Federal Act
on the Acquisition and Loss of Swiss Citizenship
(Swiss Citizenship Act, SCA)

of 29 September 1952 (Status as of 1 January 2013)

The Federal Assembly of the Swiss Confederation,

on the basis of Articles 43 paragraph 1, 44 and 68 of the Federal Constitution and having considered the Federal Council Dispatch dated 9 August 1951,

decrees:

I. Acquisition and Loss of Citizenship by Law

A. Acquisition by Law

Art. 1

By descent

1 The following persons are Swiss citizens from birth:

a. a child whose parents are married to each other and whose father or mother is a Swiss citizen;

AS 1952 1087

2 [BS 1 3; AS 1984 290]. The aforementioned provisions now correspond to Art. 37 and 38 of the Federal Constitution of 18 April 1999 (SR 101).
4 BBl 1951 II 669
6 This English translation is formulated in gender neutral language. However in the official Swiss language versions of this Act, only the provisions amended by the Federal Act of 3 Oct 2003 are formulated in gender neutral language. Older provisions of the Swiss texts generally use only masculine forms when referring to persons; however they should be construed as meaning persons of both genders unless the context indicates that one or the other gender is meant.
b. the child of a female Swiss citizen who is not married to the child's father.

2 The minor foreign child of a Swiss father who is not married to the child's mother acquires Swiss citizenship as if at birth on establishing filiation with the father.10

3 If a minor child who acquires Swiss citizenship under paragraph 2 has children, they also acquire Swiss citizenship.

Art. 2–311

Art. 412

1 On acquiring Swiss citizenship, a child acquires the Swiss parent's cantonal and communal citizenship.

2 If both parents are Swiss, the child acquires the cantonal and communal citizenship of the parent whose surname the child uses.13

3 and 4 ... 14

Art. 515

Art. 6

1 A child of unknown parentage who is found in Switzerland becomes a citizen of the canton in which he or she was abandoned, and thus becomes a Swiss citizen.

2 The canton decides where the child holds communal citizenship.

3 Citizenship acquired in this way lapses if it is established who the parents of the child are, provided the child is still a minor and will not become stateless.

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13 Amended by No II 1 of the Federal Act of 30 Sept. 2011 (Name and Citizenship), in force since 1 Jan. 2013 (AS 2012 2569; BBl 2009 7573 7581).


Art. 7\textsuperscript{16}

Where a minor foreign child is adopted by a Swiss citizen, the child acquires the cantonal and communal citizenship of the adoptive parent and thus acquires Swiss citizenship.

B. Loss of Citizenship by Law

Art. 8\textsuperscript{17}

If filiation is terminated with the parent who has conferred Swiss citizenship on the child, the child loses Swiss citizenship provided the child does not become stateless thereby.

Art. 8\textsuperscript{a}\textsuperscript{18}

1 If a minor Swiss citizen is adopted by foreign nationals, he or she loses Swiss citizenship on adoption if he or she acquires the nationality of the adoptive parent thereby or already holds that nationality.

\textsuperscript{1bis} Swiss citizenship is not lost if filiation with a Swiss parent is established on adoption or such filiation remains following adoption.\textsuperscript{19}

2 If adoption is annulled, loss of Swiss citizenship is deemed not to have taken place.

Art. 9\textsuperscript{20}

Art. 10

1 A child born abroad to a Swiss parent who is a citizen of another country loses Swiss citizenship on reaching the age of 22, unless his or her birth has been notified to a Swiss authority abroad or in Switzerland or he or she has declared in writing that he or she wishes to remain a Swiss citizen.\textsuperscript{21}
2 If a child loses Swiss citizenship by virtue of paragraph 1, then his or her children also lose Swiss citizenship.22

3 Notification in terms of paragraph 1 is constituted in particular by any report by parents, relatives or acquaintances with a view to the child's registration in registers in Switzerland, matriculation or the issue of identity documents.

4 Any person who, against his or her will, has been unable to provide notification or a declaration in terms of paragraph 1 in time, may still do so validly within one year of the reason for their failure to do so ceasing to apply.

