

File Name: Libya Law 18 1980.pdf

Description: Taken from the an unknown source (appears to be taken from an Official or a Legislative Journal), Volume 19, Pages 857 – 862

(Pages 863-866 handles a different topic namely the Central System for General Administrative Monitoring and is not related to the issue of Citizenship or Nationality Act)

Country: Libya

Topic: Law - Nationality.

Law number (18) for the year 1980 –Regulatory Code Pertaining to the Decrees of the Nationality Act

By the General People's Assembly

Law Number (18) for the year 1980
Pertaining to the Decrees of the Nationality Act

General People's Assembly:

Pursuant to the resolutions and recommendations of the People's Congresses at their special session held from the 23rd to 30th of Shawal, in the year 1389 from the death of the Prophet, corresponding to the 2nd to 9th of September, 1980 A.D., which resolutions and recommendations were drafted at the general meeting between the People's Congresses and the People's Committees and the various Guilds, Unions and Professional Associations – The General People's Congress – at its special session for the year 1389 from the death of the Prophet, corresponding to the year 1980 A.D.

The Following Law is Promulgated

First Article

The Arabic nationality is the nationality of the citizens of the Socialist People's Libyan Arab Jamahiriya [Republic of].

Second Article

The Arabic nationality is a right for every Arab who enters the Libyan territory and wishes to acquire such nationality.

For purposes of the application of this statute, an Arab is:

- a) One who is affiliated by nationality to any Arabic country;
- b) One who is affiliation, or the affiliation of any of his parents, is proven to relate to the Arab Nation;

in accordance with the provisions and conditions specified by the regulatory codes for this Act.

Third Article

The provisions of this Act shall not apply to the Palestinian Arabs.

¹Fourth Article

The Arabic person who acquires the Arabic Nationality pursuant to the provisions of this Act, shall enjoy all the rights of the citizens of the Socialist People's Libyan Arab Jamahiriya, and

¹ Volume 19 Beginning of page 858

shall be equally responsible for the same obligations under the laws in effect in the Jamahiriya.

Fifth Article

The Arabic Nationality may be granted in accordance with the conditions and provisions specified in the regulatory codes, to members of the following classes:

a) Children of Arabic women who are married to non-citizens of the Socialist People's Libyan Arab Jamahiriya.

b) Scientist of higher specialties or special expertise that are needed in the Socialist People's Libyan Arab Jamahiriya.

c) A foreign woman, who is married to a person holding the Arabic Nationality, provided that she loses her foreign nationality. The Secretary of the General People's Committee for Justice may deprive her of acquiring the Arabic Nationality by a reasoned resolution. Moreover, her Arabic Nationality may be withdrawn from her if her marriage does not continue for at least two years.

Such woman, shall not lose her Arabic Nationality at the termination of the marriage, unless she subsequently marries a foreigner; or makes her normal residency outside the country; or restores her foreign nationality.

In the event that she acquired the Arabic Nationality as a result of her marriage to a citizen of the Socialist People's Libyan Arab Jamahiriya, then her children from prior relationships, shall not acquire the Arabic Nationality by virtue of her marriage.

Sixth Article

A woman who carries the Arabic Nationality, and marries a foreigner, shall retain her Arabic Nationality, unless she wished to acquire her husband's nationality, and the laws of her husband's nationality allow her to acquire his ²nationality. Notwithstanding, she may restore her Arabic Nationality in the event that the marriage is terminated, by notifying the Secretary of the General People's Committee for Justice, provided that she loses her foreign nationality.

Seventh Article

Proof of The Arabic Nationality for Libyan citizens shall be in the form of a Certificate of Authentication of the Arabic Nationality in accordance with the regulatory codes.

The Arabic Nationality shall be granted to all others, by a resolution from the General People's Committee based upon the proposal of the Secretary of the General People's Committee for Justice, and a certificate granting the Arabic Nationality shall be issued in accordance with said resolution.

The Arabic Nationality shall not be granted until the applicant has lost the nationality that he holds. The certificates of Arabic Nationality shall be issued in the two forms specified by the regulatory code.

Eighth Article

A person holding the Arabic Nationality shall lose his nationality, if he voluntarily acquires a foreign nationality, unless permitted to do so by the General People's Committee for Justice.

In the event that a father loses his Arabic nationality, then his minor children shall follow. Notwithstanding, they may restore their Arabic nationality by submitting an application to the Secretary of the General People's Committee for Justice within one year of their reaching the age of majority.

