

Law of 24 November 1975, for the Regulation of the Surinamese nationality and the Residence (Governate Gazette 1975 no. 171; S.B.1975 no.4), as amended by S.B. 1983 no. 104, S.B. 1984 no. 55, S.B. 1984 no. 85, S.B. 1989 no. 29, S.B. 2002 no. 22, S.B. 2014 no. 121¹

Article 1²

In this law, the following terms shall have the following meanings:

- a. birth in Suriname includes: birth on board of a Surinamese vessel or aircraft;
- b. persons of age: persons who have reached the age of 18 years or have entered into marriage before;
- c. mother of a child: the woman who gives birth to the child;
- d. father of a child: the person who is considered as such in the civil law sense;
- e. father or mother: includes adoptive father or adoptive mother;
- f. the Minister: the Minister charged with nationality affairs, in conformity with the Decree Description of Tasks Departments 1991 (S.B. 1991 no.58);
- g. domicile or main residence: the place where the person is registered in the Civil Registry or Residence registry, barring evidence to the contrary.

Article 2

Surinamese is:

an adult who obtained or will obtain the Surinamese nationality on the basis of the Agreement concerning the assignment of nationality; anyone who is born in Suriname and who, at the time of independence, has his domicile or main residence there.

Article 3³

Surinamese by birth is:

- a. the child, whose father or mother possessed the Suriname nationality at the time of birth of the child;
- b. the child of a Surinamese, who has passed away before the birth of the child;
- c. the child born in Suriname, unless it is shown that the child possesses the nationality of another State; in this case, the child will be considered to have never possessed the Surinamese nationality.

¹ Text of legislation consolidated by Dr. H.A. Ahmadali and N.C. Luk, LL.M., on the basis of the most recent consolidated text on the website of 'De Nationale Assemblée' and the subsequent amendments, see <http://www.dna.sr/wetgeving/>. Footnotes are solely informative, and do not form part of the text of the legislation. Translation by N.C. Luk, LL.M.

² Amended by:

- S.B. 1983 no. 104;
- S.B. 2014 no. 121: textual modifications to sub f, and insertion of clause after the words "nationality affairs".

Inserted by S.B. 2014 no. 121: new clause under sub g.

³ Reformulated by S.B. 2014 no 121: amendment of opening words and subs a and b, in light of making the position of the mother and the father equal.

Article 4⁴

Surinamese is further:

- a. the minor natural child, legitimised or recognised by the father after the birth of the child, if the father possessed the Surinamese nationality at the time of the birth of the child;
- b. the child who is found (foundling) or abandoned on the territory of Suriname, if both parents are unknown;

Article 5⁵

1. The child born in Suriname to a father or mother who was resident there at the time of birth, becomes Surinamese at the age of 18, if immediately prior to this moment, the child has had his domicile or main residence in Suriname for a period of three years, by expressing the will thereto within a year after reaching the age of 18 to the authorities referred to in Article 19.
2. These provisions do not apply to children born in Suriname to consulate staff of foreign powers, or to civil servants of other States or international organisations with an official mandate in this country.
3. The minor natural child who was legitimised or recognised by the father, himself a foreigner at the time of the birth of the child, becomes Surinamese, if the father possessed the Surinamese nationality at the time of legitimisation or recognition, and the child has his domicile or main residence in Suriname at the time of legitimisation or recognition.

Article 6⁶

1. A natural child who was legitimised or recognised by a non-Surinamese as a minor, and thereby obtains a foreign nationality, does not lose the Surinamese nationality.
2. The minor child who obtained a foreign nationality by legitimisation or recognition may, within a year after obtaining the age of majority, express the will not to maintain the Surinamese nationality to the authorities mentioned in Article 19, provided that he also possesses another nationality besides the Surinamese nationality, and has his domicile or main residence outside of Suriname. Prior to reaching the age of majority, the aforementioned notification may be made by the legal representative of the minor.
3. If the notification has been made prior to reaching the age of majority of the child by the legal representative, as indicated in paragraph 2, the child may express, within a year after reaching the age of majority, the will to reacquire the Surinamese nationality, as long as he has his domicile or main residence in Suriname.