Art. 11
Any person who loses Swiss citizenship by law loses cantonal and communal citizenship at the same time.

II. Acquisition and Loss of Citizenship by Official Decree
A. Acquisition by Naturalisation
a. Ordinary Naturalisation

Art. 12
1 The ordinary naturalisation procedure enables persons to acquire Swiss citizenship by naturalisation in a canton and a commune.

2 Naturalisation is only valid if a naturalisation licence has been issued by the competent federal office (the Federal Office)23,24

Art. 13
1 The licence is issued by the Federal Office25,26

2 The licence is issued for a specific canton.

3 It is valid for three years and may be extended.

4 It may be amended to include family members.

23 Currently the Federal Office for Migration, FOM.
5 The Federal Office may revoke the licence before naturalisation if information comes to its knowledge that would have caused it not to issue the licence.27

**Art. 14**

Before the licence is granted, the applicant's suitability for naturalisation must be verified, and in particular whether he or she:

a. is integrated into Swiss society;

b. is familiar with Swiss habits, customs and practices;

c. abides by Swiss law;

d. does not pose a risk to Swiss internal or external security.

**Art. 15**

1 Foreign nationals may only apply for a licence if they have lived in Switzerland for a total of twelve years, including three of the five years prior to the application being made.

2 When calculating the period of twelve years, the period that the applicant has lived in Switzerland between the ages of 10 and 20 counts as double.29

3 If spouses make a joint application for a licence and one of them fulfils requirements of paragraphs 1 or 2, it is sufficient for the other to have lived for a total of five years in Switzerland, including one year immediately prior to the application being made, provided he or she has lived in matrimony with the other spouse for three years.30

4 The periods in paragraph 3 also apply to an applicant whose spouse has already been naturalised on his or her own.31

5 It is sufficient that the registered partner of a Swiss citizen has lived for a total of five years in Switzerland, including one year immediately prior to the application being made, provide he or she has been the registered partner of the Swiss citizen for three years.32

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6 For registered partnerships between foreign nationals, paragraphs 3 and 4 apply mutatis mutandis.33

Art. 15a34
1 The procedure in the canton and in the commune is governed by cantonal law.
2 Cantonal law may provide that an application for naturalisation may be submitted to the vote of the communal electorate at a communal assembly.

Art. 15b35
1 Reasons must be given for rejecting an application for naturalisation.
2 The communal electorate may reject an application for naturalisation only if a reasoned motion has been made that they should do so.

Art. 15c36
1 The cantons shall ensure that the privacy of applicants is respected in cantonal and communal naturalisation procedures.
2 The communal electorate shall be given the following particulars of applicants:
   a. nationality;
   b. length of residence;
   c. information required to assess whether the applicant meets the naturalisation requirements, and in particular the requirement of integration into Swiss society.
3 When selecting information under paragraph 2, the cantons shall take account of the persons to whom the information is to be given.

Art. 16
The award of honorary citizenship to a foreign national by a canton or a commune without federal authorisation does not have the effects of naturalisation.

Art. 17

b. Reinstatement of Citizenship

Art. 18

Principle

1 Reinstatement of citizenship requires that the applicant:
   a. meets the requirements of Articles 21 or 23;
   b. has ties to Switzerland;
   c. abides by Swiss law; and
   d. does not pose a risk to Switzerland's internal or external security.

2 For applicants who do not live in Switzerland, the requirement of paragraph 1 letter c applies mutatis mutandis.

Art. 19–20

Art. 21

1 Any person who with reasonable excuse fails to provide notification or a declaration as required by Article 10 and thus loses Swiss citizenship may apply within ten years for citizenship to be reinstated.

2 If the applicant has close ties with Switzerland, he or she may apply for reinstatement of citizenship even after expiry of the ten-year period.

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Art. 22

Any person who has been relieved of Swiss citizenship may apply for reinstatement of citizenship if he or she has lived in Switzerland for one year.

