

THE LUXEMBOURG NATIONALITY

LAW OF 23 OCTOBER 2008



LE GOUVERNEMENT
DU GRAND-DUCHÉ DE LUXEMBOURG
Ministère de la Justice



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DU GRAND-DUCHÉ DE LUXEMBOURG
Service information et presse

> IMPRESSUM

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The legislative and regulatory texts in French shall prevail.

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PREFACE

A new law on Luxembourg nationality entered into force on 1 January 2009.

Nationality is generally defined as the legal link between a state and an individual, which is based on a social fact of attachment, a connection of existence, interests and feelings, entailing reciprocal rights and duties.

The legislative reform adapts the law about nationality to the changes that have occurred in Luxembourg society. By way of the conditions governing the acquisition of nationality, the law consolidates the integration of foreigners residing in Luxembourg.

Many foreigners, through the acquisition of the Luxembourg nationality, wish to show their attachment to our country and their will to integrate, whilst also, through their nationality of origin, wanting to maintain a link with the homeland and culture of their ancestors. It is in this light that the principle of dual nationality has been introduced into Luxembourg law.

In addition, the procedures applying to the acquisition and re-acquisition of Luxembourg nationality have been simplified and harmonised. The Minister of Justice must rule over the applications within a timeframe defined in the legislation. The creation of appeal procedures against decisions refusing naturalisation reinforces the jurisdictional protection of the citizens. Furthermore, simplified provisions

regarding the proof of Luxembourg nationality facilitate the life of citizens in their dealings with the administrative authorities.

I attach particular importance to keeping the public informed. To this effect, an "infoline" has been set up to respond to any questions citizens might have with regard to the Luxembourg nationality. The Internet site of the Ministry of Justice features information leaflets and forms that are available for downloading.

The objective of the present brochure is to make the general public aware of the essential provisions of the new law on Luxembourg nationality. The brochure is available in French, German and English, and provides practical information for those who wish to acquire or re-acquire the Luxembourg nationality.

Luc Frieden
Minister of Justice



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INTRODUCTION

> A. PRINCIPAL RIGHTS RESULTING FROM NATIONALITY

Nationality can be defined as the legal and political link that associates an individual to a state.

The constitutional and legislative texts reserve a certain number of civil and political rights to persons in possession of the Luxembourg nationality.

The right to vote in legislative elections constitutes the most significant political right. Only Luxembourg citizens are qualified as electors (active electorate) in the context of the legislative elections. Their participation in voting is compulsory.

In addition, Luxembourg citizens are electors (passive electorate) in the sense that they can submit their candidature for the legislative elections. Luxembourg nationality is a condition for being a member of Parliament or a member of the government.

Furthermore, Luxembourg nationality constitutes a condition for entering the civil service apart from a few posts that are also open to EU nationals. Only Luxembourg citizens can be appointed magistrate.

Finally, compulsory military service for Luxembourg citizens was abolished in 1967.

> B. CONTEXT OF THE LEGISLATIVE REFORM

The objective of the legislative reform is to adapt the legislation regarding nationality to the changes that have occurred in Luxembourg society in recent decades and to contribute to a more consolidated integration of foreigners residing in Luxembourg.

Parallel to the economic development of the country and the European dimension of the Grand Duchy's capital, the number of non-Luxembourg nationals residing in our country has significantly increased and now exceeds 40 % of the total population.

While a number of these foreigners reside in Luxembourg for only a few years, others have decided to make it their permanent home and, through the acquisition of Luxembourg nationality, wish to show their attachment to our country and their desire to integrate into our national community, whilst also, through their nationality of origin, wanting to maintain a link with the homeland and culture



of their ancestors. Today, this applies in particular to the children and grandchildren of the immigrant labourers who came to work in our country during the second half of the 20th century.

The draft reform of the law concerning Luxembourg nationality was included in the August 2004 government programme. In the governmental declaration, the Prime Minister underlined: *"Integration and cohesion: this double requirement is in particular obvious in our life shared with those who are not Luxembourgers. There must be no gulf between them and us. Integration of non-Luxembourgers is an offer that the Luxembourgers must make. The non-Luxembourgers must accept this offer. (...) We therefore wish to introduce dual nationality. This will bring us closer to one another, encourage successful living together, without those who obtain a Luxembourg passport having to give up the non-Luxembourg part of their lives. We are thus going to be offering more Luxembourg courses. Many non-Luxembourgers wish to learn our language (...) to integrate better: the offer of integration goes hand in hand with the offer of the Luxembourg language."* (free translation of the original French text)

On 13 October 2006, the Minister of Justice introduced the government bill on Luxembourg nationality before Parliament (parliamentary document no. 5620). The bill

was passed by Parliament on 15 October 2008. The law of 23 October 2008 on Luxembourg nationality (published in *Mémorial A* – no. 158 of 27 October 2008) entered into force on 1 January 2009.

CHAPTER 1

LUXEMBOURG NATIONALITY BY ORIGIN

> A. LUXEMBOURG NATIONALITY BY BIRTH (ARTICLE 1)

> a. Birth to a Luxembourg parent

A child born to a Luxembourg parent, even if born abroad, is a Luxembourg national, provided the following two conditions are met:

1. the lineage of the child must be established before he or she has reached 18 years of age;
2. the parent must be a Luxembourg national at the time that this lineage is established.

In the event of the declaratory judgement not being rendered until after the death of the father or the mother, the child is a Luxembourg national if the parent was in possession of Luxembourg nationality on the day of his or her death.

> b. Double birth in Luxembourg

The legislation foresees a new case for obtaining the status of a Luxembourg national by origin, which is based on the right of the soil.

A child is in possession of Luxembourg nationality, provided:

1. he or she is born in Luxembourg to non-Luxembourg parents; and
2. at least one of his or her parents (father or mother) was also born in Luxembourg.

This provision applies to the child:

1. who is born after 1 January 2009, the date the law of 23 October 2008 on Luxembourg nationality entered into force, or
2. who had not yet reached 18 years of age on 1 January 2009: thus children born between 1 January 1991 and 31 December 2008.



> c. Birth in Luxembourg

In the following three cases, a child obtains Luxembourg nationality through birth in the Grand Duchy:

1. the child born in the Grand Duchy to legally unknown parents: a child found in the Grand Duchy is assumed, until proven otherwise, to have been born on Luxembourg soil;
2. the child born in the Grand Duchy who possesses no nationality owing to the fact that his or her parent(s) is (are) stateless;
3. the child born in the Grand Duchy to foreign parents for whom foreign nationality laws in no case allow the transmission of one or the other nationality of the parents: the parents must in this case prove that their national legislation in no case allows the transmission of their nationality to their children.

> B. LUXEMBOURG NATIONALITY AS A RESULT OF ADOPTION (ARTICLE 2, POINT 1°)

A minor who has been adopted by a Luxembourg national obtains Luxembourg nationality.

The new element lies in the fact that the law no longer distinguishes between different types of adoption. In other words, full adoption and simple adoption are treated equally in terms of the transmission of Luxembourg nationality to adopted children.

> C. LUXEMBOURG NATIONALITY THROUGH A CHANGE IN NATIONALITY OF THE PARENT OR THE ADOPTIVE PARENT (ARTICLE 2, POINT 2°)

The following obtain Luxembourg nationality:

1. the minor whose parent or adoptive parent, with regard to whom lineage has been established, acquires or re-acquires Luxembourg nationality; and
2. the minor whose parent or adoptive parent, with regard to whom lineage has been established, has obtained Luxembourg nationality through the application of the above provision.

> D. RETROACTIVITY (ARTICLE 32)

Articles 1 and 2 apply even to individuals born prior to the entry into force of the law, i.e. prior to 1 January 2009, provided said individuals had not, on this date, reached 18 years of age. In other words, children born between 1 January 1991 and 31 December 2008 benefit from the provisions of articles 1 and 2.

The two articles apply even if the facts and actions liable to result in the acquisition of Luxembourg nationality took place before 1 January 2009. This application, however, does not infringe upon the validity of the actions carried out by the interested party or the rights acquired by third parties on the basis of previous laws.

> E. ESTABLISHMENT OF LUXEMBOURGISH STATUS BY ORIGIN (ARTICLES 3 AND 4)

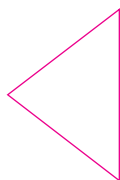
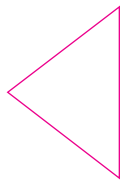
The Luxembourgish status by origin is established through birth in the Grand Duchy prior to 1 January 1920.

Moreover, a person can establish his or her Luxembourgish status through proof of possession of Luxembourg nationality by the parent. This person must prove that his or her parent exercised the rights attached to Luxembourg nationality. Evidence to the contrary is legally valid.



CITIZENSHIP
CITIZENSHIP

INTEGRATION
INTEGRATION



CHAPTER 2

LUXEMBOURG NATIONALITY THROUGH VOLUNTARY ACQUISITION

> A. NATURALISATION

The Luxembourgish status can be acquired by naturalisation. Naturalisation confers upon the foreigner all the civil and political rights attached to the status of Luxembourger. This has only future effects.

> a. Principal new elements

The law of 23 October 2008 on Luxembourg nationality constitutes a significant reform of the naturalisation process with regard to the conditions to be met, the applicable procedure and the appeal procedures. The main new elements can be summarised as follows:

1. in application of the principle of dual nationality, any person wishing to acquire Luxembourg nationality is no longer obliged to renounce his or her nationality of origin;
2. extension of the compulsory minimum period of residence in the country from 5 to 7 years, which constitutes an appropriate period for ensuring that the applicant is sufficiently integrated in Luxembourg society;

3. details of linguistic conditions:

- obligation to pass an evaluation test in spoken Luxembourgish, which represents an assessment method that is more objective, more neutral and more egalitarian for all naturalisation candidates;
- establishment of a level of competence to be attained in Luxembourgish (oral comprehension and oral expression), which ensures that naturalisation candidates are able to participate in the social and political life of Luxembourg;
- reimbursement by the state of the enrolment fees for Luxembourgish language courses and of the evaluation test in spoken Luxembourgish, in accordance with terms determined by grand-ducal regulation.

4. obligation to follow citizenship courses, enabling applicants to acquire knowledge relating to Luxembourg institutions and fundamental rights;

5. details of conditions of good repute:

- establishment of objective criteria, making it possible to assess whether the applicant provides a sufficient guarantee of good repute;
- power to suspend the naturalisation file in the event of a judicial criminal proceeding.



6. creation of an administrative procedure aimed at simplifying and accelerating the processing of naturalisation applications:

- creation of a single procedure of voluntary acquisition of Luxembourg nationality, so that the acquisition procedure of this nationality by option is no longer applicable;
- direct and immediate transmission of the naturalisation file by the municipalities to the Ministry of Justice, without passing through the district commissioner in charge of liaising between the municipalities and the Ministry for Home Affairs;
- absence of referral for the opinion of the municipal councils and the Council of State;
- administrative enquiry carried out at Ministry of Justice level, Office in Charge of Luxembourg Nationality (Service de l'indigénat);
- obligation to make a decision within 8 months from the declaration of naturalisation;
- entering into effect of the naturalisation from the day of the decision and absence of publication of the latter in the *Mémorial*;
- transfer of the decision-making power from Parliament to the Minister of Justice, who can grant or refuse Luxembourg nationality.

7. creation of appeal procedures against a refusal of naturalisation before the Administrative Tribunal, with the possibility of lodging an appeal before the Administrative Court.

> b. Principle of dual or multiple nationality

The law of 23 October 2008 on Luxembourg nationality does not include the condition of the loss or renunciation of the nationality of origin upon the initiative of the foreigner wishing to acquire Luxembourg nationality, as stated in article 7, point 2°, of the amended law of 22 February 1968 on Luxembourg nationality.

From 1 January 2009 onwards, in order to qualify for naturalisation, it is no longer necessary for the foreigner to prove, through certificates or attestations, that he or she has lost his or her nationality of origin or that he or she has lost it as of right following the acquisition of another nationality.

Nevertheless, this does not necessarily mean that the foreigner who has submitted an application for naturalisation will have dual nationality after acquiring Luxembourg nationality. In order to know whether the acquisition of Luxembourg nationality can be combined with keeping the foreign nationality, foreign legislation will also need to be taken into consideration. Since not all states adhere to the

principle of dual or multiple nationality, it is possible that the foreigner wishing to acquire Luxembourg nationality comes from a state in which the legislation does not allow dual or multiple nationality.

It is up to the candidate wishing to acquire Luxembourg nationality while also wanting to maintain his or her nationality of origin to complete the following steps in advance: the candidate must find out from the competent authorities in his or her country of origin, for instance from its embassy or consulate, whether he or she can continue to keep his or her nationality of origin in the case of acquiring Luxembourg nationality.

Provided this is accepted by the foreign authorities, a person in possession of two foreign nationalities can also, upon acquiring Luxembourg nationality, have three nationalities.

Subject to the international agreements and the laws in force in the Grand Duchy, any person possessing one or several other nationalities in addition to Luxembourg nationality is considered by the authorities of the Grand Duchy as being exclusively Luxembourgish.

> c. Conditions of naturalisation (articles 6 and 7)

The conditions for obtaining Luxembourg nationality through the process of naturalisation have been laid down for the sake of guaranteeing social cohesion for all those who want to be part of the Luxembourg community and to ensure their integration.

