

TITLE 43 – FOREIGN AFFAIRS, CITIZENSHIP AND IMMIGRATION
CHAPTER 4 - REGISTRATION AND NATURALIZATION



Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

CITIZENSHIP ACT 1984

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AN ACT to make provision for acquisition of citizenship of the Republic, for the loss and renunciation of that citizenship, for citizenship by registration, and for matters relating thereto.

<i>Commencement:</i>	14 March 1984		
<i>Source:</i>	P.L. 1984-04		
<i>Amended By:</i>	P.L. 1986-33	P.L. 1989-37	P.L. 1989-53
	P.L. 1989-68	P.L. 1991-119	P.L. 1991-120
	P.L. 1994-97		
	P.L. 1995-137	P.L. 2001-30	P.L. 2002-54
	P.L. 2002-70		
	P.L. 2009-25	P.L. 2010-40	

PART I- PRELIMINARY

§401. Short title.

This Chapter may be cited as the Citizenship Act 1984. [P.L. 1984-4, §1.]

§402. Interpretation.

- (1) In this Chapter:
- (a) “**child**” means a person who is not of full age;
 - (b) “**citizen**” means a citizen of the Republic; and
 - (c) “**Minister**” means the Minister to whom the functions of, and responsibility for the administration of the Citizenship Act 1984 has been assigned by the President unless expressly stated otherwise.

- (2) For the purposes of this Chapter:
- (a) a person is of “**full age**” if he has attained the age of eighteen (18) years; and
 - (b) a person is of full capacity if he is:
 - (i) not a mentally disordered or defective person; or
 - (ii) so found and not discharged as sane, under the provisions of any law of any country relating to mental treatment. [P.L. 1984-4, §2.][amended by P.L. 2001-30, §2(A).]

PART II- CITIZENSHIP BY NATURALIZATION

§403. Citizenship by naturalization; general.

- (1) A person of full age and full capacity may apply in the prescribed manner to the Cabinet to be naturalized as a citizen.
- (2) Where, on the application made pursuant to subsection (1) of this Section and as a result of such inquiries (if any) as the Cabinet may cause to be made, the Cabinet is satisfied that the person making the application:
 - (a) was (on the date of the application) and has been, during the period of ten (10) years immediately prior to the date of application, ordinarily resident in the Republic;
 - (b) The number of persons who shall be naturalized as citizen under section 403 of the Citizenship Act, shall not exceed ten (10), including dependents, in any one calendar year;
 - (c) is domiciled in the Republic;
 - (d) is of good character, based upon available evidence, including the recommendations of the Ministry responsible for the administration of citizenship matters and the local government Council of the community in which he has been resident or intends to reside;
 - (e) unless prevented by physical or mental disability, is able to speak and understand Marshallese sufficiently for normal conversational purposes;
 - (f) has an understanding and respect for the customs and traditions of the Republic;

- (g) has the means of support for himself and his dependents;
 - (h) has a reasonable knowledge and understanding of the Constitution of the Marshall Islands and the rights, privileges, responsibilities and duties of citizenship;
 - (i) subject to Section 412 of this Chapter, has renounced in the prescribed manner any other citizenship which he may possess;
 - (j) has taken and subscribed, in the prescribed manner, the prescribed oath of allegiance; then the Cabinet, in its discretion, may grant the application, but otherwise shall refuse it; and
 - (k) has taken and passed written test as may be prescribed by the Minister;
- (3) Where an applicant requests that any child of his named in the application become a citizen by naturalization, the child shall become a citizen by naturalization, when, pursuant to the application, the applicant becomes a citizen by naturalization; provided, there is included in the application a statement by the other parent or legal guardian (if any) that he or she also wishes the child to become a citizen.
- (4) When an application under subsection (1) of this Section is granted, the Cabinet shall cause to be issued to the applicant and to any child who becomes or will become a citizen pursuant to subsection (3) of this Section a certificate of naturalization in the prescribed form.
- (5) A person to whom a certificate of naturalization is issued becomes naturalized as a citizen from the date stated in the certificate.
- (6) For the purposes of this Section, the date of an application is the date on which it is lodged with the Clerk of the Cabinet.
- (7) For the purposes of determining the period of residence of any person in the Republic, a period of residence shall not include:
- (a) any period during which the person was not legally in the Republic as an immigrant; or
 - (b) any period during which a foreign worker is granted entry into the Republic under the Labor (Non-resident Workers) Act, 2006, or on, or after the effective date of this Section.