⁴ Amended by S.B. 2014 no. 121:

- the original sub a relabelled as sub b;
- the original sub b repealed;

Inserted by S.B. 2014 no. 121: new clause under sub a.

⁵ Amended by S.B. 2014 no. 121:

- textual changes to para. 1, and insertion of final clause (“by expressing the will thereto within a year after reaching the age of 18 to the authorities referred to in Article 19”);
- the original para. 2 repealed;
- renumbered the original para. 3 to the current para. 2.

Inserted by S.B. 2014 no. 121: the current para. 3.

⁶ Reformulated by S.B. 2014 no. 121.

Article 7⁷

1. Surinamese by adoption is the child, who is adopted in Suriname by judicial decision, if the adoptive father or the adoptive mother possessed the Surinamese nationality on the day that the judgment became *res judicata*, and the child was a minor on the day of the judgment in first instance.
2. The provisions in paragraph 1 are equally applicable to the minor child, who was adopted outside of Suriname in accordance with the rules of private international law applicable to Suriname, and who has, by way of that adoption, obtained the status of a legitimate child.

Article 8⁸

1. Notwithstanding the provisions of Articles 16 and 16a, the Surinamese nationality is obtained by naturalisation by entry into force of the Law by which it is granted.
2. For each naturalisation, the amount of at least Sf. 200.000,- (TWO HUNDRED THOUSAND GUILDERS) is due to the State Treasury, on the understanding that minor children who have reached the age of majority during the naturalisation process and who have to apply for naturalisation independently, are no longer required to pay this amount due.
3. No duty is owed for the naturalisation of the woman who will naturalise simultaneously with her spouse.
4. To submit an application for naturalisation, the applicant must:
 - a. have reached the age of majority in accordance with this law;
 - b. have lost the Surinamese nationality, or have had his domicile or main residence in Suriname during the past five years, or have been born to parents without a nationality or of unknown nationality;
 - c. have paid the amount due for naturalisation to a Receiver of Direct Taxes. The Receiver of Direct Taxes is authorised to require production of supporting documents, indicating the amount of taxable income.
5. If the applicant belongs to another country, he or she may be required to produce supporting evidence, indicating that the legislation of that country does not preclude his naturalisation in Suriname.
6. With regard to persons who have lost the Surinamese nationality, as well as to the

⁷ Amended by S.B. 2014 no. 121: the original text of the Article renumbered as para. 1, with textual changes.

Inserted by S.B. 2014 no. 121: paragraph 2.

⁸ Amended by:

- S.B. 1984 no. 55;
- S.B. 2002 no. 22;
- S.B. 2014 no. 121:
 - rewording of para. 1;
 - textual changes to para. 6 in light of implementation of the equality between men and women. The textual amendment to the Dutch text indicated in para. G. of S.B. 2014 no. 121 contains an inconsistency: it states that the words “his wife or” are to be placed after the words “her husband” in para. 6. Assumed is that the intention was to amend the concerned clause to “his wife or her husband” (instead of “his wife her husband or”). *N.B. this clause is translated as “his or her spouse” in the English translation.*

Inserted by S.B. 2014 no. 121: para. 8 and para. 9.

applicant who is not naturalised simultaneously with his or her spouse, the amount due is fixed at the sum of Sf.80.000,- (Eighty thousand Guilders).

7. If the naturalisation is not granted, half of the sum paid will be reimbursed to the applicant.
8. Eventual clerical errors with regard to the personal information of the naturalised persons in the Law by which naturalisation was granted will be corrected by the Minister.
9. Further rules with regard to integration as a requirement of naturalisation will be established by or pursuant to State Decree.

Article 9⁹

1. Naturalisation can also be granted for reasons of State interest, whereby the requirements set in Article 8, paragraphs 2 to 7, are not applicable.
2. The Law, by which the naturalisation is granted, regulates in individual cases the consequences of the naturalisation.