As a result, the naturalisation applicant must provide proof of sufficient integration in the country. The condition of sufficient integration is at the very core of the naturalisation provision.

The legislation foresees several criteria to assess whether the condition of sufficient integration has been met or not.

1. Age

The applicant must have reached 18 years of age on the day of submitting the application for naturalisation. As a result, minors may not submit an application for naturalisation.

2. Residence

The minimum compulsory period of residence in the country in order to acquire Luxembourg nationality is 7 years. More particularly, the naturalisation applicant must have resided in the country for at least 7 years, which must be consecutive and immediately precede the application.

Furthermore, the residence must be:

- bona fide: the applicant must actually reside in the country;
- legal: the applicant must be in possession of a residence permit for Luxembourg territory.

For refugees recognised pursuant to the Geneva Convention of 28 July 1951 relating to the status of refugees, the period between the submission date of the request for asylum and the date of recognition of the status of refugee by the competent minister is equated with an authorised stay in the country.

The condition of residence must be met at the time the application is lodged.

3. Linguistic knowledge

The naturalisation candidate must show proof of sufficient active and passive knowledge of at least one of the languages foreseen by the law of 24 February 1984 on the languages regime and successfully pass an evaluation test in the spoken Luxembourg language.

The following are exempt from having to pass an evaluation test in the spoken Luxembourg language:

1. those who have completed at least 7 years of their schooling in Luxembourg within the Luxembourg public education system or the private education system applying Luxembourg public education curricula; or
2. those who obtained a residence permit for Luxembourg territory prior to 31 December 1984 and who have resided since at least that date in Luxembourg.

The level of competence to be attained in the spoken Luxembourg language is that of level B1 of the Common European Framework of Reference for Languages in terms of oral comprehension and level A2 of the same framework in terms of oral expression. This level assumes, on the one hand, that the foreigner is capable of following a radio or television programme in the Luxembourg language and, on the other hand, that candidates are capable of expressing themselves in a general manner on their daily life, their work, their family life and their hobbies. In summary, naturalisation candidates must be capable of participating in Luxembourg's social and political life.

The Institut national des langues (formerly Centre de langues Luxembourg) is responsible for assessing and certifying competence levels in the spoken Luxembourg language in view of naturalisation being granted. It organises evaluation tests several times per year.

The enrolment fees for the evaluation test are reimbursed by the state to the naturalisation candidate in accordance with terms determined by grand-ducal regulation. Candidates who withdraw without reason or who are not present at the time of the tests are not reimbursed and must re-enrol.

The participation in Luxembourg language courses is purely optional. If prior to the evaluation test in the spoken Luxembourg language, the candidate has attended Luxembourg language courses at the Institut national des langues, the enrolment fees relating to these courses will be reimbursed to him or her by the state. If courses have been attended elsewhere, the enrolment fees will be reimbursed

upon presentation of a receipt and up to an amount equivalent to the enrolment fees charged by the Institut national des langues.

Requests for the reimbursement of enrolment fees for the evaluation test and Luxembourg language courses must be submitted to the Ministry of Justice, Office in Charge of Luxembourg Nationality (Service de l'indigénat).

4. Citizenship courses

The naturalisation candidate must follow at least three citizenship courses. He or she must attend a course on Luxembourg institutions and a course on fundamental rights. A third course must be chosen among subjects dealing with history, the municipalities, the economy, labour law, social security or the media.

Those exempt from partaking in citizenship courses involve the same categories of persons who are not subject to the obligation of having to pass the evaluation test of the spoken Luxembourg language.

Citizenship courses are organised throughout the country by the Ministry of National Education and Vocational Training, Adult Training Service (Service de la formation des adultes). These courses are held in several secondary schools established throughout the country's different regions. These secondary schools are appointed each year by the Minister of National Education and Vocational Training.

Enrolment in citizenship courses is free of charge. The courses are held in several languages. The duration of one course is 2 hours. The courses take place in the evenings or on Saturday mornings. There is no exam at the end of each course. A participation certificate is issued in accordance with a list of attendance.

5. Good repute

The naturalisation candidate must show sufficient guarantee of good repute. The law of 23 October 2008 on Luxembourg nationality attributes to the Minister of Justice the power to suspend a naturalisation file and/or to refuse naturalisation.

The naturalisation file can be suspended if the naturalisation candidate is the subject of a judicial proceeding involving criminal matters.

Naturalisation is refused:

- if the candidate, either in the country or abroad, has been sentenced for a criminal offence or received a custodial sentence of one year or more; and
- when the facts underlying the sentence by a foreign jurisdiction also constitute a criminal act under Luxembourg law; and
- when, if applicable and without the benefit of rehabilitation, the sentence has been definitively served less than 15 years prior to the submission of the naturalisation application.

> d. Naturalisation procedure (article 10)

If the conditions of age and residence are met, the foreigner may submit in writing, to the municipality of his residence, an application for naturalisation, which must be signed by the applicant and addressed to the Minister of Justice.

The application for naturalisation must be personally lodged by the applicant, together with the file. This application qualifies as a declaration of naturalisation.

The interested party must attach the following documents to the application for naturalisation:

1. the birth certificate of the applicant and, if applicable, the birth certificate of the applicant's minor children;
2. a precise biographical record: to this effect, the applicant must complete a questionnaire;
3. a certificate stating the compulsory period of residence, issued by the municipalities in which the foreigner has lived during his or her compulsory period of residence in the country;
4. a certified copy of the passport of the applicant or, for the applicant recognised in Luxembourg as a refugee under the Geneva Convention of 28 July 1951 relating to the status of refugees, a certificate testifying to this status and issued by the competent authority;
5. an extract from the Luxembourg police records and a similar document issued by the competent authorities of the country of origin and previous countries of residence in which the applicant has lived from the age of 18 onwards during the 15 years preceding the submission of the application;
6. a certificate confirming a successful pass in the evaluation test of the spoken Luxembourg language;
7. a certificate confirming attendance at the Luxembourg citizenship courses.

Those exempt from producing the documents foreseen under 6) and 7) are those persons who are not subject to the obligation of having to pass the evaluation test of the spoken Luxembourg language and of participating in the citizenship courses.

The application qualifies as a declaration of naturalisation only if all the required documents and items have been attached to the application.

All the documents must be translated, into either French or German, by a sworn translator. The municipality of the residence of the applicant transmits the application for naturalisation, together with the file, directly and immediately, to the Ministry of Justice, Office in Charge of Luxembourg Nationality (Service de l'indigénat).

> e. Decision-making power (articles 5 and 11)

Naturalisation is granted or refused by order of the Minister of Justice. A decision to refuse naturalisation must be supported by reasons.

The Minister of Justice must announce a decision within a timeframe of 8 months from the date on which the application for naturalisation qualifies as a declaration of naturalisation. Nevertheless, this timeframe does not apply:

1. during the process of the file being suspended in the event of a judicial criminal proceeding; and
2. for naturalisation or option applications, which have been lodged prior to 1 January 2009.

The naturalisation enters into effect the day of the ministerial decision. The Minister of Justice notifies the interested party of the order granting or refusing the naturalisation for use as a document of title. Notification of the ministerial order is made by the municipality, either in a special duplicate register or in the birth certificate register. The order is not published in the *Mémorial*.

> f. Special procedure (articles 8 and 9)

In the context of a special procedure, which is intended to be used only very rarely, the naturalisation decision is made by Parliament.

Even when legal conditions have not been met, naturalisation may be conferred, in exceptional circumstances, to the adult foreigner who renders or has rendered distinguished services to the state. Naturalisation can furthermore, in the absence of an application, be proposed by the government.

The application or proposal for naturalisation is submitted to Parliament, which decides whether or not to adopt this application or proposal.

The law that confers the naturalisation is published by extract in the *Mémorial*. The Minister of Justice issues the interested party with a certified copy of the law conferring the naturalisation for use as a document of title.

> g. Appeal procedures (article 26)

The law of 23 October 2008 on Luxembourg nationality is new in that it creates appeal procedures, and more particularly the establishment of a two-tier jurisdiction. This involves a reinforcement of the rights of citizens wishing to acquire Luxembourg nationality.

Given that the ministerial order to refuse a naturalisation constitutes an administrative decision, authority is attributed to the administrative jurisdictions.

At first instance, the Administrative Tribunal has the jurisdiction to give a ruling on the appeals lodged against

the ministerial orders refusing naturalisation applications. The appeal is filed with the Administrative Court.

However, no appeal is possible if Parliament refuses the naturalisation in the context of the above-mentioned special procedure (articles 8 and 9).

For further information, reference is made to "Chapter 6. Litigation concerning Luxembourg nationality".

> h. Entry into force and transitory provisions (article IV)

The law of 23 October 2008 on Luxembourg nationality entered into force on 1 January 2009. This law applies to applications involving naturalisation or the re-acquisition of the Luxembourg nationality submitted from this date onwards.

Applications for naturalisation, option or re-acquisition submitted by 31 December 2008:

- remain, with regard to the substantive conditions, subject to the provisions of the amended law of 22 February 1968 on Luxembourg nationality;
- are, with regard to the procedure and possible appeals, subject to the provisions of the law of 23 October 2008 on Luxembourg nationality.

> B. RE-ACQUISITION OF LUXEMBOURG NATIONALITY

Generally speaking, the law of 23 October 2008 on Luxembourg nationality makes the conditions for the re-acquisition of Luxembourg nationality easier and simplifies the procedure via which a person can re-acquire this nationality.

Through applying the principle of dual or multiple nationality, the re-acquisition of Luxembourg nationality is no longer subject to the loss of the foreign nationality.

The text foresees three cases in which a person may re-acquire Luxembourg nationality.

> 1. Case of a Luxembourger by origin (article 14)

Upon reaching 18 years of age, the Luxembourger by origin who has lost his or her status of Luxembourger, can re-acquire Luxembourg nationality.

He or she can keep the foreign nationality, provided the foreign law in question allows this.

Those who wish to re-acquire Luxembourg nationality must fulfil the same conditions of age and good repute as the naturalisation candidates. They must produce the

same documents as the naturalisation candidates, with the exception of the certificates relating to residence in the country, the passing of the spoken Luxembourg language test and attendance at Luxembourg citizenship courses.

At a procedural level, the interested party must sign a declaration of re-acquisition before the civil registrar of the last place of residence in the Grand Duchy or, failing such, before the civil registrar of the municipality of Luxembourg City.

The declaration of re-acquisition is submitted for a decision to the Minister of Justice, who grants or refuses the re-acquisition by ministerial order. A decision to refuse naturalisation must be supported by reasons.

The Minister of Justice notifies the interested party of the order granting or refusing the re-acquisition for use as a document of title. The ministerial order is entered into the margin of the declaration of re-acquisition.

The decision to refuse a re-acquisition can be the subject of an appeal before the Administrative Tribunal. The claim is filed with the Administrative Court. Reference is made to "Chapter 6. Litigation concerning Luxembourg nationality".

> 2. Case of a person with a grandparent who had Luxembourg nationality by origin (article 29)

The law of 23 October 2008 on Luxembourg nationality has introduced a new case of re-acquisition, the application of which is limited in time.

A person can re-acquire Luxembourg nationality provided:

- he or she has a male or female grandparent, who possessed Luxembourg nationality on the date of 1 January 1990; and
- he or she is the descendant in a paternal or maternal line of said grandparent.

The interested party can trace back each generation in the paternal or maternal line to establish whether he or she is the descendant of a Luxembourg grandparent on the date of 1 January 1900.

The declaration of re-acquisition must be made before a civil registrar by 31 December 2018 at the latest.

The conditions to be met, the required documents, the procedure to be followed and the appeal procedures are identical to those foreseen in the above-mentioned case of re-acquisition.

One additional document is required, namely a certificate issued by the Ministry of Justice, Office in Charge of Luxembourg Nationality (Service de l'indigénat) testifying that the claimant had a grandparent of Luxembourg nationality on the date of 1 January 1900, of whom he or she is a descendant in a paternal or maternal line.

> 3. Case of a woman who has lost her Luxembourg nationality without having exercised an act of volition (article 31)

A Luxembourg woman who has lost the status of Luxembourger through having acquired, as a result of her marriage or of her husband having acquired a foreign nationality, without any manifestation of will on her part, the foreign nationality of her husband, can re-acquire Luxembourg nationality through a declaration to be made before a civil registrar.

The civil registrar, within 8 days of the declaration, will send a duly certified copy of said declaration to the Minister of Justice.

CHAPTER 3

LOSS OF

LUXEMBOURG NATIONALITY

The law of 23 October 2008 on Luxembourg nationality reduces the number of cases involving a loss of Luxembourg nationality.

Through applying the principle of dual or multiple nationality, the voluntary acquisition of a foreign nationality no longer constitutes a case of loss of Luxembourg nationality.

> A. LOSS OF LUXEMBOURG NATIONALITY THROUGH RENUNCIATION (ARTICLE 13, POINTS 1° AND 2°)

> a. Conditions of renunciation

The person who wishes to renounce his or her Luxembourg nationality must fulfil the following conditions:

1. have reached 18 years of age;
2. sign a declaration of renunciation before the civil registrar;

3. provide proof:

- either of possession of a foreign nationality;
- or of the acquisition or re-acquisition of a foreign nationality, in both cases automatic, through the effect of the declaration of renunciation.