2 Any person who has been relieved of Swiss citizenship in order to acquire or retain another nationality may apply for reinstatement of citizenship even if he or she is resident abroad provided he or she has close ties with Switzerland.

Art. 24

Through reinstatement of citizenship, the applicant acquires the cantonal and communal citizenship that he or she held previously.

Art. 25

The Federal Office decides on the reinstatement of citizenship; it shall consult the canton beforehand.

c. Simplified Naturalisation

Art. 26

To be eligible for simplified naturalisation the applicant must:

a. be integrated in Switzerland;

b. abide by Swiss law;

c. not pose a risk to Switzerland's internal or external security.

2 For applicants who do not live in Switzerland, the requirements of paragraph 1 apply mutatis mutandis.

Art. 2753

1 After marrying a Swiss citizen, a foreign national may apply for simplified naturalisation if he or she:

a. has lived for a total of five years in Switzerland;

b. has lived in Switzerland for a year and

c. has lived in matrimony with the Swiss citizen for three years.

2 The applicant is granted the same cantonal and communal citizenship as that held by his or her Swiss spouse.

Art. 2854

1 The foreign spouse of a Swiss citizen who lives or has lived abroad may apply for simplified naturalisation if he or she:

a. has lived for six years in matrimony with the Swiss citizen and

b. has close ties with Switzerland.

2 The applicant is granted the same cantonal and communal citizenship as that held by his or her Swiss spouse.

Art. 29

1 A foreign national who for at least five years has believed in good faith that he or she is a Swiss citizen and during this period has actually been treated as such by the cantonal or communal authorities may be naturalised under the simplified procedure.

2 He or she is normally granted citizenship of the canton responsible for the error. This canton decides at the same time which communal citizenship is acquired.

3 If the applicant has already done Swiss military service, no minimum period applies.

Amended by No I of the Federal Act of 23 March 1990, in force since 1 Jan. 1992

54 Amended by No I of the Federal Act of 23 March 1990, in force since 1 Jan. 1992
Paragraphs 1 and 3 apply mutatis mutandis to a foreign national who has lost Swiss citizenship due to termination of filiation with his or her Swiss parent (Art. 8). He acquires the cantonal and communal citizenship that he held previously.55

**Art. 30**56

1 A stateless minor child may apply for simplified naturalisation if he or she has lived in Switzerland for a total of five years, one year of which must be immediately before the application is made.

2 The child acquires the citizenship of his or her commune and canton of residence.

**Art. 31**57

**Art. 31a**58

1 A foreign child who was not naturalised at the same time as one of his or her parents may apply for simplified naturalisation before reaching the age of 22 if he or she has lived in Switzerland for a total of five years, one year of which must be immediately before the application is made.

2 The child acquires the citizenship of the Swiss parent.

**Art. 31b**59

1 A foreign child who was unable to acquire Swiss citizenship because a parent lost Swiss citizenship before the child's birth may be naturalised under the simplified procedure if he or she has close ties with Switzerland.

2 The child acquires the citizenship that the parent who lost citizenship lost formerly held.

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Art. 32<sup>60</sup>

The Federal Office decides on simplified naturalisation; it shall consult the canton beforehand.

**d. Common Provisions**<sup>61</sup>

Art. 33

The applicant's minor children are normally included in the naturalisation application.

Art. 34

1 Minors may only apply for naturalisation through their legal representative.<sup>63</sup>

2 Applicants over the age of 16 must also declare their wish to become a Swiss citizen in writing.

Art. 35<sup>64</sup>

Majority and minority in terms of this Act are governed by Swiss law (Art. 14 of the Civil Code<sup>65</sup>).

Art. 36

1 Residence in terms of this Act is deemed for foreign nationals to be presence in Switzerland in accordance with the immigration regulations.

2 A short-term stay abroad with the intention of returning to Switzerland does not interrupt a period of residence.

3 In contrast, residence is deemed to have been terminated on leaving Switzerland to go abroad if the foreign national concerned has notified the authorities that residence is being terminated or actually spends more than six months abroad.

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<sup>61</sup> Title originally before Art. 32.


