NAOERO NATURALISATION CITIZENSHIP

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Naoero Naturalisation Citizenship Act 2026

TABLE OF AMENDMENTS

The Naoero Naturalisation Citizenship Act 2026 No 37 was certified and commenced on 17 September 2026.

Amending Legislation	Certified	Date of Commencement
Naoero Naturalisation Citizenship (Amendment) Act 2026 No 46	10 November 2026	10 November 2026

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An Act to provide for the Naoero Naturalisation Citizenship Arrangement and for other related purposes.

Enacted by the Parliament of Naoero as follows:

PART 1 — PRELIMINARY

1 Short title

This Act may be cited as the *Naoero Naturalisation Citizenship Act 2026*.

2 Commencement

This Act commences on the date it is certified by the Speaker.

3 Objectives of this Act

The objectives of this Act are to:

(a) establish the Naoero Naturalisation Citizenship Arrangement;
(b) contribute to global humanitarian efforts to reduce stateless persons by enabling the granting of citizenship by naturalisation;
(c) enable persons to be able to obtain travel documents in cases where they have issues regarding citizenship, statelessness or any other circumstance where it is appropriate;
(d) provide mechanisms through which the Government may be able to enter into bilateral or multilateral arrangements to implement the objectives of this Act, where it deems necessary; and
(e) provide circumstances in which any citizenship granted under this Act may be revoked or any travel documents issued may be cancelled.

4 Definitions

In this Act:

'Agent' means a person or legal entity appointed for the purposes of carrying out the objectives of this Act under Part 8;

'Arrangement' means the Naturalisation Citizenship Arrangement established under Section 9;

'child' means the biological child of either the Principal Applicant or the Principal Applicant's spouse and includes an adopted child of either the Principal Applicant or Principal Applicant's spouse;

[def insrt Act 46 of 2026 s 4(b), opn 10 Nov 2026]

'Department' means the Department responsible for this Act;

'Dependant' means:

(a) for the purpose of an application submitted through an Agent, a person or category of persons as may be prescribed by Regulations;
(b) for the purpose of an application submitted directly to the Department in accordance with a bilateral arrangement or agreement between the Republic and another State, the spouse or child of a Principal Applicant;

[def subst Act 46 of 2026 s 4(a), opn 10 Nov 2026]

'Minister' means the Minister responsible for this Act;

'Principal Applicant' means the main applicant for an application made under Section 7;

'Registrar' means the Secretary for Justice;

'Secretary' means the Secretary of the Department; and

'spouse' means one person to whom the Principal Applicant is lawfully married who shall, where the Principal Applicant:
(a) is a male, be a female spouse; or
(b) is a female, be a male spouse.
[def insrt Act 46 of 2026 s 4(b), opn 10 Nov 2026]

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5 Acquisition of Naoero citizenship by naturalisation

(1) A person may apply to acquire Naoero citizenship by the process of naturalisation.

(2) A person who becomes a naturalised citizen of Naoero shall comply with the written laws and Naoero customs and traditions.

(3) For the purposes of subsection (1), only an Agent may make an application for and on behalf of a person who seeks Naoero citizenship.

(4) The Agent shall be responsible for receiving and providing accountability to the Republic and the applicants on the fees payable under this Act.

(5) The Secretary shall not consider an application under this Act if it is not made through an Agent.

(6) Notwithstanding the provisions of this Section, an application for citizenship shall not be submitted through an Agent where such citizenship is to be considered for approval in accordance with a bilateral arrangement or agreement between the Republic and another State.

[subs (6) insrt Act 46 of 2026 s 5, opn 10 Nov 2026]

(7) A child born to a citizen naturalised under this Act in accordance with a bilateral agreement between Naoero and another State, shall be deemed a naturalised citizen through his or her parent.

[subs (7) insrt Act 46 of 2026 s 5, opn 10 Nov 2026]

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PART 3 — APPLICATION AND REGISTRATION OF CITIZENSHIP BY NATURALISATION

6 Power to grant citizenship

(1) The Minister may, in consultation with the Cabinet, grant citizenship to a person applying for citizenship under this Act.

(2) Where the Minister is satisfied that the requirements of the Act have not been met, he or she shall not grant citizenship to a person applying for citizenship under this Act.

(3) The Minister in considering an application under this Section, shall give due consideration to any bilateral or multilateral arrangement which the Republic may have with another State for the purposes of this Act.

7 Application for citizenship

(1) Subject to Section 5(6), an application for citizenship shall be made to the Secretary through an Agent in the prescribed form and with payment of the prescribed fee.

[subs (1) am Act 46 of 2026 s 6, opn 10 Nov 2026]

(2) A person is eligible to apply for citizenship, if he or she:
(a) is at least 18 years of age; and
(b) has not been involved in any manner whatsoever on matters contained in Section 16(1) or (2).