The civil registrar will send, within 8 days of the declaration, a duly certified copy of said declaration to the Minister of Justice.

> b. Effects of the renunciation on a minor

A renunciation brings about the following consequences for a minor:

The child under 18 years of age with an established lineage to a single parent or adoptive parent loses his or her Luxembourg nationality when said parent or adoptive parent loses his or her Luxembourg nationality through the effect of renunciation, on condition that the foreign nationality of the parent or the adoptive parent is conferred on the child or that the latter already possesses it.



When the lineage is established with regard to the father and mother or the adoptive parents, the child who has not yet reached 18 years of age does not lose Luxembourg nationality provided one of the parents or adoptive parents still possesses it.

He or she loses it once said parent or adoptive parent himself or herself loses it, on condition that the child acquires the nationality of one of the parents or adoptive parents or already possesses it.

A person is stateless when he or she possesses no nationality whatsoever.

> B. LOSS OF LUXEMBOURG NATIONALITY THROUGH CESSATION OF LINEAGE (ARTICLE 13, POINT 3°)

The child whose lineage to one Luxembourg parent ceases to be established prior to him or her reaching 18 years of age loses Luxembourg nationality, unless the other parent possesses the status of Luxembourger or the child becomes stateless.

CHAPTER 4

FORFEITURE OF LUXEMBOURG NATIONALITY

The forfeiture consists in withdrawing Luxembourg nationality when it has been obtained through unfair procedures.

> A. CONDITIONS (ARTICLE 15)

A person who has acquired the status of Luxembourg can be deprived of Luxembourg nationality if said Luxembourg nationality has been obtained:

1. either through false statements, fraud or the concealment of important facts;
2. or on the basis of a forgery or the use of a forgery or else on the basis of the appropriation of a name and in so far as the person has been found guilty of one of these offences in a final court judgement.

Forfeiture is not possible if it is to result in the person concerned being rendered stateless.

> B. PROCEDURE (ARTICLE 16)

The Minister of Justice declares the forfeiture of Luxembourg nationality through an order with justification.

The ministerial order declaring the forfeiture or the provision of the court decision confirming the ministerial order of forfeiture is transcribed, either in a special duplicate register or in the birth certificate register, by the civil registrar of the domicile or residence of the person deprived of his or her nationality or, in the absence of a residence in the country, by the civil registrar who received the act of naturalisation.

A note is also entered into the margin of the act of nationality of the person deprived of his or her nationality. The forfeiture enters into effect on the day of the transcription.

The ministerial order pronouncing the forfeiture can be the subject of an appeal before the Administrative Tribunal. The claim is lodged with the Administrative Court. Reference is made to "Chapter 6. Litigation concerning Luxembourg nationality".



> C. CONSEQUENCES (ARTICLES 17 AND 18)

The spouse and children of the person who has had his or her Luxembourg nationality revoked can renounce Luxembourg nationality under the following conditions:

1. sign a declaration of renunciation before the civil registrar within 3 months from the day of the entry of the decision pronouncing the forfeiture. With regard to minors, this timeframe is extended until the expiry of the 3 months following the date on which they reach 18 years of age;
2. provide proof either of possession of a foreign nationality or of the automatic acquisition or re-acquisition of a foreign nationality, through the effect of the declaration.

In addition, the person who has been declared as deprived of his or her status of Luxembourg as well as his or her spouse and children who have renounced Luxembourg nationality can no longer re-acquire Luxembourg nationality, or submit a new application for the acquisition of Luxembourg nationality through the process of naturalisation.

> D. TRANSITORY PROVISION (ARTICLE 30)

The provision relating to the forfeiture can also apply to all Luxembourgers who have not acquired their nationality through a Luxembourg parent on the day of their birth and who have acquired Luxembourg nationality prior to the entry into force of the law of 23 October 2008 on Luxembourg nationality.

CHAPTER 5

PROOF OF

LUXEMBOURG NATIONALITY

On the basis of the amended law of 22 February 1968 on Luxembourg nationality (article 37), the certificate of nationality (*Heimatschein*) constituted the only method for proving Luxembourg nationality.

The law of 23 October 2008 on Luxembourg nationality constitutes an administrative simplification, which aims to make the life of citizens easier, while still maintaining the necessary legal security in terms of proof. Other than the nationality certificate, which retains its evidential value and usefulness, this law foresees two new methods for proving Luxembourg nationality.

> A. PASSPORT OR IDENTITY CARD (ARTICLE 23)

Luxembourg nationality of a person is established, until proven otherwise, by the holding of:

1. either a valid Luxembourg passport;
2. or a valid Luxembourg national identity card.

The public authorities requiring proof of Luxembourg nationality must request interested parties to produce a certified copy of a Luxembourg identity card or a Luxembourg passport. Municipalities and the grand-ducal police are authorised to issue certified copies of these documents.

> B. CERTIFICATES OF NATIONALITY (ARTICLES 24 AND 25)

A certificate of nationality can be issued only in the following cases:

- in the event of "serious doubt" or "contestation" of Luxembourg nationality;
- a foreign authority requests a certificate of nationality.

In other words, the certificate of nationality is a method of proof that may be requested only in exceptional circumstances. The principle is that Luxembourg nationality is established by means of an identity card or a passport.



It is up to the applicant of a certificate of nationality to prove that he or she is in possession of Luxembourg nationality. To this effect, he or she must produce documents supporting this application.

Certificates of nationality are issued by the Minister of Justice, who determines the length of validity of the certificates. Their validity may not exceed 5 years.

Certificates of nationality state that the interested party possesses Luxembourg nationality and, upon request by the interested party, feature the date on which he or she acquired this status.

They are considered authoritative unless proven otherwise. This same evidential value is attached to certificates issued since 10 September 1944.

Certificates of nationality are liable to a stamp duty, amounting to:

- EUR 4, if the period of validity is inferior or equal to 1 year; and
- EUR 10, if the period of validity is superior to 1 year without exceeding 5 years.

CHAPTER 6

LITIGATION CONCERNING LUXEMBOURG NATIONALITY

On the basis of the amended law of 22 February 1968 on Luxembourg nationality (article 40), litigation concerning nationality fell within the exclusive competence of civil jurisdictions.

The law of 23 October 2008 on Luxembourg nationality transfers litigation concerning nationality to the administrative jurisdictions, by foreseeing a two-tier jurisdiction. The issues preliminary to the determination or acquisition of Luxembourg nationality continue to fall within the competence of the civil jurisdictions.

> A. COMPETENCE OF ADMINISTRATIVE JURISDICTIONS (ARTICLE 26)

The following fall within the competence of the Administrative Tribunal, which judges cases on their substance.

1. all the actions involving a claim or a contestation of Luxembourg nationality;

2. the appeals lodged against the ministerial orders refusing naturalisation or re-acquisition applications and those lodged against the ministerial orders deciding the forfeiture of the status of Luxembourg.

Against the ministerial orders refusing naturalisation or re-acquisition applications, the timeframe for taking legal action is 3 months from the date of notification of the decision. Against the decisions of forfeiture, the timeframe for taking legal action is 3 months from the transcription of this decision.

The claim is lodged with the Administrative Court. The timeframe for lodging a claim is 40 days from the notification of the judgement of the Administrative Tribunal by the office of the court clerk.

The appeal before the Administrative Tribunal and the claim before the Administrative Court are carried out by application signed by a barrister.

The communication to the interested party in question of his or her personal nationality file is possible only in the context of an appeal.



> B. COMPETENCE OF CIVIL JURISDICTIONS (ARTICLE 27)

The preliminary issues of civil law influencing the granting of nationality are governed by the law applicable pursuant to the general choice of law rule. These issues fall within the competence of civil jurisdictions.

If the civil status results from a foreign judgement, the reliability of which is contested, its recognition can be requested at the district court which, through application by a barrister, presides in a deliberating chamber upon the finding of the state prosecutor.



PRACTICAL SHEETS

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NATURALISATION

(ARTICLES 6, 7 AND 10)

> CONDITIONS TO BE FULFILLED

1. Have reached 18 years of age on the day of submitting the application for naturalisation.
2. Be the holder of a Luxembourg residence permit for at least 7 consecutive years immediately preceding the application for naturalisation, said residence being bona fide for the same period.

For applicants recognised in Luxembourg as refugees pursuant to the Geneva Convention of 28 July 1951 relating to the status of refugees, the period between the submission date of the request for asylum and the date of recognition of the status of refugee by the competent minister is equated with an authorised stay pursuant to the law.

As evidence, a certificate issued by the Immigration Office (Direction de l'immigration) of the Ministry of Foreign Affairs and Immigration must be submitted.

3. Have successfully passed the evaluation test in the spoken Luxembourg language. For further details, please refer to documents 9) and 10) under "Documents required".

Are exempt from the evaluation test of the Luxembourg language applicants:

- who completed at least 7 years of their schooling in Luxembourg within the Luxembourg public education system or the private education system applying Luxembourg public education curricula.

As evidence, certificates issued by the competent services of the municipalities in which applicants attended their preschool or primary education, certificates issued by the education establishments in which applicants completed their secondary education or else certified photocopies of school reports must be submitted.

OR

- who obtained a Luxembourg residence permit prior to 31 December 1984 and who have resided in the country since at least that date.

As evidence, residence certificates issued by the competent municipalities must be submitted.



4. Have followed citizenship courses. For further details, please refer to documents 9) and 10) under "Documents required".

Are exempt from taking part in citizenship courses applicants:

- who completed at least 7 years of their schooling in Luxembourg within the Luxembourg public education system or the private education system applying Luxembourg public education curricula.

As evidence, certificates issued by the competent services of the municipalities in which applicants attended their preschool or primary education, certificates issued by the education establishments in which applicants completed their secondary education or else certified photocopies of school reports must be submitted.

OR

- who obtained a Luxembourg residence permit prior to 31 December 1984 and who have resided in the country since at least that date.

As evidence, residence certificates issued by the competent municipalities must be submitted.

5. Meet the requirements of good repute.

Naturalisation is refused to the applicant:

- if, during the course of his or her application for naturalisation, he or she has made false statements, concealed important facts or acted fraudulently;

OR

- if he or she, either in the country or abroad, has been sentenced for a criminal offence or received a custodial sentence of one year or more, and the facts underlying the sentence by a foreign jurisdiction also constitute a criminal act under Luxembourg law and, if applicable and without the benefit of rehabilitation, the sentence has been definitively served less than 15 years prior to the submission of the naturalisation application.

> Forfeiture of Luxembourg nationality

A person who has acquired the status of Luxembourgier can be deprived of Luxembourg nationality, unless said forfeiture results in the person being rendered stateless:

- if he or she has obtained Luxembourg nationality through false statements, fraud or the concealment of important facts;

OR

- if he or she has obtained Luxembourg nationality on the basis of a forgery or the use of a forgery or else on the basis of the appropriation of a name and in so far as he or she has been found guilty of one of these offences in a final court judgement.

> DOCUMENTS REQUIRED

1. An application for naturalisation, signed by the applicant and addressed to the Minister of Justice. A form is supplied by the Ministry of Justice. Forms and information leaflets regarding Luxembourg nationality procedures can be downloaded from the Internet site of the Ministry of Justice: www.mj.public.lu/nationalite
2. The birth certificate of the applicant, issued by the civil registrar of the competent municipality.
3. If applicable, the birth certificates of any minor children of the applicant, issued by the civil registrar of the competent municipality.
4. A biographical questionnaire. Forms and information leaflets regarding Luxembourg nationality procedures can be downloaded from the Internet site of the Ministry of Justice: www.mj.public.lu/nationalite

The applicant must:

- use the model of the biographical questionnaire supplied by the Ministry of Justice;
- complete the biographical questionnaire in a comprehensive and truthful manner;
- place his or her signature and the date of signature on the biographical questionnaire;
- place his or her signature and the date of signature on an information sheet accompanying the biographical questionnaire.

5. Certificates stating the compulsory minimum period of residence in Luxembourg.

These certificates are issued by the college of mayor and aldermen of the municipalities in which the applicant has resided during his or her compulsory period of residence and they must be registered.

6. A certified true photocopy of the passport of the applicant.

The applicant recognised in Luxembourg as a refugee pursuant to the Geneva Convention of 28 July 1951 relating to the status of refugees can submit a certificate testifying to the status of refugee. This certificate is issued by the Immigration Office (Direction de l'immigration) of the Ministry of Foreign Affairs and Immigration.

7. An extract from the Luxembourg police records, issued by the Department of Police Records (Service du casier judiciaire) of the Public Prosecution Office (Parquet général).
8. Similar police record documents if the applicant has resided in a foreign country.

These documents are to be issued only by the competent authorities of the country of origin and the previous countries of residence in which the applicant has resided from the age of 18 onwards during the 15 years preceding the submission of the application.

The applicant recognised in Luxembourg as a refugee pursuant to the Geneva Convention of 28 July 1951 relating to the status of refugees is exempt from having to submit the above-mentioned documents.

9. A certificate testifying to the successful pass of the evaluation test in the spoken Luxembourg language.

The Institut national des langues (INL) – formerly Centre de langues Luxembourg – is responsible for assessing and certifying competence levels in the spoken Luxembourg language in view of naturalisation being granted.

