



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

# The law on Luxembourgish nationality



## Structure of the presentation

1. Jus Soli
2. Procedures for applying the luxembourgish nationality



## Source of information

1) [www.guichet.lu/nationalite](http://www.guichet.lu/nationalite)

2) Website of the Ministry of Justice:

<http://mj.public.lu/nationalite>

3) Infoline «nationalité» : tel.: 8002 1000

4) Service de l'indigénat : tel.: 247 84547



## Jus soli – main changements

### **1. Second generation born in Luxembourg:**

Luxembourgish nationality is granted to all minors **born in Luxembourg** with one or more parent or **adoptive** parent **who was also born in Luxembourg**.



## First generation born in Luxembourg

For children born before the 1st July 2013

Luxembourgish nationality is granted to all children **born in Luxembourg** with non-Luxembourgish parents when **they turn 18** if they have resided here the last **5 years legally** before their 18<sup>th</sup> birthday.

→ *Concerned children will receive information letter*

## Art. 7

Persons born in Luxembourg before 19 April 1939 are considered Luxembourgish nationals.

Each year on 1 January, the date relevant to this clause is changed.



# Procedures

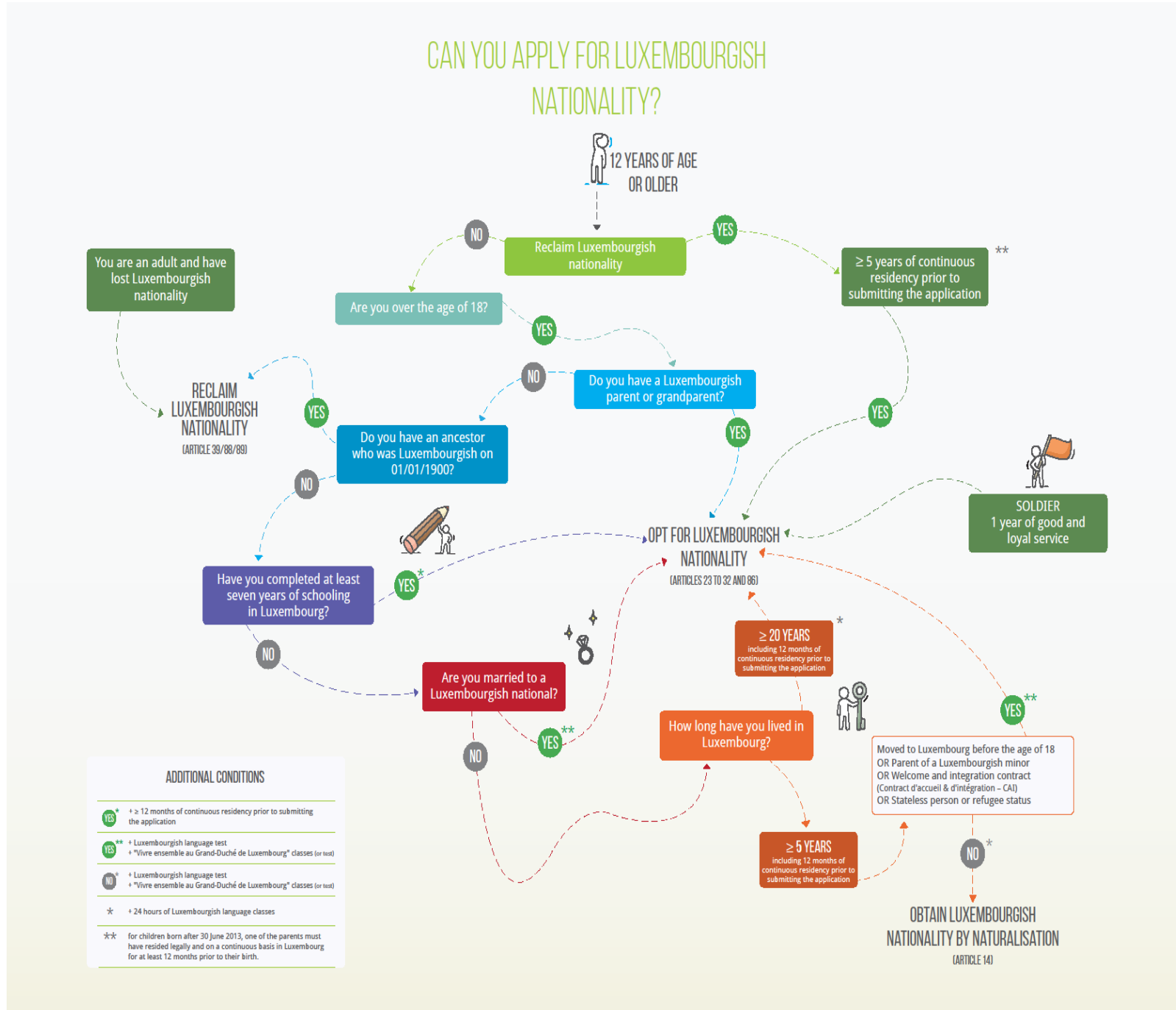
1. Option
2. Naturalization
3. Recovering the luxembourgish nationality
4. Renunciation