<sup>65</sup> SR 210
Art. 37 The federal authorities may instruct the cantonal naturalisation authority to collect the data required to assess the requirements for naturalisation.

Art. 38

1 The federal authorities, together with the cantonal and communal authorities may charge a fee for their decisions that amounts to no more than the procedural costs.

2 The Confederation shall waive the fee in the case of indigent applicants.

Art. 39

Art. 40

Art. 41

1 A naturalisation decision may be declared null and void by the Federal Office with the consent of the authority in the canton of origin if it has been obtained by using false information or by concealing material facts.

1bis The naturalisation decision may be declared null and void within two years of the Federal Office becoming aware of the legally relevant circumstances, and at the latest within eight years of acquisition of Swiss citizenship. After each investigative act that has been notified to the naturalised person concerned a new two year limitation period begins. The limitation periods are suspended during appeal proceedings.

2 Subject to the same requirements, a naturalisation decision under Articles 12–17 may also be declared null and void by the cantonal authority.


Nullity extends to all family members whose Swiss citizenship is based on the naturalisation decision that has been declared null and void, unless an express ruling is issued to the contrary.

B. Loss by Official Decree

a. Relief of Citizenship

Art. 42

1 A Swiss citizen shall on request be relieved of his or her Swiss citizenship if he or she is not resident in Switzerland and holds or has been assured of another nationality. For minors, Article 34 applies mutatis mutandis.72

2 Relief is granted by the authority in the canton of origin.

3 Loss of cantonal and communal citizenship and thus of Swiss citizenship take effect on service of the certificate of relief of citizenship.

Art. 43

Art. 44

1 Relief also applies to minor children under the parental care of the person relieved of citizenship;74 however it applies to children over the age of 16 only if they consent in writing.

2 They also must not be resident in Switzerland and must hold or be assured of another nationality.

Art. 45

1 The canton of origin shall issue a certificate of relief of citizenship in which every person covered by the certificate is listed.

2 The Federal Office shall arrange for the certificate of relief of citizenship to be served and shall notify the canton when the certificate has been successfully served.


3 It shall postpone service if it is not expected that the person relieved of citizenship will be granted the foreign citizenship of which he or she has been assured.

4 If the place of residence of the person relieved of citizenship is unknown, notice of relief may be published in the Federal Gazette. Such publication has the same effect as service of the certificate of relief of citizenship.

**Art. 46**

1 The cantons are entitled to charge a registration fee for dealing with the application for relief.

2 Service of the certificate of relief of citizenship may not however be made conditional on payment of the fee.

3 The Federal Office shall not charge a fee for its work in the relief procedure.\(^{75}\)

**Art. 47**

1 In the case of a citizen of more than one canton, each canton of origin decides on the application for relief of citizenship.

2 The certificates of relief of citizenship are served together.

3 The service of any single certificate of relief of citizenship brings about the loss of Swiss citizenship and of all cantonal and communal citizenship rights even if, due to an error, another canton of origin has not decided on the relief application.

**b. Revocation**

**Art. 48**

The Federal Office may with consent of the authority in the canton of origin revoke the Swiss, cantonal and communal citizenship of a person holding dual nationality if his or her conduct is seriously detrimental to the interests or the reputation of Switzerland.

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III. Declaratory Proceedings

Art. 49
1 If there is doubt as to whether a person holds Swiss citizenship, the authority in the canton, the citizenship of which has been called into question decides, on request or ex officio.
2 The Federal Office may also request a decision.

IV. Processing of Personal Data

Art. 49a
1 In order to fulfil its duties under this Act, the Federal Office may process personal data, including personality profiles and particularly sensitive data on religious beliefs, political activities, health, social assistance measures and administrative or criminal proceedings and penalties. It shall maintain an electronic information system for this purpose.
2 The Federal Council shall issue implementing provisions on:
   a. the organisation and the operation of the information system;
   b. access to the data;
   c. authorisation to process the data;
   d. the data retention period;
   e. the archiving and deletion of the data;
   f. data security.