For further information on the evaluation test of the spoken Luxembourg language and on how to enrol for this test, the applicant can:

- either consult the following Internet site:
www.inl.lu
(includes an online mock exam by the INL)

- or obtain information from the INL
Address:
21, boulevard de la Foire
L-1528 Luxembourg

Telephone:
(+352) 26 44 30-1

Fax:
(+352) 26 44 30-330

E-mail:
nationalite@inl.lu

10. A certificate confirming attendance at citizenship courses.

The Adult Training Service (Service de la formation des adultes) of the Ministry of National Education and Vocational Training is responsible for organising citizenship courses, which must be attended in order for naturalisation to be granted.

The applicant must attend at least three courses. There is no exam at the end of the courses. A participation certificate is issued in accordance with a record of attendance.

Compulsory courses:

- a. Citizens' fundamental rights and public life
- b. Luxembourg state institutions

Other courses:

- a. History of the Grand Duchy of Luxembourg: the birth of a nation state during the 19th century
- b. History of the Grand Duchy of Luxembourg: Luxembourg during the 20th century
- c. Luxembourg and European unification
- d. Luxembourg municipal institutions
- e. The economic structures of the Grand Duchy of Luxembourg
- f. Labour law in Luxembourg
- g. The principle and system of social security in Luxembourg
- h. Media in Luxembourg

The applicant must choose at least one course among the subjects listed under "Other courses".

For further information on the citizenship courses and on how to enrol for these courses, the applicant can:

- either consult the following Internet sites:
www.men.public.lu
www.lifelong-learning.lu
- or obtain information from the Adult Training Service (Service de la formation des adultes) of the Ministry of National Education and Vocational Training.

Address:
29, rue Aldringen
L-1118 Luxembourg

Telephone:
(+352) 247-85100

Fax:
(+352) 247-85113

E-mail:
info@men.public.lu

> Observations regarding the documents required

The applicant must include the original documents in the file. In the event of it not being possible to submit the original, he or she can submit a certified true copy of the original.

Documents with a changeable content must bear a recent date.

If applicable, documents must be translated into either French or German by a sworn translator.

The applicant must produce all the documents that the public authorities deem necessary in order for his or her file to be assessed.

All the documents attached to the application must be foreseen with a fiscal stamp amounting to:

- EUR 4 for records of civil status;
- EUR 2 for all other documents.

> PROCEDURE

The applicant must address an application for naturalisation, dated and signed, to the Minister of Justice. To this effect, he or she can use the form supplied by the Ministry of Justice. Forms and information leaflets regarding Luxembourg nationality procedures can be downloaded from the Internet site of the Ministry of Justice: www.mj.public.lu/nationalite

Despite the fact that the application for naturalisation is addressed to the Minister of Justice, the applicant must personally submit it, together with all the other supporting documents, at the municipality of his or her place of residence.

Provided the legal conditions are met and the application for naturalisation along with all its supporting documents are included in the file, the civil registrar records a declaration of naturalisation. He or she transmits the file, directly and immediately, to the Ministry of Justice.

The file is appraised by the Office in Charge of Luxembourg Nationality (Service de l'indigénat) of the Ministry of Justice.

The suspension of the file can be ordered if the applicant is the subject of a judicial criminal proceeding.

Naturalisation is granted or refused by order of the Minister of Justice within a timeframe of 8 months from the declaration. This timeframe does not apply in the event that the file is suspended.

The naturalisation enters into effect the day of the ministerial order. The applicant is notified of the order.

> Appeal against a decision of refusal

The applicant can lodge an amendment appeal with the Administrative Tribunal against the ministerial order refusing naturalisation within 3 months from the date of notification of the order. The claim is filed with the Administrative Court within 40 days from the notification of the judgement by the office of the court clerk of the Administrative Tribunal. Representation by a barrister is compulsory before the Administrative Tribunal and the Administrative Court.

> APPLICATION FOR CHANGE OF SURNAME AND FIRST NAMES

Together with the naturalisation, the applicant can apply for a change of his or her surname and/or first name(s), pursuant to the law of 7 June 1989 regarding the change of surnames and first names of people acquiring or re-acquiring Luxembourg nationality. To this effect, applicants can use the form supplied by the Ministry of Justice. Forms and information leaflets regarding Luxembourg nationality procedures can be downloaded from the Internet site of the Ministry of Justice: www.mj.public.lu/nationalite

The change of a surname consists in the necessary modification of this surname to make it lose its foreign character. Applicants with surnames consisting of several components can apply for the attribution of one of these components as a surname, for which they can also request a change.

The change of a first name consists in substituting this first name with a first name in usage in Luxembourg.

In the event that there is a doubt surrounding the change of his or her surname and first names, the applicant is asked to contact the municipal administration of his or her place of residence or else the Office in Charge of Luxembourg Nationality (Service de l'indigénat) of the Ministry of Justice prior to submitting his or her application.

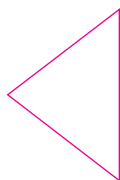
IMPORTANT INFORMATION

In order to obtain dual or multiple nationality, the applicant must first find out, from the competent authorities of his or her country(ies) of origin (e.g. embassy or consulate) whether he or she can continue to keep his or her foreign nationality(ies) in the case of acquiring Luxembourg nationality through naturalisation.



DIALOGUE

COHESION



RE-ACQUISITION OF LUXEMBOURG NATIONALITY (ARTICLE 14)

> CONDITIONS TO BE FULFILLED

1. Possess Luxembourgish status by origin prior to losing Luxembourg nationality.
2. Have reached 18 years of age.
3. Meet the requirements of good repute.

Re-acquisition is refused to the applicant:

- if, during the course of his or her application for re-acquisition, he or she has made false statements, concealed important facts or acted fraudulently;

OR

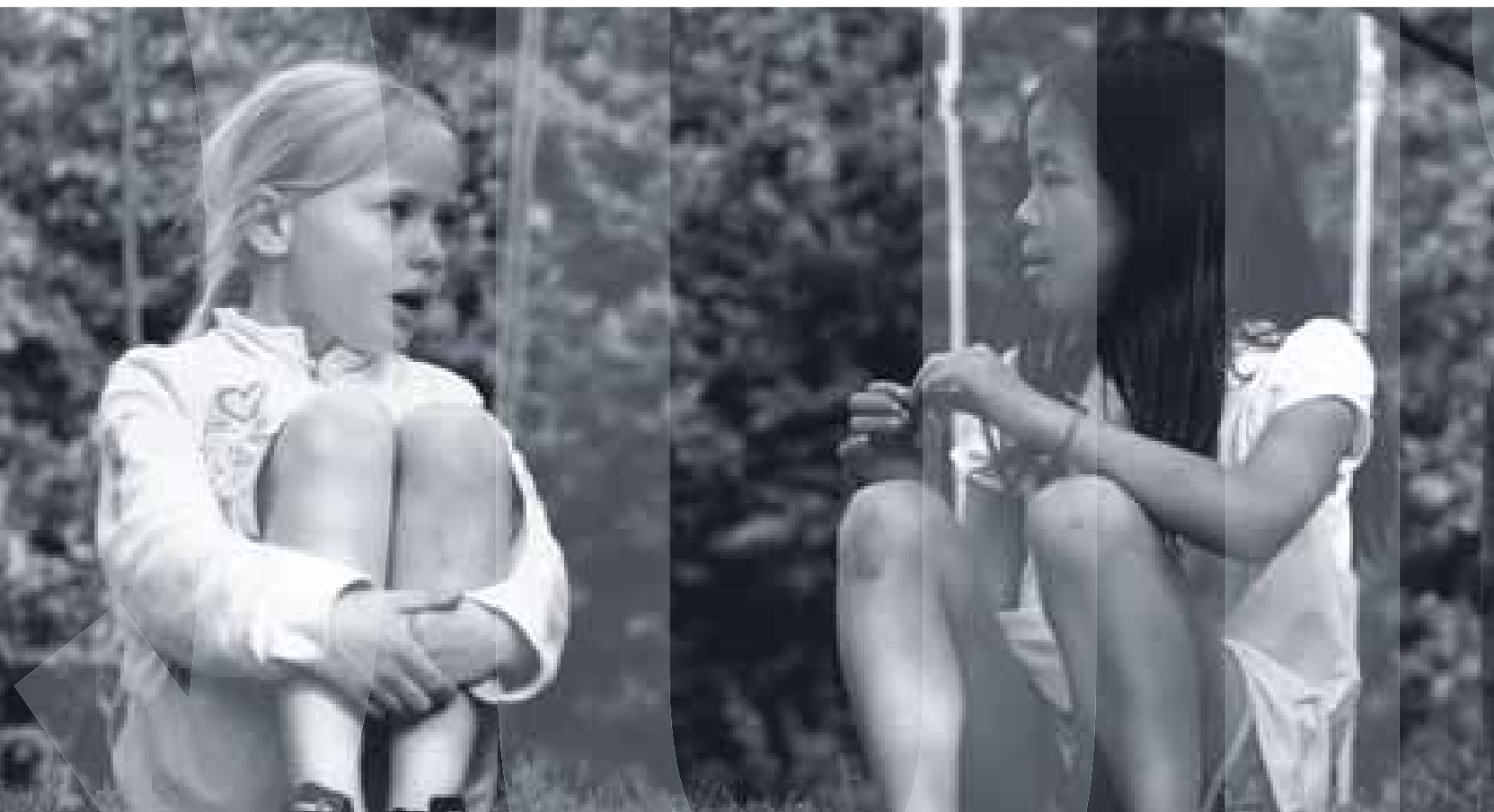
- if he or she, either in the country or abroad, has been sentenced for a criminal offence or received a custodial sentence of one year or more, and the facts underlying the sentence by a foreign jurisdiction also constitute a criminal act under Luxembourg law and, if applicable and without the benefit of rehabilitation, the sentence has been definitively served less than 15 years prior to the submission of the naturalisation application.

> DOCUMENTS REQUIRED

1. A certificate issued by the Office in Charge of Luxembourg Nationality (Service de l'indigénat) of the Ministry of Justice stating that the applicant possessed Luxembourgish status by origin prior to losing his or her Luxembourg nationality.
2. The birth certificate of the applicant, issued by the civil registrar of the competent municipality.
3. If applicable, the birth certificates of any minor children of the applicant, issued by the civil registrar of the competent municipality.
4. A biographical questionnaire. Forms and information leaflets regarding Luxembourg nationality procedures can be downloaded from the Internet site of the Ministry of Justice: www.mj.public.lu/nationalite

The applicant must:

- use the model of the biographical questionnaire supplied by the Ministry of Justice;
- complete the biographical questionnaire in a comprehensive and truthful manner;



- place his or her signature and the date of signature on the biographical questionnaire;
- place his or her signature and the date of signature on an information sheet accompanying the biographical questionnaire.

5. A certified true photocopy of the passport of the applicant.

6. An extract from the Luxembourg police records, issued by the Department of Police Records (Service du casier judiciaire) of the Public Prosecution Office (Parquet général).

7. Similar police record documents if the applicant has resided in a foreign country.

These documents are to be issued only by the competent authorities of the country of origin and the previous countries of residence in which the applicant has resided from the age of 18 onwards during the 15 years preceding the submission of the application.

> Observations regarding the documents required

The applicant must include the original documents in the file. In the event of it not being possible to submit the original, he or she can submit a certified true copy of the original.

Documents with a changeable content must bear a recent date.

If applicable, documents must be translated into either French or German by a sworn translator.

The applicant must produce all the documents that the public authorities deem necessary in order for his or her file to be assessed.

All the documents attached to the application must be foreseen with a fiscal stamp amounting to:

- EUR 4 for records of civil status;
- EUR 2 for all other documents.

> PROCEDURE

The applicant must:

- personally submit the re-acquisition file to the municipality of his or her place of residence. In the event of the applicant residing abroad, the file must be submitted to the municipality of his or her last place of residence in Luxembourg or, failing such, to the municipality of Luxembourg City;
- sign a declaration of re-acquisition before the civil registrar.

Provided the legal conditions are met and all the documents required are included in the file, the civil registrar records a declaration of re-acquisition. He or she transmits the file, directly and immediately, to the Ministry of Justice.

The file is appraised by the Office in Charge of Luxembourg Nationality (Service de l'indigénat) of the Ministry of Justice.

Re-acquisition is granted or refused by order of the Minister of Justice.

The re-acquisition enters into effect the day of the ministerial order. The applicant is notified of the order.

> Appeal against a decision of refusal

The applicant can lodge an amendment appeal with the Administrative Tribunal against the ministerial order refusing re-acquisition within 3 months from the date of notification of the order. The claim is filed with the Administrative Court within 40 days from the notification of the judgement by the office of the court clerk of the Administrative Tribunal. Representation by a barrister is compulsory before the Administrative Tribunal and the Administrative Court.

> APPLICATION FOR CHANGE OF SURNAME AND FIRST NAMES

Together with the re-acquisition, the applicant can apply for a change of his or her surname and/or first name(s), pursuant to the law of 7 June 1989 regarding the change of surnames and first names of people acquiring or re-acquiring Luxembourg nationality. To this effect, applicants can use the form supplied by the Ministry of Justice. Forms and information leaflets regarding Luxembourg nationality procedures can be downloaded from the Internet site of the Ministry of Justice: www.mj.public.lu/nationalite

The change of a surname consists in the necessary modification of this surname to make it lose its foreign character. Applicants with surnames consisting of several components can apply for the attribution of one of these components as a surname, for which they can also request a change.