Article 10¹⁰

1. The minor child of a naturalised Surinamese, who was born prior to the naturalisation, will be considered to have naturalised together with his naturalised Surinamese father or mother, if the child had the domicile or main residence in Suriname at the time of naturalisation.
2. The child who has co-naturalised in accordance with paragraph 1 may express, within one year after reaching the age of majority, his will to no longer share in the naturalisation to the authorities mentioned in Article 19, whereupon he will be assumed to have lost the Surinamese nationality from the moment of reaching the age of majority, provided that he also possesses another nationality and has his domicile or main residence outside of Suriname.
3. The child who was adopted in accordance with the rules of private international law applicable to Suriname, and by that adoption has obtained the state of legitimate child, prior to the naturalisation of his adoptive father or mother, is considered to have shared in this naturalisation. The child will equally be considered to have shared in the naturalisation to Surinamese of either of his adoptive parents, if the latter has naturalised after the other adoptive parent has passed away. The provisions of paragraph 2 of this Article are applicable.

⁹ Amended by S.B. 2014 no 121: second sentence of para. 1 reformulated.

¹⁰ Amended by S.B. 2014 no. 121:

- paras. 1 and 2 reformulated;
- textual changes to para. 3 in light of making the position of the adoptive father and mother equal. The stated amendments raise questions as to the scope and application of the provision contained. *N.B. The second sentence of para. 3 has been translated to properly reflect the aforementioned equalisation.*

Article 11¹¹

The Surinamese nationality is lost:

1. By persons to whom the loss is prescribed in the Agreement concerning the assignment of nationality, in the situations and under the conditions stipulated therein.
2. By naturalisation in another country, or in the case of minors, by sharing in the acquisition of another nationality, by naturalisation in another country, by the father or by the mother, in line with the distinction made in Article 3 sub a, and Article 4 sub a, or Article 7. The aforementioned is equally applicable with regard to legitimate, legitimised, recognised, natural, or adoptive minor children, if the mother has naturalised abroad after the passing of the father of the child.
3. By revocation, pronounced by the President upon the application by an adult, or in case of a minor, by the legal representative, provided that the person concerned possesses another nationality in addition to the Surinamese, and has his domicile or main residence outside of Suriname.
4. By voluntary acquisition of another nationality by the individual; the Surinamese does not lose the Surinamese nationality on the basis of this provision if he or she did not make use of the possibility to renounce the other nationality, obtained *ex lege* by or as a result of his or her marriage.
5. By entering into a foreign military or state service without permission of the President.
6. By withdrawal of the decision of the President, as referred to in Article 16a paragraph 1, by which the Surinamese nationality was granted, which may take place if the person concerned has failed to do everything possible, after the naturalisation, to lose his original nationality.

Article 11a¹²

No loss of the Surinamese nationality will occur, if this would lead to statelessness.

Article 12¹³

1. The non-Surinamese whose spouse was Surinamese at the time of the celebration of the marriage, obtains the Surinamese nationality by expressing the will thereto to the Minister, referred to in Article 19, if the spouse is still Surinamese, and on the day of the notification:
 - a. the marriage has lasted for at least two years and still continues, and the spouses have or have had their domicile or actual stay on the same address for two years, or;
 - b. the notifier, prior to the celebration of the marriage and up to the day of

¹¹ Amended by:

- S.B. 1989 no. 29;
- S.B. 2014 no. 121: textual changes to para. 2 and para. 4. Para. J. of S.B. 2014 no 121 states inter alia that *in the Dutch text*, the words “die P” are to be inserted to the original text of para. 4. This is presumably a clerical error; it is assumed that the intended amendment was to insert the word “die”.
N.B. this clerical error is not reflected in the English translation of para. 4.

Inserted by S.B. 2014 no. 121: the clause “, or in case of a minor, by the legal representative” in para. 3.

¹² Inserted by S.B. 2014 no. 121: new Article.

