



Nationality Act

Publisher [National Legislative Bodies / National Authorities](#)

Author Republic of Mozambique

Publication Date 25 June 1975

Reference MOZ-110

Cite as *Nationality Act* [], 25 June 1975, available at: <https://www.refworld.org/docid/3ae6b5238.html> [accessed 20 December 2018]

Comments This is an unofficial translated consolidation. The Act was approved by the Central Committee of the Liberation Front of Mozambique on 20 June 1975 and entered into force on 25 June 1975. The amendment, Act No. 16/1987 of 21 December 1987 entered into force immediately. It was published in the Official Gazette, Boletim da República Publicação Oficial, I Serie, No. 50 on 21 December 1987.

Disclaimer This is not a UNHCR publication. UNHCR is not responsible for, nor does it necessarily endorse, its content. Any views expressed are solely those of the author or publisher and do not necessarily reflect those of UNHCR, the United Nations or its Member States.

CHAPTER I - Nationality of origin

Article 1

1. The following shall be Mozambican nationals, provided they are born in Mozambique:
 - (a) Persons whose father or mother was born in Mozambique;
 - (b) Persons born of stateless parents or parents of unknown nationality or of unknown parents;
 - (c) Persons domiciled in Mozambique on the date of independence;
 - (d) Persons who have established their domicile in the country within 90 days of independence. The President of the Republic may, in duly justified cases., grant nationality of origin even after the expiry of that period.
2. The persons mentioned in subparagraph (c) of paragraph 1, if children of foreign father and mother, shall not be Mozambican nationals if they declare, for themselves being over 18 years of age at the time, or through their legal representatives if under that age, that they do not wish to be Mozambican nationals.
3. The time limit for the declaration referred to in paragraph 2 above shall be ninety days counted from the date of the proclamation of independence.

Article 2

1. Persons born in Mozambique after the proclamation of independence shall be Mozambican nationals.
2. The foregoing provision shall not apply to the children of foreign father and mother when either of them is present in Mozambique at the service of the State to which he or she belongs.
3. The persons referred to in paragraph 1 above, if children of a foreign father and mother, shall only acquire Mozambican nationality if they declare, on their own behalf if over 18 years of age, or through their legal representatives if under that age, that they wish to be Mozambican nationals.
4. The time limit for the declaration referred to in paragraph 3 above shall be 90 days counted from the date of birth or the date on which the person concerned is 18 years of age, according to whether the declaration is made by the legal representative or by the person concerned himself, respectively.

Article 3

Persons who have participated in the national liberation struggle within the structures of the Liberation Front of Mozambique (FRELIMO), and who are not covered by any other provisions of the present Act and declare that they wish to be Mozambican nationals and renounce expressly any other nationality, shall be Mozambican national.

(amended by Act No. 16/1987)

Article 4

Persons who fulfil the requirements for the acquisition of Mozambican nationality of origin but who did not acquire it because of an option exercised by their legal representative shall acquire Mozambican nationality if, being over 18 years of age and within one year of-majority, they declare that they claim Mozambican nationality on their own behalf.

Article 5

Persons who are not covered by any of the previous articles but were domiciled-in Mozambique on the date of independence and have at least 20 years' residence in Mozambique shall be Mozambican nationals provided they declare, within a time limit of 90 days after independence, that they wish to be Mozambican nationals.

Article 6

Persons under the age of 40 who are not covered by the provisions of any of the foregoing articles but who were domiciled in Mozambique on the date of independence for a period of over half their age shall be Mozambican nationals provided they declare within 90 days of independence on their own behalf if over 18 years of age, or through their legal representative if below that age, that they wish to be Mozambican nationals.

Article 7

Persons who have been leading members of colonial-fascist political organizations, who have been officials or informers of a foreign political police or who have been sentenced by the courts for crimes against the

Mozambican people or against decolonization shall not acquire Mozambican nationality pursuant to the terms of articles 5 and 6.

Article 8

1. The children of a Mozambican father or mother born on foreign territory shall be Mozambican nationals provided they declare on their own behalf if over the age of 18 or through their legal representatives if below that age, that they wish to be Mozambican nationals and expressly renounce any other nationality to which they may be entitled.
2. The children of a Mozambican father or mother who have participated in the national liberation struggle within the structures of the Liberation Front of Mozambique (FRELIMO) shall be Mozambican nationals even if born on foreign territory or before national independence.

(amended by Act No. 16/1987)

Article 9

The President of the Republic may, on the proposal of the Political Bureau of the Central Committee of the Frelimo Party, grant nationality of origin to persons who, not being covered by any of the foregoing provisions, have rendered distinguished services to the cause of the Mozambican Revolution, provided they expressly renounce any other nationality.

