

An Act

to Amend Part III, Chapter 20, Section 20.1; Chapter 21, Sections 21.30, 21.31, 21.51 and 21.52; and Chapter 22, Sections 22.1, 22.2 & 22.4. of the Aliens and Nationality Law of the Liberian Codes of Law Revised, Vol. II”



REPUBLIC OF LIBERIA

"An Act to Amend Part III, Chapter 20, Section 20.1; Chapter 21, Sections 21.30, 21.31, 21.51 and 21.52; and Chapter 22, Sections 22.1, 22.2 & 22.4 of the Aliens and Nationality Law of the Liberian Codes of Law Revised, Vol. II"

WHEREAS, the Constitution of Liberia which came into effect in 1986, subsequent to the enactment of the Aliens and Nationality Law, rendered Part III, Chapter 22, Sections 22.1 and 22.2, and other provisions of the Aliens and Nationality Law repugnant to, and inconsistent with certain Articles of the Constitution, particularly Articles 11(b) & (c), 27, & 28 relating to citizenship and equal protection; and

WHEREAS, realizing those inconsistencies, the framers of the 1986 Constitution requested the Legislature to prescribe other standards, criteria and procedures by which Liberian citizenship may be obtained.

NOW THEREFORE,

It is enacted by the Senate and House of Representatives of the Republic of Liberia, in Legislature Assembled:

Article 1: Amendment to Chapters 20, 21 and 22 of the Aliens and Nationality Law

Immediately upon the passage of this Act, Part III, Chapter 20, Section 20.1; Chapter 21, Sections 21.30, 21.31, 21.51 and 21.52; and Chapter 22, Sections 22.1, 22.2 & 22.4, of the Aliens and Nationality Law are hereby amended and/or repealed as follows:

Section 1. § 20.1. Citizens of Liberia at birth.

Part III Chapter 20, Section 20.1 of the Aliens and Nationality Law relating to citizenship by birth is hereby amended, and a new subsection 20.2 is add to read as follows.

§ 20.1. Citizenship by birth.

The following persons if otherwise qualified under the Constitution of Liberia to be a citizen of Liberia shall as of their birth be citizens of the Republic of Liberia:

- (a) A person born in Liberia, and subject to the jurisdiction thereof at birth; or
- (b) A person born outside of the Republic of Liberia to parents both of whom at the time of such person's birth are citizens of Liberia; or
- (c) Any person born to one Liberian parent at the time of birth, provided that if such person acquires the citizenship of his/her foreign parent at the time of birth he/she shall comply with the requirement of Article 28 of the Constitution upon reaching the age of maturity.

§ 20.2. Citizenship by Adoption.

A person under the age of 18 years whose parents are not citizens of Liberia, and who is adopted by a citizen of Liberia, shall be a citizen of Liberia by virtue of such adoption, if such person is otherwise qualified under Article 27(b) of the Constitution to be a citizen of Liberia.

Section 2: § 21.30. Woman who marries citizen.

Part III, Chapter 21, Section 21.30 of the Aliens and Nationality Law relating to the acquisition of citizenship through marriage is hereby amended to be read as follows:

§ 21.30. Acquisition of Liberian citizenship by marriage.

Any person who, otherwise qualified under Article 27(b) of the Constitution to be citizen of Liberia, marries a Liberian citizen shall be eligible to become a citizen of Liberia by virtue of such marriage. Such person must comply with the requirements for naturalization as provided under Chapter 21 of the Aliens and Nationality Law, and comply with other regulations of the Liberian Immigration Services (LIS).

Section 3: § 21.31. Children born outside Liberia of alien parents or of citizen mother and alien father.

Part III, Chapter 21, Subchapter B, Section 21.31 relating to children born outside Liberia of alien parents or to a citizen mother and alien father is hereby amended to read as follows:

§ 21.31. Children born outside of the Republic of Liberia to naturalized Liberian parent(s).

1. Derivation of citizenship through naturalization of either or both parents. A child born outside Liberia to parents either or both of whom are naturalized Liberians shall become a citizen of Liberia through naturalization of the parents or parent if:
 - (a) such naturalization takes place while such child is under the age of 21 years;
or
 - (b) such child appears before a Liberian consul in his/her country of residence upon attaining the age of 21, but not later than the age of 25, and takes an oath of allegiance to Liberia, or appears before a circuit court judge in Liberia and takes an oath of allegiance to Liberia. A certificate of confirmation shall be issued by the circuit court in Liberia or the Liberian Consul to such person after taking the oath of allegiance.

Section 4: § 21.51. Foreign residence as prima facie evidence of misrepresentation.

Part III, Chapter 21, Section 21.51 relative to foreign residence as prima facie evidence of misrepresentation is hereby amended to be read as follows:

§ 21.51. Right to reside outside Liberia.

Any person who obtains Liberian citizenship through adoption or naturalization, in common with all other Liberian citizens, is free to travel and reside in any country including the person's country of birth and for any length of time without losing thereby his or her Liberian citizenship; and residing in a foreign country including the country of person's birth shall not affect such person's Liberian citizenship.

Section 5: § 21.52. Reports on naturalized citizens residing in foreign country.

Part III, Chapter 21, Section 21.52 is hereby repealed in its entirety.

Section 6: § 22.1. Acts causing loss of Citizenship.

Part III, Chapter 22, Section 22.1 relating to actions causing loss of citizenship is hereby amended to read as follows:

§ 22.1. Acquisition of other Citizenship and loss of Citizenship.

1. A citizen of Liberia may acquire another citizenship in addition to his/her Liberian citizenship.
2. Any person who acquires another citizenship in addition to his/her Liberian citizenship shall not be deemed to have relinquished his/her Liberian citizenship except such person:
 - (a) Deliberately and intentionally appears before a court of competent jurisdiction in the Republic of Liberia and in writing voluntarily renounces his/her Liberian citizenship; or
 - (b) Deliberately and intentionally appears before a Liberian consular officer abroad and in writing voluntarily makes an oath of renunciation of his/her Liberian citizenship.

Section 7: § 22.2. Citizenship lost solely from performance of act.

Part III, Chapter 22, Sections 22.2 relating to the loss of citizenship is hereby repealed in its entirety, and is been replace by a new Section 22.2 Restoration of Liberian citizenship, to be read as follows:

§ 22.2. Restoration of Liberian citizenship.

The citizenship rights of all persons who have been affected by Chapter 22, Sections 22.1, 22.2 and 22.4 are hereby restored as if they were never affected.

Section 8: § 22.4. Certificate as to loss of Liberian citizenship.

Part III, Chapter 22, Sections 22.1 and 22.2 relating to the loss of citizenship under Section 2.4 are hereby repealed in its entirety.

Article 2. Effective Date.

This Act shall take effect immediately upon publication into handbills.

ANY LAW TO THE CONTRARY NOTWITHSTANDING