¹³ Reformulated by S.B. 2014 no.121.

- submission of the notification, has or has had his domicile or actual stay in Suriname for five years or more, or;
- c. the notifier has been able to show that children were born from the relationship of the spouses, whether prior to the marriage or not.
2. The actual stay on the same address, referred to in paragraph 1, will be assessed by the Minister by a submitting a request thereto to the Prosecutor-General. The aforementioned assessment on behalf of the Minister is to be conducted within two months after submission of the declaration. The results of the assessment will be communicated forthwith to the notifier in writing.
 3. Article 16a is applicable to persons referred to in paragraph 1, who do not meet the requirements under sub a to sub c of the previous paragraph due to residence outside of Suriname.

Article 13¹⁴

The Surinamese who is married to a non-Surinamese and thereby obtained the same nationality as his or her spouse, loses the Surinamese nationality by expressing the will thereto to the authorities mentioned in Article 19.

Article 14¹⁵

1. The Surinamese who, at the time of his or her marriage, had lost the Surinamese nationality in the situation and in the manner referred to in Article 13, recovers this nationality, starting from the day of the dissolution of the marriage, by expressing the will thereto, within a year after the dissolution or within a year after having been able to take note of the dissolution, to the authorities referred to in Article 19.
2. The notification can also be given at a later time, if the man or woman has not remarried, has had the domicile in Suriname for at least a year, and has not voluntarily obtained another nationality after the dissolution of the marriage. In such a case, he or she recovers the Surinamese nationality from the day of the notification.

Article 15¹⁶

1. The non-Surinamese, who had obtained the Surinamese nationality in the situation and manner referred to in Article 12 or who had become Surinamese by naturalisation together with his or her spouse, loses the Surinamese nationality from the day of the dissolution of the marriage, by expressing the will thereto, within a year of the dissolution or within a year after having been able to take notice of the dissolution, to the authorities referred to in Article 19, if the man or woman (notifier), on the day of the notification, possesses another nationality beside the Surinamese nationality, and has the domicile or main residence outside of Suriname.
2. The notification may also be given at a later time. In that case, the Surinamese nationality will be lost from the day of the notification.

¹⁴ Amended by S.B. 2014 no. 121: textual changes in light of implementation equality between men and women.

¹⁵ Amended by S.B. 2014 no. 121: textual changes in light of implementation equality between men and women.

¹⁶ Amended by S.B. 2014 no. 121: para. 1 reformulated.

Article 16¹⁷

1. The President may grant the Surinamese nationality to the minor child born from a previous marriage or where the father is deceased or is legally unknown, if the mother possesses the Surinamese nationality, is the legal representative of the child and applies for the grant of nationality, and the child, on the day of the application, has had his domicile or main residence in Suriname for at least one year.
2. The grant of the Surinamese nationality referred to in paragraph 1 will be announced in the Government Advertiser of the Republic of Suriname.
3. The child loses the Surinamese nationality, upon reaching the age of majority, by expressing the will thereto within one year to the authorities mentioned in Article 19, provided that he possesses another nationality beside the Surinamese nationality, and has the domicile or main residence outside of Suriname.

Article 16a¹⁸

1. The President can grant the nationality to a person, upon his or her application, who:
 - a. possesses a foreign nationality or his stateless, but who is born in Suriname; or
 - b. has possessed the Surinamese nationality at any time, and who at this time possesses a foreign nationality or is stateless; or
 - c. was born outside of Suriname to parents, one or both of whom was (were) born in Suriname and with whom this person has or had a familial relationship and who currently possesses a foreign nationality or is stateless; or
 - d. the PSA resident, in accordance with the Law establishing the status of Persons of Surinamese Origin, and the Rights and Obligations from this status (Law PSA, S.B. 2014, no. 8).
2. For the grant of the Surinamese nationality, as indicated in the previous paragraph, the applicant must:
 - a. have reached the age of majority in the sense of this law;
 - b. have the domicile or main residence in Suriname on the day of submission of the application.
3. The decree of the President, as indicated in paragraph 1, will be announced in the Government Advertiser of the Republic of Suriname.