The change of a first name consists in substituting this first name with a first name in usage in Luxembourg.

In the event that there is a doubt surrounding the change of his or her surname and first names, the applicant is asked to contact the municipal administration of his or her place of residence or else the Office in Charge of Luxembourg Nationality (Service de l'indigénat) of the Ministry of Justice prior to submitting his or her application.

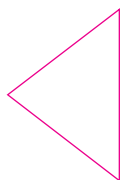
IMPORTANT INFORMATION

In order to obtain dual or multiple nationality, the applicant must first find out, from the competent authorities of his or her country(ies) of origin (e.g. embassy or consulate) whether he or she can continue to keep his or her foreign nationality(ies) in the case of re-acquiring Luxembourg nationality.



IDENTITY
IDENTITY

EXCHANGE
EXCHANGE



RE-ACQUISITION OF LUXEMBOURG NATIONALITY (ARTICLE 29)

Foreigner with a Luxembourg grandparent in a direct paternal or maternal line on the date of 1 January 1900.

> CONDITIONS TO BE FULFILLED

1. Have a grandparent (male or female) who possessed Luxembourg nationality on the date of 1 January 1900, and be a descendant in a direct paternal or maternal line of this grandparent.

The applicant can go back through each generation via the paternal or maternal line to establish whether he or she is the descendant of a grandparent who possessed Luxembourg nationality on the date of 1 January 1900.

2. Have reached 18 years of age.
3. Meet the requirements of good repute.

Re-acquisition is refused to the applicant:

- if, during the course of his or her application for re-acquisition, he or she has made false statements, concealed important facts or acted fraudulently;

OR

- if he or she, either in the country or abroad, has been sentenced for a criminal offence or received a custodial sentence of one year or more, and the facts underlying the sentence by a foreign jurisdiction also constitute a criminal act under Luxembourg law and, if applicable and without the benefit of rehabilitation, the sentence has been definitively served less than 15 years prior to the submission of the naturalisation application.

The declaration of re-acquisition, as laid down in article 29 of the law of 23 October 2008 on Luxembourg nationality, must be signed by the applicant within the 10 years following the entry into force of the law.

In other words, this declaration must be made by 31 December 2018 at the latest.



> DOCUMENTS REQUIRED

1. A certificate issued by the Office in Charge of Luxembourg Nationality (Service de l'indigénat) of the Ministry of Justice testifying to the applicant having a Luxembourg grandparent on the date of 1 January 1900, of whom he or she is a direct-line descendant.
2. The birth certificate of the applicant, issued by the civil registrar of the competent municipality.
3. If applicable, the birth certificates of any minor children of the applicant, issued by the civil registrar of the competent municipality.
4. A biographical questionnaire. Forms and information leaflets regarding Luxembourg nationality procedures can be downloaded from the Internet site of the Ministry of Justice: www.mj.public.lu/nationalite

The applicant must:

- use the model of the biographical questionnaire supplied by the Ministry of Justice;
- complete the biographical questionnaire in a comprehensive and truthful manner;

- place his or her signature and the date of signature on the biographical questionnaire;
 - place his or her signature and the date of signature on an information sheet accompanying the biographical questionnaire.
5. A certified true photocopy of the passport of the applicant.
 6. An extract from the Luxembourg police records, issued by the Department of Police Records (Service du casier judiciaire) of the Public Prosecution Office (Parquet général).
 7. Similar police record documents if the applicant has resided in a foreign country.

These documents are to be issued only by the competent authorities of the country of origin and the previous countries of residence in which the applicant has resided from the age of 18 onwards during the 15 years preceding the submission of the application.

> Observations regarding the documents required

The applicant must include the original documents in the file. In the event of it not being possible to submit the original, he or she can submit a certified true copy of the original.

Documents with a changeable content must bear a recent date.

If applicable, documents must be translated into either French or German by a sworn translator.

The applicant must produce all the documents that the public authorities deem necessary in order for his or her file to be assessed.

All the documents attached to the application must be foreseen with a fiscal stamp amounting to:

- EUR 4 for records of civil status;
- EUR 2 for all other documents.

> PROCEDURE

The applicant must:

- personally submit the re-acquisition file to the municipality of his or her place of residence. In the event of the applicant residing abroad, the file must be submitted to the municipality of his or her last place of residence in Luxembourg or, failing such, to the municipality of Luxembourg City;
- sign a declaration of re-acquisition before the civil registrar.

Provided the legal conditions are met and all the documents required are included in the file, the civil registrar records a declaration of re-acquisition. He or she transmits the file, directly and immediately, to the Ministry of Justice.

The file is appraised by the Office in Charge of Luxembourg Nationality (Service de l'indigénat) of the Ministry of Justice.

Re-acquisition is granted or refused by order of the Minister of Justice.

The re-acquisition enters into effect the day of the ministerial order. The applicant is notified of the order.

> Appeal against a decision of refusal

The applicant can lodge an amendment appeal with the Administrative Tribunal against the ministerial order refusing re-acquisition within 3 months from the date of notification of the order. The claim is filed with the Administrative Court within 40 days from the notification of the judgement by the office of the court clerk of the Administrative Tribunal. Representation by a barrister is compulsory before the Administrative Tribunal and the Administrative Court.

> APPLICATION FOR CHANGE OF SURNAME AND FIRST NAMES

Together with the re-acquisition, the applicant can apply for a change of his or her surname and/or first name(s), pursuant to the law of 7 June 1989 regarding the change of surnames and first names of people acquiring or re-acquiring Luxembourg nationality. To this effect, applicants can use the form supplied by the Ministry of Justice. Forms and information leaflets regarding Luxembourg nationality procedures can be downloaded from the Internet site of the Ministry of Justice: www.mj.public.lu/nationalite

The change of a surname consists in the necessary modification of this surname to make it lose its foreign character. Applicants with surnames consisting of several components can apply for the attribution of one of these components as a surname, for which they can also request a change.

The change of a first name consists in substituting this first name with a first name in usage in Luxembourg.

In the event that there is a doubt surrounding the change of his or her surname and first names, the applicant is asked to contact the municipal administration of his or her place of residence or else the Office in Charge of Luxembourg Nationality (Service de l'indigénat) of the Ministry of Justice prior to submitting his or her application.

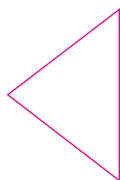
IMPORTANT INFORMATION

In order to obtain dual or multiple nationality, the applicant must first find out, from the competent authorities of his or her country(ies) of origin (e.g. embassy or consulate) whether he or she can continue to keep his or her foreign nationality(ies) in the case of re-acquiring Luxembourg nationality.



ORIGIN
ORIGIN

FAMILY
FAMILY



RE-ACQUISITION OF LUXEMBOURG NATIONALITY (ARTICLE 31)

Luxembourg woman married to a foreigner who has lost her nationality without having exercised an act of volition.

> CONDITIONS TO BE FULFILLED

To have lost the status of Luxembourger prior to 1 July 1975 through having acquired, as a result of her marriage or of her husband having acquired a foreign nationality, without any manifestation of will on her part, the foreign nationality of her husband.

The claimant can have possessed Luxembourg nationality either by origin or through voluntary acquisition (naturalisation or option).

> DOCUMENTS REQUIRED

1. A certificate issued by the Office in Charge of Luxembourg Nationality (Service de l'indigénat) of the Ministry of Justice testifying to the claimant having possessed the status of Luxembourger prior to acquiring the foreign nationality of her husband as of right.

2. The birth certificate of the claimant, issued by the civil registrar of the competent municipality.

3. If applicable, the birth certificates of any minor children of the claimant, issued by the civil registrar of the competent municipality.

4. A certified true photocopy of the passport of the claimant.

> Observations regarding the documents required

The claimant must include the original documents in the file. In the event of it not being possible to submit the original, she can submit a certified true copy of the original.

Documents with a changeable content must bear a recent date.

If applicable, documents must be translated into either French or German by a sworn translator.

The claimant must produce all the documents that the public authorities deem necessary in order for her file to be assessed.



All the documents attached to the application must be foreseen with a fiscal stamp amounting to:

- EUR 4 for records of civil status;
- EUR 2 for all other documents.

> PROCEDURE

The claimant must:

- personally submit the re-acquisition file to the municipality of her place of residence. In the event of the claimant residing abroad, the file must be submitted to the

municipality of her last place of residence in Luxembourg or, failing such, to the municipality of Luxembourg City;

- sign a declaration of re-acquisition before the civil registrar.

Provided the legal conditions are met and all the documents required are included in the file, the civil registrar records a declaration of re-acquisition.

The re-acquisition enters into effect the day of its declaration.

IMPORTANT INFORMATION

In order to obtain dual or multiple nationality, the applicant must first find out, from the competent authorities of her country(ies) of origin (e.g. embassy or consulate) whether she can continue to keep her foreign nationality(ies) in the case of re-acquiring Luxembourg nationality.

RENUNCIATION OF LUXEMBOURG NATIONALITY

(ARTICLE 13, 1°)

> CONDITIONS TO BE FULFILLED

1. Possess, in addition to Luxembourg nationality, a foreign nationality, or acquire or re-acquire a foreign nationality through the effect of the declaration of renunciation.
2. Have reached 18 years of age.

> DOCUMENTS REQUIRED

1. An official document, drawn up by the competent foreign authorities, testifying to the applicant possessing a foreign nationality, or acquiring or re-acquiring a foreign nationality through the effect of the declaration of renunciation.

This document must bear a recent date.
2. A valid certificate of Luxembourg nationality, issued by the Office in Charge of Luxembourg Nationality (Service de l'indigénat) of the Ministry of Justice.
3. The birth certificate of the applicant, issued by the civil registrar of the competent municipality.

> Observations regarding the documents required

The applicant must include the original documents in the file. In the event of it not being possible to submit the original, he or she can submit a certified true copy of the original.

Documents with a changeable content must bear a recent date.

If applicable, documents must be translated into either French or German by a sworn translator.

The applicant must produce all the documents that the public authorities deem necessary in order for his or her file to be assessed.

All the documents attached to the application must be foreseen with a fiscal stamp amounting to:

- EUR 4 for records of civil status;
- EUR 2 for all other documents.



> PROCEDURE

The applicant must:

- personally submit the renunciation file to the municipality of his or her place of residence. In the event of the applicant residing abroad, the file must be submitted to the municipality of his or her last place of residence in Luxembourg or, failing such, to the municipality of Luxembourg City;
- sign a declaration of renunciation before the civil registrar.

Provided the legal conditions are met and all the documents required are included in the file, the civil registrar records a declaration of renunciation.

The renunciation enters into effect the day of the declaration.



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CONSTITUTIONAL AMENDMENT

> LOI DU 23 OCTOBRE 2008 PORTANT RÉVISION DE L'ARTICLE 9, ALINÉA 1^{ER} DE LA CONSTITUTION.

Nous Henri, Grand-Duc de Luxembourg, Duc de Nassau,

Notre Conseil d'Etat entendu;

De l'assentiment de la Chambre des Députés exprimé de la manière prévue par l'article 114 de la Constitution, donné en première lecture le 30 avril 2008 et en seconde lecture le 15 octobre 2008;

Avons ordonné et ordonnons:

Article unique. L'article 9, alinéa 1^{er} de la Constitution est modifié comme suit:

«La qualité de Luxembourgeois s'acquiert, se conserve et se perd d'après les règles déterminées par la loi.»

Mandons et ordonnons que la présente loi soit insérée au Mémorial pour être exécutée et observée par tous ceux que la chose concerne.



> LOI DU 23 OCTOBRE 2008 PORTANT RÉVISION DE L'ARTICLE 10 DE LA CONSTITUTION.

Nous Henri, Grand-Duc de Luxembourg, Duc de Nassau,

Notre Conseil d'Etat entendu;

De l'assentiment de la Chambre des Députés exprimé de la manière prévue par l'article 114 de la Constitution, donné en première lecture le 30 avril 2008 et en seconde lecture le 15 octobre 2008;

Avons ordonné et ordonnons:

Article unique. L'article 10 de la Constitution est modifié comme suit:

«L'article 10 est abrogé.»

Mandons et ordonnons que la présente loi soit insérée au Mémorial pour être exécutée et observée par tous ceux que la chose concerne.

LEGISLATIVE TEXT

> LOI DU 23 OCTOBRE 2008 SUR LA NATIONALITÉ LUXEMBOURGEOISE.

Nous Henri, Grand-Duc de Luxembourg, Duc de Nassau,

Notre Conseil d'Etat entendu;

De l'assentiment de la Chambre des Députés;

Vu la décision de la Chambre des Députés du 15 octobre 2008 et celle du Conseil d'Etat du 21 octobre 2008 portant qu'il n'y a pas lieu à second vote;

Avons ordonné et ordonnons:

Article 1^{er}. –

I. – Des Luxembourgeois d'origine

Art. 1^{er}. Sont Luxembourgeois:

1° l'enfant né, même en pays étranger, d'un auteur luxembourgeois, à condition que la filiation de l'enfant soit établie avant qu'il ait atteint l'âge de dix-huit ans révolus et que l'auteur soit Luxembourgeois au moment où cette filiation est établie; si le jugement déclaratif de filiation n'est rendu qu'après la mort du père ou de la mère, l'enfant est Luxembourgeois lorsque l'auteur avait la nationalité luxembourgeoise au jour de son décès;

2° l'enfant né dans le Grand-Duché de parents légalement inconnus; l'enfant trouvé dans le Grand-Duché est présumé, jusqu'à preuve du contraire, être né sur le sol luxembourgeois;



3° l'enfant né dans le Grand-Duché qui ne possède pas de nationalité en raison du fait que son auteur ou ses auteurs sont apatrides;

4° l'enfant né dans le Grand-Duché de parents étrangers pour lequel les lois étrangères de nationalité ne permettent en aucune façon qu'il se voit transmettre la nationalité de l'un ou l'autre de ses parents;

5° l'enfant né au Grand-Duché de Luxembourg de parents non-luxembourgeois, dont un des parents est né sur le territoire du Grand-Duché de Luxembourg.