(3) The Cabinet may prescribe such other requirements or criteria for the granting of citizenship.

8 Dependant eligible for citizenship

(1) A Dependant of a Principal Applicant may apply for citizenship concurrently with the Principal Applicant or at any time after the Principal Applicant has been granted citizenship.

(2) The Dependant shall meet all the requirements of this Act.

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PART 4 — NAOERO NATURALISATION CITIZENSHIP ARRANGEMENT

9 Naoero Naturalisation Citizenship Arrangement

(1) The Naoero Naturalisation Citizenship Arrangement is established.

(2) The Arrangement shall be administered by the Department.

(3) The prescribed fee for an application received by the Agent under Section 5(4) shall be paid into the Treasury Fund by the Agent before the conferment of the Certificate of Citizenship.

10 Functions of the Secretary

The Secretary shall:

(a) administer the Arrangement;
(b) receive and process an application made under this Act;
(c) conduct due diligence on the Applicant;
(d) assess, evaluate and collate all information in respect of an application;
(e) make recommendations to the Minister for the grant or rejection of an application;
(f) monitor the collection and payment of fees into the Treasury Fund;
(g) issue guidelines, circulars, codes of conduct, codes of ethics and any other similar documents for the purposes of this Act; and
(h) undertake any other function as may be directed by the Cabinet, Minister or necessary for the purposes of giving effect to this Act.

11 Powers of the Secretary

The Secretary shall have the power to do all things necessary or convenient in carrying out his or her functions and for the purposes of achievement of the objectives of this Act.

12 Delegation of functions and powers

The Secretary may delegate his or her functions and powers to an employee of the Department.

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PART 5 — CERTIFICATE AND OATH OR AFFIRMATION OF CITIZENSHIP

13 Certificate of Citizenship

(1) Where the Minister grants Citizenship to any person under this Act, the President shall confer a Certificate of Citizenship in the prescribed form.

(2) The Certificate of Citizenship shall be conferred to a person after he or she has taken the oath or affirmation of allegiance.

(3) A Certificate issued under this Section is conclusive evidence that the person is a citizen.

(4) A duly certified copy of the Certificate shall be produced for the purposes of the issuance of a Naoero travel document.

(5) The Secretary shall ensure that the contribution payable to the Government is paid by a successful Applicant into the Treasury Fund prior to the conferment of the Certificate of Citizenship.

(6) The Secretary shall obtain from the Secretary for Finance a written confirmation of receipt of payment in the prescribed form.

14 Oath or affirmation of allegiance

(1) Any person who is granted citizenship under this Act shall take an oath or make an affirmation of allegiance as prescribed.

(2) Where a person is not able to take an oath or affirmation of allegiance in person, he or she may take such an oath or affirmation of allegiance:
   (a) by audio-visual link; or
   (b) before a notary public or any other person prescribed to administer oath or affirmation in any other jurisdiction.

(3) Where the person takes an oath or affirmation of allegiance in accordance with subsection (2) he or she shall execute the prescribed oath or affirmation and provide it to the Secretary.

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PART 6 — RENUNCIATION AND REVOCATION OF CITIZENSHIP

15 Renunciation of citizenship

(1) A person over the age of 18 years may make a declaration of renunciation of his or her citizenship in writing to the Minister.

(2) The Minister may cause every declaration made under subsection (1) to be registered in the Register and from the date of that registration, the person shall cease to be a citizen.

(3) The Minister may decline to register a declaration for renunciation where the person provides no evidence that he or she is a citizen of another country.

16 Revocation of citizenship

(1) A person granted citizenship under this Act may have his or her citizenship revoked if the Cabinet is satisfied, that the citizenship was obtained by means of:
- (a) fraud;
- (b) bribery;
- (c) misrepresentation; or
- (d) concealment of any material fact.

(2) The Minister in consultation with the Cabinet may revoke the citizenship granted to a person where the person after being granted citizenship:
- (a) engages in terrorism or international financing of terrorist related activities;
- (b) is convicted of an offence against the *Anti-Money Laundering and Targeted Financial Sanctions Act 2023*;
- (c) is convicted of an offence against the *Counter Terrorism and Transnational Organised Crime Act 2004*;
- (d) is convicted of a sexual offence involving a child;
- (e) becomes a citizen of a foreign country which is listed in the United Nations Security Council Resolution as a high-risk country and such person is found under enhanced due diligence checks to be a high-risk individual;
- (f) the person himself or herself is designated as a person for targeted financial sanctions by the United Nations Security Council or its committees under a resolution;
- (g) the person is a shareholder or a beneficial owner of an entity designated for targeted financial sanctions by the United Nations Security Council or its committees under a resolution; or
- (h) such other circumstances as the Cabinet may prescribe.