# Some precisions

- Applicant will have name that he/she has in country of origin
- Procedure is free
- Documents are to be translated into Luxembourgish, German or French (if applicable)



# Decision tree





## Option

- *Simplified and accelerated procedure*
- *Applicant will have nationality 4 months after the file was received in the Ministry of Justice*

# Option

The option declaration will be **cancelled within 4 months** by the minister:

- *if the commune has recorded the option declaration in violation of the law*
- *if the applicant has made false statements*

# The option procedure is open:

- to adults with a **parent**, adoptive parent or grandparent who is or was **Luxembourgish** (case no. 1); or
- to **parents** of a **Luxembourgish minor** (case no. 2); or
- in the event of **marriage to a Luxembourgish national** (case no. 3); or
- to persons **born in Luxembourg**, over the age of **12** (case no. 4); or
- to adults having completed **7 years of schooling in Luxembourg** (case no. 5); or
- to adults **residing** legally in Luxembourg for at least **20 years** (case no. 6); or
- to adults having fulfilled the obligations arising from the **Welcome and Integration Contract (*Contrat d'accueil et d'intégration*)** (case no. 7); or
- to adults who settled in Luxembourg **before the age of 18** (case no. 8); or
- to adults with **stateless** person, **refugee** or subsidiary protection status (case no. 9); or
- to **volunteer soldiers** (case no. 10).

# Documents for the option declaration

1. a full copy of **birth certificate** and **that of the children** under 18;
2. a copy of the valid **passport** and, where appropriate, **that of the children** aged under 18;
3. **precise biographical details** signed by the applicant or their legal representative;
4. if applicable, an extract from the **foreign criminal record** or a similar document issued by the competent public authority :
5. criminal record certificates or similar documents issued by the competent foreign authorities:
  - *of the countries of which the applicant is or was a national.*
  - *of the countries in which the applicant has resided from the age of 18 during the 15 years immediately preceding the submission of the application.*
6. *if applicable, **authorisation of the judge supervising guardianship** to initiate an option procedure.*

# Option

## Other documents

### **Case no. 1: Luxembourg parent/grandparent**

- a full copy of the **birth certificate of the parent, grandparent** or adoptive parent;
- a certificate of **Luxembourgish nationality for the parent**, grandparent or adoptive parent.

### **Case no. 2: parent of a Luxembourgish minor**

*+ 5 years of residence with the last year without interruption*

- a [certificate of Luxembourgish nationality](#) for the child under 18;
- a **Luxembourgish language test pass certificate**;
- a **certificate** confirming the applicant attended the "*Vivre ensemble au Grand-Duché de Luxembourg*" course or passed the test covering the topics taught in this course.

