

Appendix

THE NATIONALITY LAW OF THE PEOPLE'S REPUBLIC OF CHINA

(Adopted at the Third Session of the Fifth National People's Congress on September 10, 1980)

Article 1: The law is applicable to the acquisition, renunciation, and restoration of the nationality of the People's Republic of China.

Article 2: The People's Republic of China is a unified, multi-national country; Persons belonging to any nationalities of China have Chinese nationality.

Article 3: The People's Republic of China does not recognize dual nationality for any Chinese national.

Article 4: Any person born in China whose parents are Chinese nationals or one of whose parents is a Chinese national has Chinese nationality.

Article 5: Any person born abroad whose parents are Chinese nationals, or one of whose parents is a Chinese national has Chinese nationality. But a person whose parents are Chinese nationals and have settled abroad or one of the parents who is a Chinese national has settled abroad and who has acquired foreign nationality on birth does not have Chinese nationality.

Article 6: Any person born in China whose parents are stateless or of uncertain nationality and have settled in China has Chinese nationality.

Article 7: Aliens or stateless persons who are willing to abide by China's Constitution and laws may acquire Chinese nationality upon the approval of their application provided that:

- (1) they are close relatives of Chinese nationals; or
- (2) they have settled in China; or
- (3) they have other legitimate reasons.

Article 8: Any person who applies for naturalization in China acquires Chinese nationality upon approval of his or her application; no person whose application for naturalization in China has been approved is permitted to retain foreign nationality.

Article 9: Any Chinese national who has settled abroad and who has been naturalized there or has acquired foreign nationality of his own free will automatically loses Chinese nationality.

Article 10: Chinese nationals may renounce Chinese nationality upon approval of their applications provided that:

- (1) they are close relatives of aliens; or
- (2) they have settled abroad; or
- (3) they have other legitimate reasons.

Article 11: Any person whose application for renunciation of Chinese nationality has been approved loses Chinese nationality.

Article 12: State functionaries and army men on active service should not renounce Chinese nationality.

Article 13: Aliens who were once of Chinese nationality may apply for restoration of Chinese nationality provided that they have legitimate reasons; those whose applications for restoration of Chinese nationality are approved shall not retain foreign nationality.

Article 14: The acquisition, renunciation and restoration of Chinese nationality, with the exception of the cases provided in Article 9, shall go through the formalities of the application. Applications under the age of 18 may be filed by the minors' parents or other legal representatives.

Article 15: The organs handling nationality applications are local, municipal and country public security bureau at home and China's diplomatic representations and consular offices abroad.

Article 16: Applications for naturalization and for renunciation or restoration of Chinese nationality are subject to examination and approval by the Ministry of Public Security of the People's Republic of China. The Ministry of Public Security issues a certificate to any person whose application is approved.

Article 17: The nationality status of persons who have acquired or lost Chinese nationality before the promulgation of this law remains valid.

Article 18: The law comes into force from the day of promulgation.

(Taken from *Selected Articles from Chinese Yearbook of International Law*, edited by Chinese Society of International Law, Beijing: China Translation and Publishing Corporation, 1983).