Law of the PRC on Nationality

Dan Young Business Consultancy — www.danyoungcpa.com

Unofficial English translation prepared for reference only. The official Chinese text prevails.

Contents

Table of Contents 1

Articles 1 — 5 1

Articles 6 — 10 1

Articles 11 — 15 2

Articles 16 — 18 2

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

Table of Contents

- Articles 1 — 5
- Articles 6 — 10
- Articles 11 — 15
- Articles 16 — 18

Articles 1 — 5

Article 1 — This Law is applicable to the acquisition, loss, and restoration of nationality of the People's Republic of China.

Article 2 — The People's Republic of China is a unitary multinational state; persons belonging to any of the nationalities in China shall 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 both Chinese nationals or one of whose parents is a Chinese national shall have Chinese nationality.

Article 5 — Any person born abroad whose parents are both Chinese nationals or one of whose parents is a Chinese national shall have Chinese nationality. However, a person whose parents are both Chinese nationals and have both settled abroad, or one of whose parents is a Chinese national and has settled abroad, and who has acquired foreign nationality at birth shall not have Chinese nationality.

Articles 6 — 10

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

Article 7 — Foreign nationals or stateless persons who are willing to abide by China's Constitution and laws and who meet one of the following conditions may be naturalized upon approval of their applications: (1) they

are near relatives of Chinese nationals; (2) they have settled in China; (3) they have other legitimate reasons.

Article 8 — Any person who applies for naturalization as a Chinese national shall acquire Chinese nationality upon approval of his or her application; a person whose application for naturalization has been approved shall not retain foreign nationality.

Article 9 — Any Chinese national who has settled abroad and who has been naturalized as a foreign national or has acquired foreign nationality of his or her own free will shall automatically lose Chinese nationality.

Article 10 — Any Chinese national who meets one of the following conditions may renounce Chinese nationality upon approval of his or her application: (1) he or she is a near relative of a foreign national; (2) he or she has settled abroad; (3) he or she has other legitimate reasons.

Articles 11 — 15

Article 11 — Any person who applies for renunciation of Chinese nationality shall lose Chinese nationality upon approval of his or her application.

Article 12 — State functionaries and military personnel shall not renounce Chinese nationality.

Article 13 — Foreign nationals who once held Chinese nationality may apply for restoration of Chinese nationality if they have legitimate reasons; those whose applications for restoration of Chinese nationality have been approved shall not retain foreign nationality.

Article 14 — Persons who wish to acquire, renounce, or restore Chinese nationality, with the exception of those provided for in Article 9, shall go through the formalities of application. Applications of persons under the age of 18 shall be filed on their behalf by their parents or other legal representatives.

Article 15 — Nationality applications at home shall be handled by the public security bureaus of the municipalities or counties where the applicants reside; nationality applications abroad shall be handled by China’s diplomatic representative offices and consular offices.

Articles 16 — 18

Article 16 — Applications for naturalization as Chinese nationals and for renunciation or restoration of Chinese nationality shall be subject to examination and approval by the Ministry of Public Security of the People’s Republic of China. The Ministry of Public Security shall issue a certificate to any person whose application has been approved.

Article 17 — The nationality status of persons who have acquired or lost Chinese nationality before the promulgation of this Law shall remain valid.

Article 18 — This Law shall come into force on the date of its promulgation.

Disclaimer: This English translation is provided for reference and informational purposes only. It is not an official translation and has no legal force. The original Chinese text of the Nationality Law of the People’s Republic of China as promulgated by the National People’s Congress shall prevail for all legal purposes. While every effort has been made to ensure accuracy, Dan Young Business Consultancy makes no warranty or representation as to the accuracy, completeness, or fitness for any particular purpose of this translation. Readers should consult the official Chinese text and seek professional legal advice for any matter requiring interpretation of PRC law.