### **Case no. 3: marriage to a Luxembourger**

- a full copy of the **marriage certificate**;
- a [certificate of Luxembourgish nationality](#) for the spouse;
- a **Luxembourgish language test pass certificate**;
- a **certificate** confirming the applicant attended the "*Vivre ensemble au Grand-Duché de Luxembourg*" course or passed the test covering the topics taught in this course;

(if applicable, a certificate confirming that the spouse holds a position abroad granted by a Luxembourg public authority or by an international organisation.)

# Option

## Other documents

**Case no. 4** : person **born in Luxembourg**, over the age of **12**

*+ 5 last years of residence in Luxembourg*

**Case no. 5**: **7 years of schooling in Luxembourg**

*+ 12 months of residence immediately before declaration*

- **school reports** or other certificates issued by the competent authority.

**Case no. 6**: **residing legally in Luxembourg for at least 20 years (+ last year without interruption)**

- a **certificate confirming participation** in the Luxembourgish language course.

**Case no. 7**: **having fulfilled the obligations arising from the Welcome and Integration Contract**

*+ 5 years of residence with the last year without interruption*

- a **certificate** confirming fulfilment of the obligations arising from the **Welcome and Integration Contract**;
- a **Luxembourgish language test pass certificate**;
- a **certificate** confirming the applicant attended the "**Vivre ensemble au Grand-Duché de Luxembourg**" course or passed the test covering the topics taught in this course.

# Option

## Other documents

### **Case no. 8: settled in Luxembourg before the age of 18**

+ 5 years of residence with the last year without interruption

- a **Luxembourgish language test pass certificate**;
- a **certificate** confirming the applicant attended the "*Vivre ensemble au Grand-Duché de Luxembourg*" course or passed the test covering the topics taught in this course.

### **Case no. 9: adults with stateless person, refugee or subsidiary protection status**

+ 5 years of residence with the last year without interruption

- a **Luxembourgish language test pass certificate**;
- a **certificate** confirming the applicant attended the "*Vivre ensemble au Grand-Duché de Luxembourg*" course or passed the test covering the topics taught in this course.

### **Case no. 10: volunteer soldier**

- a certificate confirming that the applicant completed at least **one year of good and loyal service** as a volunteer soldier.



Luxembourgish nationality is refused:

*-if the applicant has received, either in the Grand Duchy of Luxembourg or abroad:  
a criminal sentence or a custodial sentence of 1*

- ***12 months** or more; or*
- ***a suspended sentence of 24 months** or more.*

→ civil registrar will request the issuance of the **record no. 2 of the criminal record** after having obtained the **applicant's approval**.



## NATURALISATION / OPTION / RECOUVREMENT

### Notice biographique - Questionnaire



La présente page interactive nécessite au minimum la version 8.1.3 d'Adobe Acrobat® Reader®. La dernière version d'Adobe Acrobat Reader pour tous systèmes (Windows®, Mac, etc.) est téléchargeable gratuitement sur le site de [Adobe Systems Incorporated](http://www.adobe.com).

#### 1. Saisie

Les champs marqués d'un \* sont obligatoires

##### Coordonnées du demandeur

Nom\* :   
(indiquez toutes les composantes de votre nom)

Prénom(s)\* :   
(indiquez tous vos prénoms)

Date de naissance\* :  Lieu\* :  Pays\* :

Adresse\* :

Localité\* :  Code postal\* :

Pays\* :  Téléphone :  E-mail :

Nationalité(s)\* :

Bénéficiez-vous au Luxembourg du statut d'apatride, du statut de réfugié ou de celui conféré par la protection subsidiaire ? \*

Oui  Non

Langues parlées\* :

##### Situation familiale

Etat civil\* :  célibataire  veuf(ve)  partenaire enregistré(e)  
 marié(e)  divorcé(e)

Quels sont, le cas échéant, le nom et prénom(s) de votre conjoint/partenaire enregistré(e) ? Quelle est sa nationalité ?