A person holding the Arabic nationality, shall lose his nationality on the date he acquires it, if he acquired it based upon false information or untruthful statements or by concealing material facts.

Ninth Article

In any of the following cases, the Arabic nationality may be withdrawn from any non-Libyan person, who acquires said nationality pursuant to the provisions of this statute or the Nationality Act number (17) for the year 1954 and its amendments, during the ten years immediately following acquiring said nationality:

- ³a) If the person was convicted of a felony or a crime of moral turpitude.
- b) If the person committed acts that are inconsistent with his description as an Arab or failed to act in a manner that is consistent with the interests of the Arab Nation.
- c) If the person resided outside of Libya for a period of two consecutive years during the first ten year-period immediately following his acquiring the Arabic nationality, without a plausible excuse satisfactory to the General People's Committee.

The withdrawal of nationality shall not apply to the wife and children unless the withdrawal resolution expressly so states.

Tenth Article

The Arabic Nationality may be revoked for the following:

- a) (Traitor) is a person who is convicted of a crime that proves his disloyalty toward the homeland, the great El Fateh revolution and his Arabic nation, and said person was physically present outside the country.
- b) A person who joins the Military Service of a foreign country without permission from the appropriate authorities in Libya, and that person was physically present outside the country.
- c) A person who is described, at any time, as a Zionist. A person shall be so described if he visited the Zionist enemy; or had, at any time, labored for its strengthening, whether financially or morally.

d) A person who is convicted of the crime of deserting the mandatory Military Training which is implemented to develop the armed people, and was physically present outside of Libya.

e) A person who is proven to have obtained a political asylum status from a foreign country and resides in said country as such.

f) A person who is convicted of the crime of smuggling his assets and resides outside of Libya.

g) A person who resides outside the country and had labored to enhance the interests of a foreign nation or invested his assets inside it, when a war had been declared between said nation and the Socialist People's Libyan Arab Jamahiriya, or where the political relationships therewith had been severed.

(h) A person who recants the Moslem religion.

(i) A person who declined to return to his homeland, after accomplishing the mission or education for which he was sent to accomplish.

(j) A person who departed the country immediately following the Great El Fateh of September revolution, or was outside the country at the time and failed to return, or who abandoned his employment abroad.

(k) A person who accepts employment outside the country for a foreign government or agency and remained therein despite a request being issued to him by the Secretary of Exterior or its delegate to abandon said employment.

The revocation of nationality pursuant to items (a, d, e, f, g, i, j, k) above, is conditioned upon the refusal of the holder of the Arabic nationality who is physically present outside the country, to return within a period of six months from the date that he was advised to return, without giving a plausible explanation for such failure to the satisfaction of the General People's Committee. Where person said refused to receive the notification or where his whereabouts were unknown, then he shall be deemed on notice by publication in the Official Journal.

The resolution of revocation shall not apply upon the wife and children.

Eleventh Article

The resolution of withdrawal or revocation of nationality shall be issued with good cause [reasoned] by the General People's Committee based upon the proposal of the General People's Committee for Justice.

Twelfth Article

The regulatory code for this Act shall be issued pursuant to a resolution by the General People's Committee.

Thirteenth Article

Any resolution that is inconsistent with the provisions of this Act shall be repealed. Until such time when the regulatory codes of implementing this Act have been promulgated, work shall proceed in accordance with the codes and decrees currently in effect, to the extent that they do not conflict with the provisions of this Act.

⁴Fourteenth Article

This law shall be published in the Official Journal and shall take effect on the date of its publication.

The General People's Congress

Issued on the 26th of Zil Heja, 1389 from the death of the Prophet, corresponding to the 4th of November, 1980 A.D.

File Name: Libya Dec 1980 Law 18 Part 2.PDF

Description: Taken from the an unknown source (appears to be taken from an Official or a Legislative Journal), Volume 20, Pages 900 – 909

Country: Libya

Topic: Law - Nationality.

Law number (18) for the year 1980 –Regulatory Code Pertaining to the Decrees of the Nationality Act

By The General People's Committee

Regulatory Code for Law number (18) for the year 1980
Pertaining to the Decrees of the Nationality Act

The General People's Committee.

