

The new law of Swiss citizenship

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THE NEW LAW OF SWISS CITIZENSHIP

Some important points resulting from this law, which came into force on January 1st, 1953, are the following:—

(a) Loss of Swiss Citizenship Through Marriage (Section 9).

A Swiss woman loses the Swiss citizenship through marriage with an alien if she acquires through the marriage the nationality of her husband, or if she already possesses it, and unless she makes a written declaration stating that she wishes to retain the Swiss citizenship. In the event that a fiancée residing in New Zealand wants to sign such a Declaration, she has to send in the Declaration to the Swiss Consulate in Wellington, **prior** to the celebration of the marriage. The Consulate will furnish the official form on request.

According to New Zealand law, an alien woman does not become a national of this country through marriage to a New Zealand citizen. Consequently, a Swiss woman who marries a national of New Zealand does not acquire New Zealand citizenship through marriage, and for this reason she remains a Swiss citizen by virtue of Swiss law. Therefore in such a case she does not need to sign the Declaration in question. If, however, she still wants to make the Declaration, she is at liberty to do so.

(b) Loss of Swiss Citizenship Through Birth in a Foreign Country (Section 10).

A child born in a foreign country of a Swiss father also born abroad loses the Swiss citizenship at the age of 22 years if he/she has a second nationality, unless he/she has been announced by his/her parents or a relative or friend to a Swiss authority for the registration of his/her birth in Switzerland or made the announcement himself/herself, or unless he/she has made a written Declaration stating that he/she wishes to retain the Swiss citizenship.

Those persons to whom Section 10 applies and who were over 22 years of age on January 1st, 1953, or who reached the age of 22 years during 1953, will lose the Swiss citizenship if they do not sign the Declaration or have their birth officially recorded in Switzerland by December 31st, 1953.

(c) Acquiring of Swiss Citizenship Through Restoration (Sections 18-25).

A Swiss woman who has lost the Swiss citizenship by marrying an alien before January 1st, 1953, can regain her Swiss nationality under certain circumstances, in particular if her husband has passed away, or if the spouses have been divorced or have lived apart for three years, or if the woman has become stateless. Special provisions apply to children of such marriages. A woman who was Swiss by birth (not by marriage or naturalization) and lost the Swiss citizen-

ship through marriage prior to January 1st, 1953, can regain it while still married, provided she makes application to the Swiss authorities before the end of 1953 (Sec. 58). Applications for reintegration, i.e., regaining the Swiss citizenship, are to be made to the Swiss authorities before December 31st, 1953. The applicant must procure certain official certificates, in particular Certificates of Good Conduct from all the places where she resided within the last five years. Consequently it is advisable that such persons contact the Consulate at their earliest convenience. The application form will be mailed to them upon request.

These provisions of the law are of the utmost importance for Swiss people living abroad, and every reader of the "Helvetia" should make them known to their Swiss friends who are not subscribers.

Persons affected by this new law and interested in retaining or regaining the Swiss citizenship should contact the Consulate.

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