[subs (2) am Act 46 of 2026 s 7, opn 10 Nov 2026]

(3) Before a decision is made to revoke the citizenship of a person, the Secretary shall:
- (a) serve a notice in writing to the person informing him or her of the grounds or reasons on which the revocation is to be considered; and
- (b) request the person to show cause why the citizenship should not be revoked.

(4) Before a decision is made to revoke the citizenship of a person under any Arrangement with another State, the Minister shall:
  (a) inform the duly appointed representative of such State; and
  (b) request that other State to make submissions as to why citizenship should not be revoked.
(5) Where within 7 days after the service of the notice under subsection (3) the person fails to show cause, the Cabinet shall proceed to making its decision.
(6) A person ceases to be a citizen on the date that the Cabinet makes its decision.
(7) On the revocation of citizenship, the:
  (a) Certificate of Citizenship is deemed to be annulled and is of no effect; and
  (b) person shall forthwith return the Certificate of Citizenship to the Secretary.
(8) The Secretary shall require the person to deliver the Certificate of Citizenship where the certificate is not returned within 30 days of the revocation of the citizenship.
(9) A person whose citizenship is revoked under subsection (1) shall not be entitled to a refund of any fees or contribution made under this Act.

16A General prohibition against Statelessness

(1) Notwithstanding Section 16, but subject to subsection (2), the Cabinet shall not deprive a person of naturalised citizenship obtained under a bilateral arrangement or agreement if such deprivation would render the person stateless.
(2) The Cabinet may by order, deprive a naturalised citizen of their citizenship under a bilateral arrangement or agreement even if it results in statelessness, solely where it is established to the satisfaction of the Cabinet that:
  (a) the citizenship was obtained by means of fraud, false representation, or the concealment of any material fact; or
  (b) the person has in breach of their duty of loyalty, conducted themselves in a manner seriously prejudicial to the vital interests, national security, or sovereignty of the Republic.
(3) For the avoidance of doubt, no order shall be made under subsection (2) if the deprivation of citizenship is motivated, in whole or in part, by reason of race, ethnicity, religion or political opinion.
(4) An order under subsection (2), shall not take effect unless the affected person has been:
  (a) given written notice specifying the grounds upon which the order is intended to be made; and
  (b) afforded reasonable opportunity to be heard and to appeal the decision within 14 days of receiving such order, before a court of competent jurisdiction in the Republic.

[s 16A insrt Act 46 of 2026 s 8, opn 10 Nov 2026]

17 Seizure, cancellation and return of Naoero travel documents

(1) Where a person has renounced or has had his or her citizenship revoked, the person shall not be eligible to obtain or retain a travel document issued under the *Passports Act 2011*.

(2) Any travel document issued to a person shall be seized or cancelled immediately upon renunciation or revocation of citizenship, by the Secretary for Justice and Border Control under the *Passports Act 2011*.

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PART 7 — REGISTRAR AND REGISTER OF CITIZENSHIP

18 Registrar of Naoero Naturalisation Citizenship

There shall be a Registrar of Naoero Naturalisation Citizenship.

19 Register of Naoero Naturalisation Citizenship

(1) The Registrar shall be responsible for establishing and maintaining a Register of Naoero Naturalisation Citizenships under this Act.

(2) The Register shall contain the details of the:
  (a) grant of citizenships;
  (b) renunciation of citizenships; and
  (c) revocation of citizenships.

(3) For the purposes of subsection (2), the Register shall contain the following details of a person as part of the records:
  (a) name;
  (b) address;
  (c) age;
  (d) gender;
  (e) in case of children, the details of the legal guardian;
  (f) date of granting, renunciation or revocation of citizenship; and
  (g) in case of the granting of citizenship:
    (i) the date of the conferment of the Certificate of Citizenship; and
    (ii) when the oath of allegiance or affirmation is taken or made.

(4) The Registrar shall also keep and maintain a copy of a Certificate of Citizenship conferred to a person.

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20 Agents authority

(1) The Cabinet shall appoint a person or legal entity to act as an Agent for the purposes of carrying out certain functions and objectives of this Act.

(2) No person shall undertake any functions or objectives of this Act unless he or she is duly appointed as an Agent under this Section.

(3) The role of the Agent may include the:
  (a) Naoero special citizenship and passport project; and
  (b) any other bilateral arrangement or agreement which the Republic enters into with a requesting State for the consideration and approval of citizenship, provided that the requesting State approves of the engagement of such Agent.

[subs (3) subst Act 46 of 2026 s 9, opn 10 Nov 2026]

(4) The Agent shall introduce applicants for citizenship coordination, facilitation and other related services to the Minister for the onward consideration and processing of such application.

(5) The Cabinet may prescribe the application fee, procedure and process for citizenship under this Part.

(6) For avoidance of doubt, subsection (2) shall not apply to the President, Cabinet, Minister, Secretary, employee of the Department or any other person provided a function to be performed or power to be exercised under this Act.