Having reviewed the Law number 18 for the year 1980 A.D., pertaining to the Decrees of the Nationality Act;
and based upon the proposal of the Secretary of the General People's Committee for Justice;

it is so decided

Article (1)

Every Arab shall have the right to obtain the Arabic nationality if the person meets the following conditions:

- a) The person is Arabic
 - b) Is physically present within the territory of the Socialist People's Libyan Arab Jamahiriya (Republic).
 - c) Has reached the age of majority and in full [mental] capacity.
 - d) The person was not older than fifty years old at the time his application for acquiring the Arabic nationality is submitted.
 - e) Has not been previously convicted of a felony or a crime of moral turpitude, unless subsequently exonerated.
 - f) Is of good moral character.
 - g) Is not a woman married to a non Arab.
 - h) Is committed to make his normal residence within the Socialist People's Libyan Arab Jamahiriya.
 - i) Submit proof of relinquishing or losing any other foreign nationality or affiliation that he may have in accordance with the procedural requirement of his foreign nation, or show proof that he is currently in the process of achieving the same.
- Notwithstanding, if at the conclusion of such procedures he had not relinquished his foreign nationality or ⁵affiliation, then his Arabic nationality may ultimately be withdrawn by a resolution of the General People's Committee based upon a proposal by the Secretary of the General People's Committee for Justice.

Article (2)

Applications for acquiring the Arabic nationality shall be submitted to the General Administration for Passports and Nationality on the form specified for this purpose. Applicants must attach the following documents to their applications:

- a) Birth certificate
- b) Certificate of residency in the applicant's country of affiliation whether as a national or a subject thereof at the time of filing the application.

⁵ Volume 20

- c) Certificate of criminal record
- d) Affidavit that the applicant is not currently holding any other nationality or affiliation or that he is currently progressing procedurally to relinquish same by the time that he is granted the Arabic nationality.
- e) One of the following instruments:
 - 1- Certificate of nationality held by applicants who are affiliated by their nationality to one of the Arabic countries.
 - 2- An instrument or instruments, in a form acceptable to the General Administration for Passports and Nationality, as proof that the applicant – or one of his parents - is affiliated to the Arab Nation, if [the applicant was] not affiliated by nationality to one of the Arabic countries.

The applicant may include in his application his wife and children who are under the age of majority.

Article (3)

An applicant who falls under any of the following classes shall attach the following documents to his application for acquiring the Arabic nationality, which application shall be in writing on the form specified for this purpose, with its corresponding documents:

⁶ a) Class One

Children of Arabic women who are married to other than citizens of the Socialist People's Libyan Arab Jamahiriya.

- 1- Birth certificate
- 2- Certificate of the mother's nationality
- 3- An official instrument as proof of the marriage of the mother to other than a citizen of the Socialist People's Libyan Arab Jamahiriya.
- 4- An affidavit of relinquishing any foreign nationality, or the loss thereof, if the applicant had acquired the father's or any other nationality.

b) Class Two

Scientists of higher specialization or special expertise needed by the Socialist People's Libyan Arab Jamahiriya:

- 1- Birth certificate
- 2- Certificate of criminal record
- 3- An affidavit of the applicant's intent to reside within the Socialist People's Libyan Arab Jamahiriya, written on the form specified for this purpose.
- 4- Proof of the applicant's higher specialization or special expertise.
- 5- An affidavit to be submitted on the proper form specified for this purpose, of the applicant's relinquishment of any foreign nationality or the loss thereof in the event that the Arabic nationality is granted.

c) Class Three

Foreign woman married to a citizen of the Jamahiriya:

- 1- Birth certificate
- 2- Certificate of husband's nationality
- 3- Official marriage document
- 4- Certificate of criminal record
- 5- An affidavit of relinquishing her foreign nationality.

⁷Article (4)

The General Administration for Passports and Nationality shall issue a certificate granting the Arabic nationality to Arabs, on the appropriate form specified for that purpose, based upon a resolution by the General People's Committee for granting it [Arabic Nationality]. A certificate of proof of Arabic nationality shall be issued to the citizens of the Socialist People Libyan Arab Jamahiriya, on the appropriate form specified for that purpose, upon an application submitted by the parties concerned and after compliance with the required documents.

Article (5)

An Arabic woman who acquired a foreign nationality by virtue of her marriage to a foreigner may - if she wishes to restore her Arabic nationality in the event that her marriage is terminated - advise the Secretary of the General People's Committee for Justice on the appropriate form specified for that purpose. The following documents shall accompany her request:

- 1- A document proving the termination of the marriage
- 2- Proof that she had lost her foreign nationality either by virtue of the marriage termination or by her voluntary relinquishment.