Art. 2. Obtient la nationalité luxembourgeoise:

1° le mineur ayant fait l'objet d'une adoption par un Luxembourgeois;

2° – le mineur dont l'auteur ou l'adoptant à l'égard duquel la filiation est établie acquiert ou recouvre la nationalité luxembourgeoise et

– le mineur dont l'auteur ou l'adoptant à l'égard duquel la filiation est établie a obtenu la nationalité luxembourgeoise en application du 1^{er} tiret.

Art. 3. La naissance au Grand-Duché avant le premier janvier mil neuf cent vingt établit la qualité de Luxembourgeois d'origine.

Art. 4. La qualité de Luxembourgeois d'origine est d'autre part suffisamment établie par la preuve de la possession d'état de Luxembourgeois en la personne de celui des auteurs du réclamant dont la nationalité fait la condition de la sienne. La preuve contraire est de droit.

La possession d'état de Luxembourgeois s'acquiert par l'exercice des droits que cette qualité confère.

II. – De l'acquisition de la qualité de Luxembourgeois

Art. 5. La qualité de Luxembourgeois s'acquiert par naturalisation.

Le ministre de la Justice est compétent pour statuer sur les demandes d'acquisition de la qualité de Luxembourgeois.

Art. 6. Pour être admis à la naturalisation, il faut:

1° avoir atteint l'âge de dix-huit ans révolus;

2° disposer d'une autorisation de séjour au Grand-Duché de Luxembourg depuis au moins sept années consécutives précédant immédiatement la demande de naturalisation et y avoir résidé effectivement pendant la même période.

Pour les réfugiés reconnus selon la Convention de Genève du 28 juillet 1951 relative au statut des réfugiés la période entre la date du dépôt de la demande d'asile et la date de la reconnaissance du statut de réfugié par le ministre compétent est assimilée à un séjour autorisé au sens de l'alinéa 1^{er}, point 2°.

Les conditions d'âge et de résidence doivent être remplies au moment de l'introduction de la demande prévue à l'article 10.

Art. 7.

1° La naturalisation sera refusée à l'étranger lorsqu'il ne justifie pas d'une intégration suffisante, à savoir:

a) lorsqu'il ne remplit pas les conditions prévues à l'article 6;

b) lorsqu'il ne justifie pas d'une connaissance active et passive suffisante d'au moins une des langues prévues par la loi du 24 février 1984 sur le régime des langues et lorsqu'il n'a pas réussi une épreuve d'évaluation de la langue luxembourgeoise parlée. Le niveau de compétence à atteindre en langue luxembourgeoise est celui du niveau B1 du Cadre européen commun de référence pour les langues pour la compréhension de l'oral et du niveau A2 du même cadre pour l'expression orale;

c) lorsqu'il n'a pas suivi au moins trois cours d'instruction civique dont un doit obligatoirement porter sur les institutions luxembourgeoises et un sur les droits fondamentaux.

Les modalités relatives à l'organisation des épreuves et l'attestation de la compétence en langue luxembourgeoise parlée ainsi que celles relatives à l'organisation des cours d'instruction civique seront précisées par voie de règlement grand-ducal.

Les frais de participation aux cours de langue luxembourgeoise et d'instruction civique seront pris en charge par l'Etat suivant les modalités à déterminer par règlement grand-ducal.

2° La naturalisation sera également refusée à l'étranger:

a) lorsqu'il est établi qu'il a fait dans le cadre de sa demande de fausses affirmations, dissimulé des faits importants ou agi par fraude;

b) lorsqu'il a fait l'objet soit dans le pays soit à l'étranger d'une condamnation à une peine criminelle ou une condamnation à l'emprisonnement ferme d'une durée d'un an ou plus et que les faits à la base de la condamnation constituent également une infraction pénale en droit luxembourgeois et que, le cas échéant et sauf le bénéfice d'une réhabilitation, la peine ait été définitivement exécutée moins de 15 ans avant l'introduction de la demande prévue à l'article 10. Le dossier de naturalisation peut être tenu en suspens lorsque l'étranger fait l'objet d'une procédure judiciaire pénale.

Les conditions prévues au point 1° b) portant sur l'épreuve d'évaluation de la langue luxembourgeoise parlée et au point 1° c) portant sur les cours d'instruction civique ne s'appliquent pas au demandeur

- qui a accompli au moins sept années de sa scolarité au Grand-Duché de Luxembourg dans le cadre de l'enseignement public luxembourgeois ou de l'enseignement privé appliquant les programmes d'enseignement public luxembourgeois;
- qui a disposé d'une autorisation de séjour au Grand-Duché de Luxembourg avant le 31 décembre 1984 et qui réside depuis au moins cette date au Grand-Duché de Luxembourg.

Art. 8. En l'absence des conditions prévues aux articles 6 et 7, la naturalisation peut être conférée, dans des circonstances exceptionnelles, à l'étranger majeur qui rend ou a rendu des services signalés à l'Etat.

La naturalisation peut encore, en l'absence d'une demande, être proposée par le Gouvernement.

Art. 9. Dans les cas visés à l'article 8 et par dérogation à l'article 5, la demande ou la proposition est soumise à la Chambre des Députés, qui décide si elle adopte ou n'adopte pas la demande ou la proposition. La loi qui confère la naturalisation est insérée par extrait au Mémorial.

Art. 10. Pour être admis à la naturalisation, il faut:

1° introduire par écrit auprès de la commune de résidence une demande en naturalisation, signée du demandeur et adressée au ministre de la Justice; la demande doit être présentée personnellement par le demandeur ensemble avec le dossier; cette demande vaut déclaration;

2° joindre à cette demande:

- a) l'acte de naissance du demandeur et s'il y a lieu l'acte de naissance de ses enfants;
- b) une notice biographique rédigée avec exactitude;
- c) un certificat constatant la durée de la résidence obligatoire, délivré par les communes dans lesquelles l'étranger a séjourné pendant le temps de sa résidence obligatoire dans le pays;
- d) une copie certifiée conforme du passeport du demandeur, respectivement pour le demandeur reconnu au Luxembourg comme réfugié au sens de la Convention relative au statut des réfugiés signée à Genève le 28 juillet 1951 un certificat attestant cette qualité délivré par l'autorité compétente;
- e) un extrait du casier judiciaire luxembourgeois et un document similaire délivré par les autorités compétentes du pays d'origine et des pays de résidences précédentes dans lesquels le demandeur a résidé à partir de l'âge de dix-huit ans pendant les quinze années qui précèdent l'introduction de la demande visée à l'article 10;
- f) un certificat de réussite de l'épreuve d'évaluation de la langue luxembourgeoise parlée, sous réserve des conditions du point 2° de l'article 7 dûment certifiées;
- g) un certificat de participation aux cours d'instruction civique luxembourgeois, sous réserve des conditions du point 2° de l'article 7 dûment certifiées.

La demande ne vaut déclaration au sens du point 1° que si tous les pièces et documents exigés ont été joints à la demande.

Tous les documents doivent être traduits soit en langue française soit en langue allemande par un traducteur assermenté.

La commune de résidence transmet la demande ensemble avec le dossier directement et sans délai au ministre de la Justice.

Art. 11. La naturalisation est accordée ou refusée par arrêté du ministre de la Justice dans un délai de huit mois à partir de la date à laquelle la demande vaut déclaration. Ce délai ne joue cependant pas pendant la procédure de suspension prévue au point 2° b) de l'article 7 et pour les demandes de naturalisation, d'option ou de recouvrement qui ont été introduites avant l'entrée en vigueur de la présente loi et qui sont visées à l'article IV points 3° et 4°. La décision de refus doit être motivée.

Le ministre de la Justice notifie à l'intéressé l'arrêté accordant ou refusant la naturalisation pour lui servir de titre.

Dans les cas visés à l'article 9, le ministre de la Justice délivre à l'intéressé une ampliation certifiée de la loi ayant conféré la naturalisation pour lui servir de titre.

Mention de l'arrêté ministériel est faite dans les registres conformément aux dispositions de l'article 21.

Art. 12. L'étranger ayant fait une demande conformément aux conditions énoncées aux articles 6 et 7 de la présente loi pour acquérir la qualité de Luxembourgeois, ne pourra être éloigné du territoire avant la décision définitive refusant la naturalisation.

III. – De la perte de la qualité de Luxembourgeois

Art. 13. Perd la qualité de Luxembourgeois:

1° celui qui à partir de dix-huit ans révolus, renonce à la nationalité luxembourgeoise par une déclaration faite en conformité de l'article 21; cette déclaration ne peut être faite que si le déclarant prouve qu'il possède une nationalité étrangère ou qu'il l'acquiert ou la recouvre automatiquement par l'effet de la déclaration.

L'officier de l'état civil envoie dans les huit jours de la déclaration, une expédition dûment certifiée de celle-ci au ministre de la Justice.

2° l'enfant de moins de dix-huit ans révolus, dont la filiation est établie à l'égard d'un seul auteur ou adoptant, lorsque celui-ci perd la nationalité luxembourgeoise par l'effet du point 1°, à la condition que la nationalité étrangère de l'auteur ou l'adoptant soit conférée à l'enfant ou que celui-ci la possède déjà; si sa filiation est établie à l'égard de ses père et mère ou de deux adoptants, l'enfant de moins de dix-huit ans révolus ne perd pas la nationalité luxembourgeoise tant que l'un d'eux la possède encore; il la perd lorsque cet auteur ou adoptant vient lui-même à la perdre, à la condition que l'enfant acquière la nationalité d'un de ses auteurs ou adoptants ou qu'il la possède déjà;

3° l'enfant dont la filiation à l'égard d'un auteur luxembourgeois cesse d'être établie avant qu'il ait atteint l'âge de dix-huit ans révolus, à moins que l'autre auteur ne possède la qualité de Luxembourgeois ou que l'enfant ne devienne apatride.

IV. – Du recouvrement de la qualité de Luxembourgeois

Art. 14. Le Luxembourgeois d'origine qui a perdu sa qualité de Luxembourgeois peut la recouvrer par une déclaration à faire en conformité de l'article 21 à partir de l'âge de dix-huit ans révolus.

Les dispositions de l'article 7, point 2° a) et b) et de l'article 10, point 2°, a), b), d) et e) sont applicables.

La déclaration de recouvrement est soumise pour décision au ministre de la Justice, qui accorde ou refuse le recouvrement par arrêté ministériel. La décision de refus doit être motivée.

Le ministre de la Justice notifie à l'intéressé l'arrêté accordant ou refusant le recouvrement pour lui servir de titre.

Mention de l'arrêté ministériel est faite en marge de la déclaration de recouvrement conformément à l'article 21.

V. – De la déchéance de la qualité de Luxembourgeois

Art. 15. La personne qui a acquis la qualité de Luxembourgeois peut être déchue de la nationalité luxembourgeoise par arrêté ministériel motivé, sauf si la déchéance a pour résultat de la rendre apatride:

- a) si elle a obtenu la nationalité luxembourgeoise par de fausses affirmations, par fraude ou par dissimulation de faits importants;
- b) si elle a obtenu la nationalité luxembourgeoise sur base d'un faux ou de l'usage d'un faux ou encore sur base de l'usurpation de nom et pour autant qu'elle ait été reconnue coupable de l'une de ces infractions par une décision de justice coulée en force de chose jugée.

Art. 16. Lorsque la déchéance de la nationalité est devenue définitive, l'arrêté ministériel prononçant la déchéance ou le dispositif de la décision de justice confirmant l'arrêté ministériel de déchéance est transcrit dans l'un des registres indiqués à l'article 21 par l'officier de l'état civil du domicile ou de la résidence de la personne déchue de la nationalité ou, à défaut de résidence dans le pays, par l'officier de l'état civil qui a reçu l'acte de naturalisation.

Mention en est faite également en marge de l'acte de naturalité de la personne déchue de la nationalité.

La déchéance a effet du jour de la transcription.

Art. 17. Le conjoint et les enfants du Luxembourgeois déchu peuvent renoncer à la nationalité luxembourgeoise dans le délai de trois mois à partir du jour de la transcription de la décision prononçant la déchéance.

A l'égard des enfants mineurs, ce délai est prorogé jusqu'à l'expiration des trois mois qui suivent leur majorité.

Les renonciations de nationalité sont faites dans les formes prescrites par l'article 21.

Art. 18. La personne déclarée déchue de la qualité de Luxembourgeois ainsi que celle qui a renoncé à cette qualité par application de l'article qui précède, ne peuvent plus recouvrer la nationalité luxembourgeoise, ni présenter une nouvelle demande en acquisition de la qualité de Luxembourgeois.