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21 Independent audit

(1) An annual audit shall be conducted of the Arrangement in accordance with international auditing standards.

(2) For the purposes of subsection (1), an independent auditor shall be appointed by the Minister within 1 month after the end of each financial year to conduct an annual audit of the Arrangement.

(3) The Cabinet may prescribe matters which may be necessary to be included in the report by the independent auditor.

22 Record keeping by the Secretary

(1) The Secretary shall keep and maintain the following records:
- (a) applications for citizenship;
- (b) list of applications for which citizenship was conferred;
- (c) list of applications which are declined or deferred;
- (d) financial records; and
- (e) any such other matters which may be required by any written law or as prescribed.

(2) The records shall be kept and maintained in:
- (a) electronic form or digital form; and
- (b) manual Register or in case of electronic or digital form, capable of being produced in printed form.

(3) The records shall be kept and maintained for a period of 7 years from the date of the conferment of the Certificate of Citizenship.

(4) The Secretary shall not disclose or share information with any third party except where it is required for a law enforcement agency, for any other official purpose, by the Republic or any proceedings.

(5) The Secretary shall provide the records required to be kept under this Act to the Registrar in the event of the cessation of the Arrangement or the repealing of this Act.

(6) Any information provided to the Republic under this Act, shall not be disclosed to any other person without the prior consent or approval of the Secretary, except where the information is required as exhibits or evidence in court.

23 Records to be kept and maintained by the Registrar

The Registrar shall keep and maintain the records of all the documents and information he or she receives and including any information provided by the Secretary or Department for the purposes of this Act.

24 Electronic applications, documents, certification and storage

(1) For the purposes of this Act, a requirement that a document be in writing is taken to be satisfied by an electronic communication which is accessible so as to be useable for subsequent reference, where it complies with any prescribed requirements.

(2) Where this Act or Regulations requires a person to sign a document, the requirement is taken to be satisfied, in relation to an electronic communication, where:
   (a) a method is used to identify the person and to indicate that person's approval of the information communicated; and
   (b) the method is as reliable as is appropriate in light of the purpose for which the electronic communication is generated or communicated, and in light of all the circumstances, including any requirements prescribed by Regulations.

(3) A requirement under this Act that a document be sealed, stamped, certified, endorsed or otherwise authenticated is taken to be satisfied in relation to an electronic document if an approved electronic method of authentication is used in accordance with the Regulations.

(4) A document, notice or other communication that is transmitted to the Secretary or the Registrar by electronic means in accordance with this Act or the Regulations has the same legal effect as if it had been given, lodged or filed in hard copy.

(5) The Regulations may prescribe:
   (a) when an electronic communication is taken to have been sent or received;
   (b) systems or platforms approved for the electronic lodgement of documents; and
   (c) any additional requirements for the validity, retention and evidential status of electronic documents.

(6) A certificate signed by the Secretary or the Registrar stating that a specified electronic record was made or kept in the ordinary course of the Department or Registrar's operations, and stating the date and time the record shows an application or document as having been received, is admissible in evidence and is, in the absence of proof to the contrary, proof of the matters stated in it.

25 Exclusion of citizenship application under the Naoero Economic and Climate Resilience Citizenship Act 2024

(1) This Act shall not apply to an application made for citizenship under Part 2 of the *Naoero Economic and Climate Resilience Citizenship Act 2024*.

(2) An application under this Act shall not be made under Part 5 of the *Naoero Economic and Climate Resilience Citizenship Act 2024*.

(3) Where an application is not made under the appropriate Act, the Secretary shall reject the application, in which case the applicant may re-apply under the appropriate Act.

26 Exclusion of naturalisation under the Naoero Citizenship Act 2017

(1) An application for citizenship by naturalisation under the *Naoero Citizenship Act 2017* shall not be made under this Act.

(2) A citizenship granted under this Act shall not be deemed as citizenship granted by naturalisation under the *Naoero Citizenship Act 2017*.

27 Regulations

(1) The Cabinet may make Regulations prescribing all matters necessary or convenient to be prescribed for carrying out or giving effect to this Act.

(2) Without limiting subsection (1), the Regulations may provide for:

(a) the procedure for submission, processing and approval of applications;

(b) the minimum requirements for the format, layout and manner of completion of any forms required under this Act, including authorising the Secretary to issue, approve and amend the detailed design of such forms from time to time, provided they comply with those minimum requirements;

(c) the minimum information and documents that must be included in, or accompany, any forms or documents required under this Act;

(d) the making, lodgement, processing and retention of applications, notices and other documents by electronic means, including:

(i) the use of electronic communication systems approved by the Secretary;

(ii) the form, format and technical standards of electronic documents;

(iii) security, authentication and access controls; and

(iv) the keeping of electronic records; and

(e) the fees for any applications or services that are required to be paid under this Act.

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