Article (6)

Minor children who have lost their Arabic Nationality, pursuant to the provisions of paragraph two of the eighth Article of the Arabic Nationality Act for the year 1980 A.D., may restore their Arabic Nationality within one year of their reaching the age of majority, by advising the Secretary of the General People's Committee for Justice, of their desire to restore, submitted on the appropriate form specified for that purpose and accompanied by proof of loss or relinquishment of their foreign nationality. The restored Arabic nationality shall take effect from the date of submitting their request.

Article (7)

In all cases, neither the certificate of proof of Arabic nationality, nor the certificate granting Arabic nationality, shall be issued - and if issued - shall remain without effect, until proper verification of the applicants' loss of their foreign nationality or foreign affiliation, if any.

⁸Article (8)

⁷ Volume 20

Beginning of Page 903

⁸ Volume 20

Beginning of Page 904

The General Administration for Passports and Nationality shall follow up on and isolate the cases that may require a withdrawal or revocation of the Arabic nationality pursuant to the provisions of the law, and shall present them before the Secretary of the General People's Committee for Justice, by a written memorandum accompanied by the appropriate documents and recorded information, in order to proceed with the necessary action.

Article (9)

The General Administration for Passports and Nationality shall notify the holder of the Arabic nationality of the decision to revoke his nationality or withdraw it, at his place of residence. In the event that the person refused to receive the notice or if his whereabouts were unknown, then the person shall be deemed on notice upon publication of the decision in the Official Journal.

The decision to revoke or withdraw the nationality shall have no effect until service upon the parties concerned is effectuated.

Article (10)

All applications and notifications referred to in these codes, shall be recorded in a special journal sequentially numbered by order of the date of their submission, and the applicant shall be given a receipt acknowledging the following information:

- a) The serial number of the application or notification.
- b) Name of the applicant or filer of the application.
- c) Date of the application
- e) A list of the instruments and documents submitted with the application or notification.

Article (11)

The following matters shall be regulated by decrees to be issued by the Secretary of the General People's Committee for Justice, based upon the proposal of the General Director of the General Administration for Passports and Nationality:

- a) Determination of the appropriate fees for applications, notifications and certificates of nationality.
- ⁹b) The language, format and method of taking the pledge of allegiance.
- c) Determination of the appropriate forms and notifications referred to in these codes, and the proper procedure for service and the agencies to be delegated to effectuate it.
- d) Determination of the higher qualifications and special expertise expressly stated in paragraph (b) of Article (3) of the Law number 18 for the year 1980 A.D. pertaining to the provisions of the Nationality Act.

Article (12)

Any provisions that are inconsistent with the provisions of these codes shall be repealed.

Article (13)

These codes shall be published in the Official Journal and shall become in effect from the date thereof.

General People's Committee

Issued on the 29th of Moharam 1390 from the death of the Prophet
Corresponding to the 6th of December, 1980.

**Resolution of the Secretary of the General People's Committee for Justice number (588)
for the year 1389 D.P. [death of the Prophet]/80 A.D.
Amending From number (8) appended to the Nationality code number 1/56 A.D.**

Secretary of the General People's Committee for Justice

Having reviewed law number 17 for the year 1954 A.D., pertaining to Nationality issues, and its amending laws [*et seq*] ;

and the Nationality code number 1/56 issued on the 5th of Shaban 1375 Hijra, corresponding to the 17th of March, 1956 A.D.;

it is so decided

Article (1)

Form number (8) appended to the Nationality code number 1/1956 A.D. and referred to in the form appended herein, shall be amended

Article (2)

All relevant agencies shall implement this resolution, which shall become in effect on the date it is issued and published in the Official Journal.

Mohammad Aly Elgedy
Secretary of the General People's Committee for Justice

Issued on the 11th of Shaban, 1389 from the death of the Prophet
Corresponding to the 24th of June, 1980 A.D.