Art. 49b
1 On request and in individual cases, the Federal Office may disclose to the authorities of the Confederation, the cantons and the communes entrusted with duties in connection with the acquisition and loss of Swiss citizenship any personal data required to fulfil such duties.

2 It shall make data available online to the Federal Administrative Court personal where such data is required in preparation for appeal proceedings. The Federal Council regulates the extent of such data.78

V. Rights of Appeal79

Art. 5080

The cantons shall appoint judicial authorities to act as the ultimate cantonal courts of appeal in relation to decisions to refuse ordinary naturalisation.

Art. 5181

1 Appeals against final rulings by the cantons and against decisions by the federal administrative authorities are governed by the general provisions on the administration of federal justice.

2 The cantons and communes concerned also have a right of appeal.83

3 …84

Art. 52–5385

84 Repealed by Annex Sec. 2 of the Administrative Court Act from 17 June 2005, with effect from 1 Jan. 2007 (AS 2006 2197 1069; BBl 2001 4202).
VI. \textsuperscript{86} Final and Transitional Provisions

\textbf{Art. 54}\textsuperscript{1} The Federal Council is responsible for implementing this Act.
\textsuperscript{2} It is authorised to issue regulations on the identity documents held by Swiss citizens.

\textbf{Art. 55}\textsuperscript{87} All provisions contrary to this Act are hereby repealed, in particular:
- the Federal Act of 3 December 1850\textsuperscript{87} on Persons without a Place of Origin;
- the Federal Act of 25 June 1903\textsuperscript{88} on the Acquisition and Waiver of Swiss Citizenship.

\textbf{Art. 56}\textsuperscript{89}

\textbf{Art. 57}\textsuperscript{90}

\textbf{Art. 57}a\textsuperscript{91} 1 A woman who has acquired Swiss citizenship by marriage under Article 3 paragraph 1 of this Act in its version of 29 September 1952\textsuperscript{93} retains Swiss citizenship after the marriage has been declared invalid provided she married in good faith.

\textsuperscript{86} originally V. title
\textsuperscript{87} [BS I 99]
\textsuperscript{88} [BS I 101]
\textsuperscript{93} Art. 3 para. 1 in its version of 29 Sept. 1952 states: "A foreign woman acquires Swiss citizenship by marrying a male Swiss citizen."
2 Children of a marriage that has been declared invalid remain Swiss citizens even if their parents did not marry in good faith.

**Art. 58**

1 A woman who prior to the Amendment hereof of 3 October 2003\(^{95}\) coming into force lost Swiss citizenship through marriage or by inclusion in a decision relieving her husband of citizenship may apply to have her Swiss citizenship reinstated.

2 Articles 18, 24, 25 and 33–41 apply mutatis mutandis.

**Art. 58a**

1 A foreign child born before 1 July 1985 whose mother held Swiss citizenship prior to or at the time of the child's birth may apply for simplified naturalisation if he or she has close ties with Switzerland.

2 The child acquires the cantonal and communal citizenship that his or her mother holds or last held, and thus is a Swiss citizen.

3 If the child has children of his or her own, they may also apply for simplified naturalisation if they have close ties with Switzerland.

4 Articles 26 and 32–41 apply mutatis mutandis.

**Art. 58b**

1 The child of a Swiss father may apply for simplified naturalisation before reaching the age of 22 provided he or she meets the requirements of Article 1 paragraph 2 and was born before the Amendment hereof of 3 October 2003\(^{99}\) came into force.

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\(^{95}\) Before 1 Jan. 2006 (AS 2005 5233)


\(^{99}\) Before 1 Jan. 2006 (AS 2005 5233)
2 If the child is more than 22 years old, he or she may apply for simplified naturalisation if he or she has close ties with Switzerland.

3 Articles 26 and 32–41 apply mutatis mutandis.

**Art. 59**

The Federal Council determines the date on which this Act comes into force.

Commencement date: 1 January 1953\(^{100}\)

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\(^{100}\) Federal Council Decree of 30 Dec. 1952