Nom :  Prénom(s) :  Nationalité :

Combien d'enfants avez-vous ?\* Enfants mineurs :  Enfants majeurs :

Indiquez, le cas échéant, les nom, prénom(s), date de naissance et nationalité de vos enfants :

Nom et prénom(s)	Date de naissance	Nationalité

##### Séjour au Luxembourg

Date de votre 1<sup>ère</sup> arrivée au Luxembourg (le cas échéant) :

Indiquez vos périodes et lieux de résidence au Luxembourg :

Période	Lieu

Dernier lieu de résidence dans le pays d'origine (le cas échéant) :

Indiquez vos périodes et lieux de résidence à l'étranger :

Période	Lieu et pays

##### Honorabilité

Faites-vous actuellement l'objet de poursuites pénales ?\*

Au Luxembourg :  Oui  Non A l'étranger :  Oui  Non

Si OUI, indiquez les faits qui vous sont reprochés par les autorités compétentes. Dans quel(s) pays des poursuites sont-elles actuellement en cours ?\*

Avez-vous fait l'objet de condamnations pénales ?\*

Au Luxembourg :  Oui  Non A l'étranger :  Oui  Non

Si OUI, indiquez les infractions pénales et les peines prononcées. Dans quel(s) pays les condamnations pénales ont-elles été prononcées ?\*



## Formation

### Quelles écoles avez-vous fréquentées ?\*

Période	Ecole	Lieu et pays

## Activité professionnelle

### Quelle profession exercez-vous actuellement ?\*

### Employeur actuel (le cas échéant) :

## Observations personnelles

## 2. Informations importantes

- Pour acquérir une double ou multiple nationalité, le demandeur doit se renseigner au préalable auprès des autorités compétentes de son/ses pays d'origine (exemple : ambassade ou consulat), afin de savoir s'il peut conserver la/les nationalité(s) étrangère(s) en cas d'acquisition (naturalisation et option) ou de recouvrement de la nationalité luxembourgeoise.
- La nationalité luxembourgeoise sera refusée au demandeur, respectivement une déchéance de la nationalité luxembourgeoise pourra être prononcée :
  - lorsque, dans le cadre de sa demande, le candidat a fait de fausses affirmations, dissimulé des faits importants ou agi par fraude ;
  - s'il a obtenu la nationalité luxembourgeoise sur base d'un faux ou de l'usage d'un faux, d'une usurpation de nom ou d'un mariage de complaisance, pour autant qu'il ait été reconnu coupable, au Grand-Duché de Luxembourg ou à l'étranger, de l'une de ces infractions par une décision de justice coulée en force de chose jugée.
- Le demandeur en naturalisation autorise le Ministre de la Justice à solliciter auprès du Parquet général un nouveau bulletin N°2 de son casier judiciaire avant la décision finale.
- Le traitement des données résultant de la présente notice biographique et des autres pièces du dossier est soumis aux dispositions des articles 91 à 101 de la loi du XX.XX.XXXX sur la nationalité luxembourgeoise.

## 3. Signature

Les champs marqués d'un \* sont obligatoires

### La signature ci-après certifie la conformité des données fournies

#### Par ma signature, je déclare :

- que les indications faites dans la présente sont complètes et sincères ;
- avoir lu et accepté tous les points figurant dans la rubrique « Informations importantes ».

Fait à\* :

Le\* :

Signature\* :

## 4. Envoi

Le présent formulaire dûment daté et signé est à remettre à l'administration communale compétente ensemble avec toutes les pièces exigées en vue de l'introduction d'une procédure de naturalisation, d'option ou de recouvrement de la nationalité luxembourgeoise.

# Other certificates

- Certificate of the Luxembourgish language test

*Same level required (A2, B1) but possibility of of compensation*

*(candidates have passed the test if they get a score of at least 50% on the spoken test)*

→ *Certificates established before 1<sup>st</sup> of april 2017 **remain valid***

- 24 hours of Luxembourgish language course

→ *Certificates established before 1<sup>st</sup> of april 2017 **remain valid***

→ *Programm has to be agreed by the Ministry of National Education*

→ *Validation has to be asked by sending certificate to the “Service de la Formation des Adultes” of the Ministry of National Education*

## « Vivre ensemble au Grand-Duché de Luxembourg » Course (or exam of 60 minutes)

3 topics:

- fundamental rights of citizens (course length: 6 hours);
- state and local institutions in the Grand Duchy of Luxembourg (course length: 12 hours);
- the history of the Grand Duchy of Luxembourg and European integration (course length: 6 hours).