In the Name of Allah the Most Merciful

No Democracy Without
The People’s Assembly

“From number (8) Nationality”
The Socialist People’s Libyan Arab Jamahiriya
Secretariat of Justice

“Application for Naturalization”

- 1- Name:
- 2- Place and Date of Birth:
- 3- Occupation:
- 4- Known Name:
- 5- Father’s NamePlace and Date of Birth
- 6- Mother’s NamePlace and Date of Birth
- 7- Grandfather’s Name
- 8- Family Name
- 9- Religion.....
- 10- Faction
- 11- Description and Identifying Marks
- 12- Applicant’s Nationality
- 13- Willing to Relinquish?
- 14- Reasons for desire to acquire Libyan nationality
- 15- Beginning of residency in the Jamahiriya
- 16- Reason for residency in the Jamahiriya, type of residency, date it expires
- 17- Place and date of entering the Jamahiriya
- 18- Passport Number
- 19- Has the applicant left Libya during his residency?

Date of departure, reason for departure, to which country

- 20- Date of return to Jamahiriya
- 21- Has applicant ever served as a public servant in the Jamahiriya? Date of service and agency served:
.....
- 22- Has the applicant ever been naturalized with any other nationality?
.....
- 23- Has any judgment been ordered against the applicant inside or outside the Jamahiriya and for what reason?
.....
.....
- 24- Applicant's place of work in the Jamahiriya
- 25- Businesses practiced by the applicant in his country and jobs he occupied
.....
.....
- 26- Has the applicant worked for the Libyan Armed Forces? In which branch? For how long?
.....
.....
- 27- What is the business that the applicant intends to practice upon obtaining the Libyan nationality?
.....
.....
- 28- Does the applicant have any assets abroad?
- 29- Does he have any assets invested in Libya?
- 30- Does he intend to reside in Libya?.....
- 31- Means of livelihood
- 32- Amount of income
- 33- Number of individuals that he supports
- 34- Does the applicant have relatives in the Jamahiriya? What are their names and businesses and addresses?
.....
.....

35- Applicant's next of kin in applicant's country, and the occupation of each
.....
.....

36- Is the applicant fluent in the Arabic language?
.....

37- Other languages known by the applicant?
.....

38 – Social Status of Applicant, complete the names of the family members in the following table

(a) and (b)

.....

Class	Name	Relationship to Applicant	Place and Date of Birth	Religion and Faction	Nationality
(a) Individuals to be included in the nationality					
(b) Individuals not to be included in the nationality					

If the applicant is a woman:

39- Is the woman married?
.....

40- Has she been previously married?
.....

41- Date of her marriage?
.....

42- Husband's name?
.....

43- His nationality?
.....

44- Place where the husband resides?
.....

45- Duration of marriage or its dissolution?
.....

Additional Information

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.....
.....
.....
.....

Date:

Signature

Address

File Name: Libya Part 3. JPG

Description: Taken from the an unknown source (appears to be taken from an Official or a Legislative Journal), Volume 14, Pages 573

Country: Libya

Topic: Law - Nationality.

Law number (6) for the year 1984 –Amending some of the provisions of the Nationality Act
Law number (18) for the year 1980 A.D.

By The General People's Assembly

**Law Number (6) for the year 1984 A.D.
Amending Portions of the Provisions of the Nationality Act
Law Number (18) for the year 1980 A.D.**

The General People's Assembly;

Pursuant to the resolutions and recommendations of the People's Congresses at their third regular session for the year 1393/92 from the death of the prophet, corresponding to 1983 Gregorian, which resolutions and recommendations were drafted at the general meeting between the People's Congresses and the People's Committees and the various Guilds , Unions and Professional Associations – The General People's Congress – at its ninth regular session held from the 8th to the 13th of Gamady Alawaly 1393 from the death of the Prophet, corresponding to the 11th to the 16th of February, 1984 A.D. ;

The Following Law is Promulgated

First Article

The text of the second paragraph, in the seventh Article of the Nationality Act, law number (18) for the year 1980 A.D., shall be replaced by the following:

“Seventh Article (Paragraph 3)

The Arabic nationality shall not be granted until its applicant has lost the nationality he carries. Notwithstanding, the applicant may be exempt from the condition of losing his nationality by a resolution form the General People's Committee, based upon the proposal of the General People's Committee for Justice including all the subjective reasons for requesting the referred exemption.

Second Article

This law shall become in effect from the date that law number (18) of the year 1980 referred to herein had become in effect, and shall be published in the Official Journal.

General People's Congress

Issued on the 22nd of Gamady Alaker 1393 from the death of the Prophet
Corresponding to the 24th of March, 1984 A.D.