated in this manner for one of the parents, and the other parent having no citizenship of the Republic of Macedonia has given consent to that.

If the child's parents have been living separately, citizenship of the Republic of Macedonia shall be terminated for the child by discharge at the

request of the parent with whom the child lives or to whom custody of the child has been given and who has himself/herself submitted a request for discharge from citizenship of the Republic of Macedonia or in the event that the parent with whom the child lives is an alien. In both such events, consent from the other parent shall be necessary.

The provisions of paragraphs 1 and 2 of this article shall also apply to an adopted minor.

If the other parent does not give consent to the child's discharge from citizenship of the Republic of Macedonia, the child shall be granted discharge if consent for discharge has been given by the responsible guardianship institution bearing in mind the interests of the child.

If the child has reached the age of 15 years, the child's consent shall also be necessary for the termination of citizenship of the Republic of Macedonia under the terms of paragraphs 1, 2 and 3 of this article.

Article 20

Citizenship of the Republic of Macedonia of an adopted minor who is a citizen of the Republic of Macedonia, in the event of full adoption when the adoptive parents are foreign citizens, shall be terminated by discharge at the request of the adoptive parents.

If the adoptee has reached the age of 15 years, the adoptee's consent shall also be necessary for the termination of citizenship of the Republic of Macedonia under the terms of paragraph 1 of this article.

IV. RESPONSIBLE STATE INSTITUTION FOR DETERMINING, KEEPING RECORDS AND CERTIFICATION OF CITIZENSHIP OF THE REPUBLIC OF MACEDONIA

Article 21

The request for the acquisition, termination or determination of citizenship of the Republic of Macedonia shall be submitted to the Ministry of the Interior depending on the person's place of residence, or, if the person lives abroad, to the diplomatic/consular representative office of the Republic of Macedonia abroad.

The decision on the acquisition, termination or determination of citizenship of the Republic of Macedonia shall be made by the Minister of the Interior.

The decision referred to in paragraph 2 of this article shall be delivered in accordance with the rules for obligatory personal delivery.

Article 22

Records of citizens of the Republic of Macedonia and foreign citizens born in the territory of the Republic of Macedonia shall be kept by the Ministry of the Interior.

Records of the acquisition and termination of citizenship of the Republic of Macedonia shall be kept by the Ministry of the Interior, in accordance with the prescribed standards and the law.

Article 23

Citizenship of the Republic of Macedonia shall be proved by a valid identity card or travel document.

Citizenship of the Republic of Macedonia shall also be proved by a certificate of citizenship of the Republic of Macedonia issued by the Ministry of the Interior on the basis of the records under the terms of article 22, paragraph 1 of this Act.

Article 24

If a person has not been registered in the records of citizens of the Republic of Macedonia, the Ministry of the Interior shall determine citizenship of the Republic of Macedonia and shall enter that information additionally in the records of citizens of the Republic of Macedonia. If a person's birth has not been registered, the information concerning the person's birth and citizenship shall be simultaneously registered in accordance with the provisions of the Registry of Births, Marriages and Deaths Act.

Article 25

The responsible state institutions and organizations authorized to record citizenship information in accordance with the law shall be notified with regard to the acquisition or termination of citizenship of the Republic of Macedonia.

V. TRANSITIONAL AND FINAL PROVISIONS

Article 26

A person who, in accordance with the present regulations, has held citizenship of the Republic of Macedonia shall be considered a citizen of Republic of Macedonia under the terms of this Act.

Procedures for the acquisition or termination of citizenship of the Republic of Macedonia in process before this Act has entered into force shall be concluded in accordance with the provisions of this Act.

Citizens of other republics of the former SFR Yugoslavia and citizens of the former SFR Yugoslavia who have reported a place of residence in the territory of the Republic of Macedonia may acquire citizenship of the Republic of Macedonia if, within a year after this Act has entered into force, they submit a request, and provided that they have a permanent source of income, are of legal age and before the submission of the request they have been legally resident in the territory of the Republic of Macedonia for at least 15 years.

Article 27

The Minister of the Interior shall pass regulations for keeping records of citizens of the Republic of Macedonia, for citizens of the Republic of Macedonia living abroad, and concerning the request form for the acquisition of citizenship of the Republic of Macedonia and the certificate' form for citizenship of the Republic of Macedonia.

Article 28

The provision referred to in article 23, paragraph 1 of this Act shall be applied following the replacement of identity cards and travel documents issued before this Act has entered into force.

Article 29

The regulations envisaged under this Act shall be passed within six months as from the date of the entry into force of this Act.

Until the passing of the regulations referred to in paragraph I of this article, the present regulations shall apply provided that they are not in contravention of the provisions of this Act.

Article 30

The Citizenship of the Socialist Republic of Macedonia Act ("Official Gazette of SRM," No. 19/77) shall cease to be in force as from the date of the entry into force of this Act, and the Citizenship of the SFR Yugoslavia Act ("Official Gazette of SFRY," No. 58/76) shall not be effective on the territory of the Republic of Macedonia.

Article 31

This Act shall enter into force on the eighth day following its publication in the "Official Gazette of the Republic of Macedonia."