VI. – Des effets des actes de naturalité

Art. 19. L'acquisition de la nationalité luxembourgeoise par naturalisation confère à l'étranger tous les droits civils et politiques attachés à la qualité de Luxembourgeois.

Art. 20. L'acquisition, la perte, le recouvrement ou la déchéance de la qualité de Luxembourgeois, de quelque cause qu'ils procèdent, ne produisent d'effet que pour l'avenir.

VII. – De la compétence des officiers de l'état civil

Art. 21. Les déclarations prévues par les dispositions qui précèdent sont faites devant l'officier de l'état civil du dernier lieu de résidence au Grand-Duché de Luxembourg; sans préjudice des dispositions des articles 6 et 14, ces déclarations sont faites à défaut de résidence au Grand-Duché de Luxembourg devant l'officier de l'état civil de la commune de Luxembourg; elles sont inscrites, soit dans un registre spécial tenu en double, soit dans le registre des actes de naissance. L'officier de l'état civil instrumente sans l'assistance de témoin.

Art. 22. Les registres prévus par l'article qui précède sont soumis aux dispositions des articles 40 à 45 et 50 à 54 du Code civil.

Aucun extrait de ces registres ne doit être délivré sans les mentions qui s'y trouvent inscrites.

Les extraits des registres sont soumis aux mêmes formalités de timbres et aux mêmes droits de recherche et d'expédition que les actes de naissance.

VIII. – De la preuve de la nationalité luxembourgeoise

Art. 23. La nationalité luxembourgeoise d'une personne est établie, jusqu'à preuve du contraire, par la détention soit d'un passeport luxembourgeois en cours de validité, soit d'une carte d'identité nationale luxembourgeoise en cours de validité.

En cas de doute sérieux ou de contestation de la nationalité luxembourgeoise, un certificat de nationalité luxembourgeoise peut être délivré aux personnes qui prouvent qu'elles possèdent la nationalité luxembourgeoise conformément aux dispositions des Chapitres I, II, III, IV et V de la présente loi.

Un certificat de nationalité peut également être émis, dans les mêmes conditions de preuve, s'il est exigé par une autorité étrangère.

Les certificats de nationalité sont délivrés par le ministre de la Justice, qui détermine la durée de validité des certificats; la validité ne peut pas dépasser cinq ans.

Art. 24. Les certificats de nationalité indiquent que l'intéressé possède la nationalité luxembourgeoise et, à la demande de l'intéressé, mentionnent la date à partir de laquelle il a acquis cette qualité.

Ils font foi jusqu'à preuve du contraire.

Cette même force probante s'attache aux certificats délivrés depuis le 10 septembre 1944.

Art. 25. Les certificats de nationalité sont passibles d'un droit dont le montant est fixé par règlement grand-ducal et qui ne peut être supérieur à trente euros.

IX. – Du contentieux de la nationalité

Art. 26. Toutes les actions en revendication ou en contestation de la nationalité luxembourgeoise, ainsi que les recours exercés contre les arrêtés ministériels portant refus des demandes de naturalisation ou de recouvrement et ceux exercés contre les arrêtés ministériels prononçant la déchéance de la qualité de Luxembourgeois, sont de la compétence du tribunal administratif qui statue comme juge du fond conformément à l'article 3 de la loi modifiée du 7 novembre 1996 portant organisation des juridictions de l'ordre administratif.

Contre les arrêtés ministériels portant refus des demandes de naturalisation ou de recouvrement, le délai pour agir en justice est de trois mois à compter de la notification de la décision. Contre les décisions prononçant la déchéance, le délai pour agir en justice est de trois mois à compter de la transcription de cette décision.

L'appel est porté devant la Cour administrative conformément à l'article 6 de la loi modifiée du 7 novembre 1996 portant organisation des juridictions de l'ordre administratif.

La communication à l'intéressé concerné de son dossier d'indigénat n'est possible que dans le cadre d'un recours.

Art. 27. Les questions préalables de droit civil conditionnant l'octroi de la nationalité sont régies par la loi applicable conformément à la règle générale de conflit de lois.

Si l'état civil résulte d'un jugement étranger dont la régularité est contestée, sa reconnaissance peut être demandée au tribunal d'arrondissement qui, saisi par voie de requête d'avocat à la cour, statue en chambre du conseil, sur conclusion du procureur d'Etat.

X. – Des règles de conflits de lois

Art. 28. Sous réserve des conventions internationales et des lois en vigueur au Grand-Duché de Luxembourg, toute personne possédant, outre la nationalité luxembourgeoise, une ou plusieurs autres nationalités, est considérée par les autorités du Grand-Duché de Luxembourg comme exclusivement luxembourgeoise.

XI. – Dispositions transitoires particulières

Art. 29. Le descendant en ligne directe paternelle ou maternelle, même né à l'étranger, d'un aïeul luxembourgeois à la date du premier janvier mil neuf cent et que celui-ci respectivement l'un de ses descendants a perdu la nationalité luxembourgeoise sur base des dispositions légales antérieures, peut recouvrer la nationalité luxembourgeoise par une déclaration à faire dans les 10 ans qui suivent l'entrée en vigueur de la présente loi.

La déclaration de recouvrement est faite en conformité de l'article 21.

Les dispositions de l'article 7, point 2°, a) et b) et de l'article 10, point 2°, a), b), d) et e) sont applicables. Doit être joint à la déclaration de recouvrement tout document certifiant que le déclarant ou l'un de ses ascendants en ligne directe paternelle ou maternelle possédait la qualité de luxembourgeois au premier janvier mil neuf cent.

La déclaration de recouvrement est soumise pour décision au ministre de la Justice, qui accorde ou refuse le recouvrement par arrêté ministériel. La décision de refus doit être motivée.

Le ministre de la Justice notifie à l'intéressé l'arrêté accordant ou refusant le recouvrement pour lui servir de titre.

Mention de l'arrêté ministériel est faite en marge de la déclaration de recouvrement conformément à l'article 21.

Art. 30. Les dispositions inscrites au Chapitre V et visant la déchéance de la qualité de luxembourgeois, s'appliquent également à tous les luxembourgeois ne tenant pas leur nationalité d'un auteur luxembourgeois au jour de leur naissance et qui ont acquis la nationalité luxembourgeoise avant l'entrée en vigueur de la présente loi.

Art. 31. La femme luxembourgeoise qui a perdu la qualité de luxembourgeoise pour avoir acquis du fait de son mariage, ou du fait de l'acquisition par son mari d'une nationalité étrangère, sans manifestation de volonté de sa part, la nationalité étrangère de son mari peut recouvrer la nationalité luxembourgeoise par une déclaration qui est faite conformément à l'article 21.

L'officier de l'état civil envoie, dans les huit jours de la déclaration, une expédition dûment certifiée de celle-ci au ministre de la Justice.

Art. 32. Les articles 1^{er} et 2 s'appliquent même aux personnes nées avant l'entrée en vigueur de la loi si ces personnes n'ont pas encore, à cette date, atteint leurs dix-huit ans. Ils s'appliquent même si les faits et les actes de nature à entraîner l'acquisition de la nationalité luxembourgeoise se sont réalisés avant leur entrée en vigueur. Cette application ne porte cependant pas atteinte à la validité des actes passés par l'intéressé ni aux droits acquis par des tiers sur le fondement des lois antérieures. L'intéressé ne peut invoquer les droits découlant de la nationalité luxembourgeoise qu'à partir de l'entrée en vigueur de la présente loi.

Art. 33. L'application rétroactive des dispositions relatives à l'établissement du lien de filiation résultant de la loi du 13 avril 1979 portant réforme du droit de la filiation n'a pu avoir pour effet de dénier la nationalité luxembourgeoise à une personne qui la possédait régulièrement en vertu des textes en vigueur au moment du fait attributif de nationalité.

Art 34. Dans toute disposition légale ou réglementaire, sous réserve des textes internationaux ou communautaires et de la présente loi, dans laquelle il est fait référence au «certificat de nationalité», l'article 23 s'applique.

Article II. –

La loi modifiée du 22 février 1968 sur la nationalité luxembourgeoise est abrogée, sans préjudice des dispositions de l'article IV.

Article III. – Dispositions modificatives.

1. – L'article 44bis du Code civil est modifié comme suit:

«Le bourgmestre peut déléguer à un ou plusieurs fonctionnaires communaux, âgés d'au moins vingt-cinq ans, les fonctions qu'il exerce en tant qu'officier de l'état civil pour la réception des déclarations de naissance, de décès, d'enfants sans vie, de reconnaissance d'enfants naturels, de partenariat, pour les actes d'indigénat, pour la transcription, la mention en marge de tous actes ou jugements sur les registres d'état civil, de même que pour dresser tous les actes relatifs aux déclarations ci-dessus.

Cette délégation est exercée sous la surveillance et la responsabilité du bourgmestre.

L'arrêté portant délégation est transmis tant au ministre de l'Intérieur qu'au procureur d'Etat près le tribunal d'arrondissement dans le ressort duquel se trouve la commune intéressée.

Le ou les agents communaux délégués pour la réception des déclarations, la rédaction, la transcription et la mention en marge des actes de l'état civil et des actes d'indigénat prévus par le présent article peuvent valablement, sous le contrôle et la responsabilité du bourgmestre, délivrer toutes copies et extraits d'état civil et d'indigénat, quelle que soit la nature des actes.»

2. – Les articles 69 et 70 de la loi communale modifiée du 13 décembre 1988 sont modifiés comme suit:

a) – A l'article 69, l'alinéa 3 est complété comme suit:

«Le secrétaire communal est chargé des écritures des actes de l'état civil et des actes d'indigénat, sous la surveillance et la responsabilité de l'officier désigné à ces fins.»

b) – A l'article 70, les alinéas 1 et 3 sont complétés comme suit:

alinéa 1: «Sans préjudice des dispositions de l'article 69 de la présente loi, le bourgmestre peut déléguer à un ou plusieurs fonctionnaires communaux, âgés d'au moins vingt-cinq ans, les fonctions qu'il exerce en tant qu'officier de l'état civil pour la réception des déclarations de naissance, de décès, d'enfants sans vie, de reconnaissance d'enfants naturels, de partenariat, pour les actes d'indigénat, pour la transcription, la mention en marge de tous actes ou jugements sur les registres d'état civil, de même que pour dresser tous les actes relatifs aux déclarations ci-dessus. Les actes ainsi dressés comportent la seule signature du fonctionnaire délégué.»

alinéa 3: «L'arrêté portant délégation est transmis tant au ministre de l'Intérieur qu'au procureur d'Etat près le tribunal d'arrondissement dans le ressort duquel se trouve la commune intéressée. Le ou les agents communaux délégués pour la réception des déclarations, la rédaction, la transcription et la mention en marge des actes de l'état civil et des actes d'indigénat prévus par le présent article peuvent valablement, sous le contrôle et la responsabilité du bourgmestre, délivrer tous copies et extraits d'état civil et d'indigénat, quelle que soit la nature des actes.»

Article IV. – Entrée en vigueur et dispositions transitoires.

1. La présente loi entre en vigueur le 1^{er} jour du troisième mois qui suit sa publication au Mémorial.
2. La présente loi s'applique aux demandes de naturalisation et de recouvrement introduites à partir de la date d'entrée en vigueur de la présente loi telle que déterminée au point 1°.
3. Les demandes de naturalisation, d'option ou de recouvrement, valant déclaration au sens de l'article 10 point 1°, et qui ont été introduites avant l'entrée en vigueur de la présente loi restent soumises, quant aux conditions de fond, aux articles 6, 7, 8 et 9 ainsi qu'aux articles 19, 20, 21, 22, 25 et 26 de la loi modifiée du 22 février 1968 sur la nationalité luxembourgeoise.
4. Les demandes de naturalisation, d'option ou de recouvrement telles que visées au point 3° ci-dessus, sont soumises, quant à la procédure et aux recours éventuels, aux articles 11, 14 et 26 de la présente loi.

Mandons et ordonnons que la présente loi soit insérée au Mémorial pour être exécutée et observée par tous ceux que la chose concerne.

REGULATORY TEXTS

> RÈGLEMENT GRAND-DUCAL DU 31 OCTOBRE 2008 CONCERNANT L'ORGANISATION DES COURS D'INSTRUCTION CIVIQUE À SUIVRE POUR ÊTRE ADMIS À LA NATURALISATION.

Nous Henri, Grand-Duc de Luxembourg, Duc de Nassau,

Vu la loi du 23 octobre 2008 sur la nationalité luxembourgeoise et notamment son article 7;

Vu la loi du 19 juillet 1991 portant création d'un Service de la Formation des Adultes et donnant un statut légal au Centre de Langues Luxembourg;

Vu la fiche financière;

Notre Conseil d'Etat entendu;

Sur le rapport de Notre Ministre de la Justice et de Notre Ministre de l'Éducation nationale et de la Formation professionnelle et après délibération du Gouvernement en conseil;

Arrêtons:

Art. 1^{er}. Le Service de la Formation des Adultes est chargé de l'organisation des cours d'instruction civique à suivre pour être admis à la naturalisation.

Art. 2. Les cours s'adressent prioritairement aux candidats à la naturalisation. Ils s'adressent en second lieu aux étrangers ayant signé un contrat d'accueil et d'intégration.

Toute autre personne qui n'est plus soumise à l'obligation scolaire peut également s'inscrire aux cours dans la limite des places qui restent disponibles.