¹⁷ Amended by:

- S.B. 1983 no. 104;
- S.B. 2014 no. 121: para. 1 and para. 3.

Inserted by S.B. 2014 no 121: the clause “provided that he possesses another nationality beside the Surinamese nationality, and has the domicile or main residence outside of Suriname”.

¹⁸ Inserted by S.B. 1983 no. 104.

Amended by:

- S.B. 1984 no. 55;
- S.B. 1989 no. 29;
- S.B. 2014 no. 121: textual changes in para. 1, sub a and sub b.

Inserted by S.B. 2014 no. 121: para. 1, sub d.

Article 16b¹⁹

1. An application, as referred to in Article 16a, will be denied if:
 - a. on the basis of the conduct of the applicant, there are serious concerns that he will be a hazard to the public order, good morals, public health or the safety of the State; or
 - b. the applicant, who possesses a foreign nationality, has failed to do everything possible to lose that nationality, and is not willing to do everything possible to lose that nationality after completion of the naturalisation, unless this cannot reasonably be required.
2. The application will be decided within a year from its submission.

Article 17²⁰

If the child, who has lost the Surinamese nationality pursuant to Article 10 or 16 and has the domicile or main residence in Suriname, notifies the authorities, referred to in Article 19, within a year of reaching the age of majority in the meaning of the Civil Code of his intent to recover the Suriname nationality, the Surinamese nationality will be considered to have been acquired as of the moment of reaching the age of majority.

Article 18

All who do not possess the status of Surinamese, are foreigners.

Article 19²¹

The notifications, in accordance with this law, are to be given to the Minister, or to the official representative of the Republic of Suriname in the country where the person, competent to give said notification, is present.

Article 20

1. Residents of Suriname are all who have their residence in Suriname.
2. The residence in Suriname terminates by establishing the place of residence or main residence outside of Suriname

Article 21

1. A minor in the sense of the Civil Code, whose father or guardian is a Resident of Suriname, will be considered as such.
2. Upon reaching the age of majority, he or she will retain the status of resident of Suriname, if he or she establishes the domicile in Suriname.

¹⁹ Inserted by S.B. 1984 no. 85.

Amended by S.B. 1989 no. 29.

²⁰ Amended by S.B. 2014 no. 121: textual changes.

Inserted by S.B. 2014 no. 121: the clause “and has the domicile or main residence in Suriname”.

²¹ Amended by S.B. 2014 no. 121: textual changes regarding the competent authority.

Article 22²²

Rules for the implementation of this Law will be given by State Decree.

Article 23²³

TRANSITIONAL AND FINAL PROVISIONS

1. Article 7 of the General Provisions of Law of Suriname (G.B. 1945 no.112) is repealed from the moment of entry into force of this Law; with regard to the provisions relating to the residence contained in laws will refer to the provisions of Article 22.
2. Foreigners who have their domicile or actual stay in Suriname and on whose applications for naturalisation the Government has given a positive advice, but were still pending at the Crown at the time of entry into force of this law, will be granted the Surinamese nationality *ex lege* as from the entry into force of this law.
3. Persons who have immigrated to Suriname from the former Dutch East Indies and the former British Raj and, at the moment of entry into force of this law, possess neither the Dutch nationality nor another nationality, and who have had their domicile or actual stay in Suriname for at least thirty-five years, acquire the Surinamese nationality *ex lege* as from the entry into force of this law.
4. This law, which can be referred to as the “Law on Nationality and Residence”, enters into force as from the moment the Charter of the Kingdom of the Netherlands ceases to apply to Suriname, and obtains the status of law at that moment.

²² Amended by S.B. 2014 no. 121: the original Article 22 is repealed; the original Article 23 is renumbered to the current Article 22.

²³ Amended by S.B. 2014 no. 121: the original Article 23 is renumbered to the current Article 22; the original Article 24 is renumbered to the current Article 23.