# Certificate “Vivre ensemble au Grand-Duché de Luxembourg”

- *Certificates established before 1<sup>st</sup> of april 2017 **no more valid***

→ Candidates have either to pass exam (60 min., multiple choice questions)

or

→ Candidates have to participate in 24 hours of the course

- For candidates with completed OLAI-contract :

→ exempted from module “ l’histoire du Grand-Duché de Luxembourg et l’intégration européenne »

**For more information contact: « Service de la Formation des Adultes » of MEN**

→ **internetsite : <http://www.men.public.lu/fr/formation-adultes/>**

# Naturalisation

## Conditions :

(period of time : 8 months)

+ 5 years of residence with the last year without interruption

- Passing the language test
- Participation in the course « Vivre ensemble au Luxembourg » (or exam)

Luxembourgish nationality is refused:

*-if the applicant has received, either in the Grand Duchy of Luxembourg or abroad:*

*a **criminal sentence** of*

- **12 months** or more; or
- **a suspended sentence of 24 months** or more.

→ Authorization form to be sent to the commune two weeks prior to application

# Naturalisation

1. a copy of birth certificate and, that of the children aged under 18;
2. a copy of the valid passport and, that of the children aged under 18;
3. a biographical questionnaire;
4. criminal record certificates or similar documents issued by the competent foreign authorities:
  - *of the countries of which the applicant is or was a national.*
  - *of the countries in which the applicant has resided from the age of 18 during the 15 years immediately preceding the submission of the application.*
5. a Luxembourgish language test pass certificate;
6. a certificate confirming the applicant attended the "Vivre ensemble au Grand-Duché de Luxembourg" course or passed the exam covering the course;
7. *if applicable, authorisation of the judge supervising guardianship;*
8. *if applicable, a decision of the Minister authorising an exemption from submitting one or more of the required documents.*



# Reclaiming Luxembourgish nationality

- **adults** who have lost their status as Luxembourgish nationals;
- **women** who have lost their status as Luxembourgish nationals as a result of having acquired the nationality of their husband through marriage, or because their husband has acquired a nationality other than Luxembourgish nationality;
- **direct maternal or paternal descendants** of an ancestor who held Luxembourgish nationality on 1 January 1900

*(application for certificate possible until 31.12.2018)*

*(application on art. 89 possible until 31.12.2021)*

# Reclaiming Luxembourgish nationality

- No condition of residence
- Documents: birth certificate, passport, questionnaire
- Additional documents:

## **1. Adults who have lost their status as Luxembourgish nationals:**

- a certificate of loss of Luxembourgish nationality;
- foreign criminal records
- Authorization form filled out for Luxembourg criminal record

# Reclaiming Luxembourgish nationality

## **2. women who have lost their status as Luxembourgish nationals :**

- a certificate of loss of Luxembourgish nationality

## **3. direct maternal or paternal descendants :**

- a certificate confirming that the applicant is a direct descendant of an ancestor who was Luxembourgish on 1 January 1900;
- foreign criminal records
- authorization form filled out for Luxembourg criminal record

# Renunciation

- birth certificate
- copy of valid passport
- certificate confirming foreign nationality
- certificate of Luxembourgish nationality

# Documentation on [guichet.lu/nationalite](https://guichet.lu/nationalite):

- **All application forms:**

- *Autorisation de demander le casier bulletin n°2*
- *Notice biographique/questionnaire (un modèle pour toutes les procédures)*
- *Demande de transposition de nom*
- *Demande de remboursement*

- **All information sheets:**

- *Option*
- *Naturalisation*
- *Recouvrement*
- *Renonciation*
- *Transposition de nom et de prénoms*
- *Certificat de nationalité*
- *Certificat relatif à l'aïeul luxembourgeois*
- *Obtenir la nationalité luxembourgeoise par le seul effet de la loi*
- *Déchéance*