(amended by Act No. 16/1987)

CHAPTER II - Acquisition of nationality

Article 10

An alien woman who marries a Mozambican national shall acquire Mozambican nationality provided she renounces her previous nationality and declares that she wishes to acquire Mozambican nationality, establishes her domicile in Mozambique and fulfils the requirements specified in subparagraph (c) of article 11.

Article 11

The Government may grant Mozambican nationality by naturalization to aliens who, on the date of making the application, fulfil cumulatively all the following conditions:

- (a) Have a habitual and regular residence for at least five years in Mozambique;
- (b) Be of full age;
- (c) Give political and moral assurances of integration in Mozambican society, not be covered by the provisions of article 7 and have not been sentenced for a crime against the security of the people and the People's State.

(amended by Act No. 16/1987)

Article 12

Naturalization shall be granted by an order of the Minister of the Interior on the application of the party concerned and following proceedings in conformity with the Regulations.

(amended by Act No. 16/1987)

Article 13

Under the naturalization order, Mozambican nationality may be granted to the minor-unmarried children of the naturalized alien. Minor children who, on the date-of naturalization, are under the age of 18 may renounce Mozambican nationality between the age of 18 and one year after reaching full age.

CHAPTER III - Loss of nationality

Article 14

1. Mozambican nationality shall be lost by the following persons:
 - (a) Those who voluntarily acquire a foreign nationality;
 - (b) Those who, without permission from the Government, accept to fill any office in a foreign State;
 - (c) Those who, being also nationals of another State, declare, within the time limit of 90 days counted from the date of the proclamation of independence of Mozambique or the date of the subsequent acquisition of another nationality, that they do not wish to be Mozambican nationals, or else who conduct themselves in fact as aliens, being of full age or emancipated;
 - (d) Those who, not having full legal capacity, have been attributed Mozambican nationality as a result of a declaration by their legal representative and declare, being over 18 years of age and within one year after attaining full age, that they do not wish to be Mozambicans and establish that they have another nationality;
 - (e) Those who expressly renounce nationality which they can acquire by virtue of marriage.
2. Mozambicans who, on the date of the proclamation of independence of Mozambique find themselves in the situation mentioned in subparagraph (b) of the foregoing paragraph shall be required to regularize their status within a time-limit of 90 days.

(amended by Act No. 16/1987)

Article 15

The Government may, by a decree adopted in Council of Ministers, deprive a person of Mozambican nationality on grounds of national indignity in the case of persons who have exercised, or exercise, activities contrary to the interests of the Mozambican people.

CHAPTER IV Reacquisition of nationality

Article 16

1. The Council of Ministers may grant Mozambican nationality to those who having lost it, make the application and fulfil cumulatively the following conditions:

- (a) Establish their residence on Mozambican territory;
- (b) Offer political and moral assurances of reintegration in Mozambican society.

2. Reacquisition of nationality shall produce the effects of acquired nationality. When powerful considerations indicate it, the Council of Ministers may decide that the nationality granted pursuant to paragraph 1 hereof shall have the same effects as nationality of origin.

(inserted by Act No. 16/1987)

CHAPTER V - Miscellaneous provisions

Article 17

A special law shall lay down the conditions for the exercise of public office or private functions of public interest by aliens, by Mozambican citizens who are not national of origin or by Mozambican men or women who have married aliens or their descendants in the first degree.

(formerly Article 16, renumbered by Act No. 16/1987)

Article 18

As regards persons who are Mozambican nationals in accordance with the legal order in force in Mozambique, no other nationality shall be recognized, nor shall such nationality produce any effects in the internal legal order.

(formerly Article 17, renumbered by Act No. 16/1987)

Article 19

The registration and proof of the acquisition, loss or reacquisition of nationality shall be governed by the relevant Regulations.

(formerly Article 18, renumbered by Act No. 16/1987)

Article 20

1. A Mozambican woman who has lost Mozambican nationality as a result of marriage may reacquire it:

- (a) If she has not acquired any other nationality, simply by proving that fact;
- (b) If she has acquired another nationality but renounces expressly thereto.

2. The reacquisition provided for above shall result in the legal situation reverting to that which prevailed before the loss of nationality.

(inserted by Act No. 16/1987)

Article 21

The Nationality Act approved by the Central Committee of the Liberation Front of Mozambique on 20 June 1975 entered into force at zero hours of 25 June 1975 and is hereby amended by Act No. 16/87 of 21 December which shall enter immediately into force.

(inserted by Act No. 16/1987)

Search Refworld

by keyword

and / or country

[Advanced Search](#) | [Search Tips](#)

Countries

- [Mozambique](#)

Topics

- [Citizenship / Nationality law](#)