Art. 3. L'objectif des cours d'instruction civique est de donner aux participants la possibilité d'acquérir des connaissances sur l'organisation, l'histoire et le fonctionnement des institutions politiques et civiles au Luxembourg.

La liste des sujets sur lesquels portent les cours est arrêtée conjointement par le Ministre de l'Éducation nationale et de la Formation professionnelle et le Ministre de la Justice.

Chaque cours a une durée de deux heures. Il peut être tenu en luxembourgeois, en français, en allemand, en portugais ou en anglais.

Art. 4. Le nombre de cours et la nature des cours qu'une personne doit avoir suivis avant d'introduire une demande pour être admise à la naturalisation sont ceux fixés à l'article 7c de la loi sur la nationalité luxembourgeoise.

Art. 5. Les cours ont lieu dans trois lycées dans différentes régions du pays, à désigner chaque année par le Ministre de l'Éducation nationale et de la Formation professionnelle.

Le lycée organisateur met à disposition une salle de classe ou de conférence dotée du matériel didactique nécessaire.

Le délégué à la formation des adultes dresse un relevé des participants qu'il transmet au Service de la Formation des Adultes.

L'indemnisation du délégué à la formation des adultes et, le cas échéant, du concierge se fait selon les dispositions valables pour les cours pour adultes.

Art. 6. Les inscriptions aux cours se font dans les trois lycées retenus sous la responsabilité du délégué à la formation des adultes.

Un cours programmé n'a lieu que s'il y a un minimum de 5 inscriptions. Si le cours programmé ne peut pas être organisé, il est reporté à une date ultérieure et les candidats inscrits en sont informés par le lycée.

L'inscription aux cours est gratuite.

Art. 7. Sur base des listes de présence, le Service de la Formation des Adultes établit les certificats sanctionnant la participation aux cours requis pour être admis à la naturalisation.

Les certificats sont numérotés et enregistrés au Service de la Formation professionnelle. Ils sont signés par le Ministre de l'Éducation nationale et de la Formation professionnelle ou un fonctionnaire désigné par lui.

Art. 8. La liste des personnes chargées de la tenue des cours est établie annuellement par le Ministre de l'Éducation nationale et de la Formation professionnelle et le Ministre de la Justice.

L'indemnité est fixée à 200 €, tarif non indexé, pour un cours de 2 heures comprenant la préparation du cours et les coûts de documentation, la tenue du cours, les travaux administratifs et les coûts de déplacement.

Art. 9. Les modalités d'organisation qui ne sont pas prévues par le présent règlement grand-ducal sont réglées par les lois et par les règlements qui régissent les cours organisés par le Service de la Formation des Adultes.

Art. 10. Notre Ministre de la Justice et Notre Ministre de l'Éducation nationale et de la Formation professionnelle sont chargés, chacun en ce qui le concerne, de l'exécution du présent règlement qui sera publié au Mémorial.

Annexe:

Liste des cours d'instruction civique

1. Cours obligatoires:

1. Les droits fondamentaux des citoyens
2. Les institutions étatiques luxembourgeoises

2. Cours facultatifs:

1. L'Histoire du Grand-Duché de Luxembourg: La naissance d'un Etat-Nation du XIX^e siècle
2. L'Histoire du Grand-Duché de Luxembourg: Le Luxembourg au XX^e siècle
3. Le Luxembourg et l'unification européenne
4. Les institutions communales luxembourgeoises
5. Les structures économiques du Grand-Duché
6. La vie professionnelle au Luxembourg
7. Le principe et le système de la sécurité sociale au Luxembourg
8. Les médias au Luxembourg

> RÈGLEMENT GRAND-DUCAL DU 31 OCTOBRE 2008 CONCERNANT L'ORGANISATION DES ÉPREUVES ET L'ATTESTATION DE LA COMPÉTENCE DE COMMUNICATION EN LANGUE LUXEMBOURGEOISE PARLÉE POUR ÊTRE ADMIS À LA NATURALISATION.

Nous Henri, Grand-Duc de Luxembourg, Duc de Nassau,

Vu la loi du 23 octobre 2008 sur la nationalité luxembourgeoise et notamment son article 7;

Vu la loi du 24 février 1984 sur le régime des langues;

Vu la loi du 19 juillet 1991 portant création d'un Service de la Formation des Adultes et donnant un statut légal au Centre de Langues Luxembourg;

Vu le règlement grand-ducal du 20 septembre 2002 portant fixation des droits d'inscription et des indemnités dues aux commissions d'examen, aux experts et présidents de jurys des examens certifiant les compétences de communication en langues en éducation des adultes;

Vu le règlement ministériel du 29 janvier 2001 portant certification des compétences de communication en luxembourgeois;

Vu la fiche financière;

Notre Conseil d'Etat entendu;

Sur le rapport de Notre Ministre de la Justice et de Notre Ministre de l'Éducation nationale et de la Formation professionnelle et après délibération du Gouvernement en conseil;

Arrêtons:

Art. 1^{er}. Le Centre de Langues Luxembourg, dénommé ci-après «le Centre», est chargé de la vérification et de la certification des compétences de communication en langue luxembourgeoise parlée en vue de l'admission à la naturalisation. Il organise les épreuves d'évaluation.

Art. 2. Le niveau de compétence à atteindre est celui fixé à l'article 7b de la loi sur la nationalité luxembourgeoise.

Art. 3. Les épreuves d'évaluation sont organisées au moins deux fois par an.

L'inscription aux épreuves se fait au Centre. Peut s'inscrire aux épreuves tout étranger résidant sur le territoire luxembourgeois et qui n'est plus soumis à l'obligation scolaire. L'inscription aux épreuves se fait dans la limite des capacités d'organisation et dans l'ordre de la date d'entrée des demandes. Les candidats qui n'ont pas été retenus sont inscrits en priorité à la session suivante.

Les dates et lieux des épreuves ainsi que la date limite des inscriptions sont publiés par voie de la presse.

Les frais d'inscription aux épreuves sont fixés à 75 euros. Ces frais sont remboursés par l'Etat au candidat à la naturalisation.

Le candidat qui se désiste sans motif ou qui ne se présente pas au moment des épreuves n'est pas remboursé et il doit se réinscrire.

Si préalablement aux épreuves, le candidat a fréquenté des cours de luxembourgeois au Centre, les frais d'inscription y relatifs lui sont remboursés par l'Etat. Si les cours ont été suivis dans un organisme agréé par le Ministre de l'Éducation nationale et de la Formation professionnelle autre que le Centre, les frais d'inscription seront remboursés sur production d'une quittance et jusqu'à hauteur d'un montant équivalent aux frais d'inscription au Centre.

Art. 4. L'épreuve de compréhension de l'oral se compose d'écoutes de trois documents et de réponses à des questionnaires enregistrés portant sur ces documents. La durée totale de l'épreuve est de 25 minutes et comprend deux écoutes successives.

Les documents sont définis comme suit:

- un bulletin d'information ou un extrait d'actualité
- une conversation ou un dialogue
- un document contenant des informations sur un sujet précis.

Les questionnaires peuvent comprendre des questions à choix multiple ou des questions à choix binaire.

Le candidat inscrit ses réponses sur une fiche-réponse qui est corrigée par deux correcteurs suivant une grille de correction d'un total de 24 points.

Art. 5. L'épreuve d'expression orale se compose:

- d'un entretien entre l'examineur et le candidat sur un thème donné. Le candidat peut choisir entre deux thèmes proposés par un examinateur;
- d'une description d'un support visuel. Le candidat peut choisir parmi trois supports visuels proposés par un examinateur.

L'épreuve a lieu devant deux examinateurs, dont le premier est l'interlocuteur qui mène l'entretien et donne une note globale, et le deuxième est l'assesseur qui donne une note évaluant le répertoire, l'utilisation des structures grammaticales de base, la fluidité et la clarté ainsi que la capacité d'interaction du candidat. La note de l'interlocuteur compte pour 20 points et celle de l'assesseur pour 80 points de la note finale.

Cette épreuve est enregistrée sur support audionumérique.

Art. 6. A réussi, le candidat qui a obtenu dans l'épreuve de compréhension de l'oral et dans l'épreuve d'expression orale des notes finales égales ou supérieures à la moitié des points.

Art. 7. La commission d'examen est nommée conjointement par le Ministre de l'Éducation nationale et de la Formation professionnelle et le Ministre de la Justice. Elle se compose d'un commissaire du gouvernement, du chargé de la direction du Centre et d'au moins deux membres effectifs et de quatre membres suppléants recrutés parmi les enseignants-examineurs affectés au Centre. Les membres de la commission sont nommés pour la durée d'une année civile.

En cas de besoin, des enseignants externes au Centre pouvant se prévaloir d'une expérience professionnelle de cinq ans au moins dans le domaine de l'enseignement de la langue luxembourgeoise à un public adulte peuvent faire partie de la commission d'examen.

La commission d'examen désigne en son sein un secrétaire.

Les membres de la commission ont l'obligation de garder le secret des délibérations.

Les indemnités des membres de la commission sont identiques à celles fixées pour les autres examens en langue luxembourgeoise organisés par le Centre.

Art. 8. Le commissaire du gouvernement réunit la commission dès la nomination de ses membres pour régler les détails de l'organisation de l'épreuve.

Le Centre est chargé de l'élaboration des épreuves.

Les décisions concernant chaque candidat sont prises par le commissaire, le chargé de direction et les membres de la commission qui ont évalué les épreuves du candidat.

La commission prend ses décisions à la majorité des voix. L'abstention n'est pas permise. S'il y a partage des voix, la voix du commissaire est prépondérante.

En cas d'échec aux épreuves d'évaluation, la décision de la commission est notifiée par lettre recommandée au candidat.

Art. 9. La réussite à l'épreuve est sanctionnée par le certificat de réussite de l'épreuve d'évaluation de la langue luxembourgeoise parlée. La durée de validité du certificat est limitée à deux ans à partir de la date figurant sur le certificat.

Les certificats sont établis par le Centre en un seul exemplaire et signés par le commissaire du gouvernement et le secrétaire de la commission d'examen.

Les candidats détenteurs:

- du «Zertifikat Letzebuergesch als Friemsprooch» en expression orale et du «Eischten Diplom Lëtzebuergesch als Friemsprooch» en compréhension de l'oral,
- du «Eischten Diplom Lëtzebuergesch als Friemsprooch» en expression orale et en compréhension de l'oral,
- du «Zweeten Diplom Lëtzebuergesch als Friemsprooch» en expression orale et en compréhension de l'oral,
- du «leweschten Diplom Lëtzebuergesch als Friemsprooch», et qui veulent introduire une demande en naturalisation peuvent, sur demande écrite, se voir délivrer le certificat de réussite de l'épreuve d'évaluation de la langue luxembourgeoise parlée pour autant que le certificat ou diplôme ait été délivré dans les deux ans précédant la demande.

Art. 10. Chaque année le Ministre de l'Éducation nationale et de la Formation professionnelle publie une analyse statistique des épreuves comprenant notamment les taux de réussite et d'échec.

Art. 11. Les copies et les enregistrements des examens sont la propriété du Centre et sont conservés pendant deux ans aux archives du Centre.

Art. 12. Notre Ministre de l'Éducation nationale et de la Formation professionnelle et Notre Ministre de la Justice sont chargés, chacun en ce qui le concerne, de l'exécution du présent règlement qui sera publié au Mémorial.

> RÈGLEMENT GRAND-DUCAL DU 14 NOVEMBRE 2008 PORTANT FIXATION DU MONTANT DU DROIT DE TIMBRE APPLICABLE AUX CERTIFICATS DE NATIONALITÉ.

Nous Henri, Grand-Duc de Luxembourg, Duc de Nassau,

Vu l'article 25 de la loi du 23 octobre 2008 sur la nationalité luxembourgeoise;

Vu l'article 2, paragraphe 1^{er}, de la loi du 12 juillet 1996 portant réforme du Conseil d'Etat et considérant qu'il y a urgence;

Sur le rapport de Notre Ministre de la Justice et après délibération du Gouvernement en Conseil;

Arrêtons:

Article I^{er}. Les certificats de nationalité sont passibles d'un droit de timbre de quatre euros, lorsque leur validité est d'un an ou inférieure à un an, et de dix euros, lorsque leur durée de validité est supérieure à un an sans dépasser cinq ans.

Article II. L'article 81 du règlement grand-ducal du 1^{er} août 2001 relatif au basculement en euro le 1^{er} janvier 2002 et modifiant certaines dispositions réglementaires est abrogé.

Article III. Le présent règlement entre en vigueur le 1^{er} janvier 2009.

Article IV. Notre Ministre de la Justice est chargé de l'exécution du présent règlement qui sera publié au Mémorial.

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Opening hours

From Monday to Friday (excluding public holidays) from
8.30 to 11.30 a.m. and from 2.30 to 4 p.m. (special
opening hours over the Christmas period and summer
holidays)



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INFOLINE

The Ministry of Justice has set up a "Nationality Infoline". To access this information system by telephone, a free-phone 8002 1000 number can be dialled from within Luxembourg. From overseas, the number to dial is (+352) 247-88588.

The infoline is open from Monday to Friday from 8.30 a.m. to noon and from 1.30 to 5 p.m.

Please consult the site of the Ministry of Justice for possible updates:

www.mj.public.lu/nationalite/index.html



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