



CITIZENSHIP LAW

Law 346

See Legal Background

The Senate and Chamber of Deputies of the Argentine Nation, meeting in Congress, etc., sanction with force of law:

Title 1 - Of the Argentineans

10256

Art. 1 ° Argentinean:

- 1 ° All individuals born or born in the territory of the Argentine Republic, whatever their nationality, except for the children of foreign Ministers and resident members of the Legation in the Republic.
- 2 ° The children of native Argentines, who having been born in a foreign country opt for the citizenship of origin.
- 3 ° Those born in the Legations and warships of the Republic.
- 4 ° Those born in the republics that were part of the United Provinces of the Río de la Plata, before the emancipation of those, and who have resided in the territory of the Nation, expressing their will to be so.
- 5 ° Those born in neutral seas under the Argentine flag.

Title 2 - Citizens by naturalization

Art. 2 - Citizens by naturalization:

1 ° Foreigners over the age of EIGHTEEN (18) who prove that they have resided in the ARGENTINE REPUBLIC according to the current immigration regulatory framework, as permanent or temporary residents, continuously during the TWO (2) years prior to the request and manifest before the federal judges their willingness to be. *(Subparagraph substituted by Article 27 of [Decree No. 70/2017](#) BO 30/01/2017 Effective: from the day following its publication in the Official Gazette)*

2nd Foreigners accredited by said judges having lent, whatever be the time of your residence, some of the following services:

- 1 ° To have honestly carried out jobs in the Nation, or in the provinces, inside or outside the Republic.
- 2 ° Have served in the Army or in the squad, or have attended a war function in defense of the Nation.
- 3 ° Have established a new industry in the country, or introduced a useful invention.
- 4th Be a businessman or railroad builder in any of the provinces.
- 5 ° To be part of the established colonies or to be established in future, either in national territories or those of the provinces, provided that they possess some real property in them.
- 6 ° To inhabit or populate national territories in the current border lines or outside them.
- 7 ° To have married an Argentine woman in any of the Provinces.
- 8 ° Exercise in them the teaching staff in any of the branches of education or industry.

Art. 3 The son of a naturalized citizen who is a minor, at the time of the naturalization of his father, and was born in a foreign country, can obtain from the Federal Judge the citizenship card by the fact of having enrolled in the National Guard in the time that the law provides.

Art. 4 The son of a citizen naturalized in a foreign country, after the naturalization of his father, can obtain his citizenship card, if, coming to the Republic, he enrolls in the National Guard at the age that the law orders.

Title 3 - Procedures and requirements to acquire the Letter of Citizenship

Art. 5 ° The children of native Argentines, born in the foreigner who opt for the citizenship of origin, must accredit before

the federal judge their status as an Argentine son.

Art. 6 Foreigners who have fulfilled the conditions mentioned in the previous articles will obtain the naturalization letter that will be granted by the Federal Section Judge before whom they have requested it.

Title 4 - Of the political rights of Argentines

Article 7 Argentines who have reached the age of sixteen (16) years, enjoy all political rights under the Constitution and the laws of the Republic.

(Article replaced by Article 1 of [Law N ° 26.774](#) BO 02/11/2012)

Art. 8 ° Political rights may not be exercised in the Republic by those naturalized in a foreign country; by those who have accepted jobs or honors from foreign governments, without permission from Congress; for fraudulent bankrupts, or for those who have a condemnatory sentence that imposes infamous or death penalty.

Art. 9 The rehabilitation of the exercise of citizenship will be decreed ex officio by the electoral judge, prior to a fiscal hearing, provided that the cessation of the disabling cause arises from the records that were found when it was disposed of. Otherwise, it can only be considered at the request of the interested party.

*(Article replaced by Article 1 of [Law N ° 20,835](#) BO 13/12/1974 **Note Infoleg** : Abrogated by Article 4 of Law N ° 21,610, restored its validity by Article 2 of Law N ° 23,059)*

Title 5 - General Provisions

Art. 10. The citizenship letter, as well as the actions to obtain it, will be free, except for the exception provided in the following article.

Foreigners may accredit the circumstances of age and immigration with the sole presentation of the identity card issued by the Argentine Federal Police, or the passport of their original country endorsed by the Argentine consul of the place.

They may also justify the aforementioned circumstances with a civil status record in which they have intervened by contracting marriage or denouncing or recognizing children in the country, prior to the enactment of this law.

(Article replaced by article 1 of [Law N ° 24,533](#) BO 14/09/1995)

Art. 11. For the Ministry of the Interior, all the section judges will be sent a sufficient number of printed copies of the citizenship letter, so that they are granted under the same formula.

Judges who receive the request for citizenship, within the term of THREE (3) days will request ex officio any report or certificate that they deem appropriate to request the National Directorate of Migration, the Argentine Federal Police, the Secretary of State Intelligence, to the National Directorate of the National Registry of Persons, to the National Directorate of the National Registry of Recidivism and Criminal Statistics or to any other public, private or private distribution. The judges will be issued granting or denying the citizenship card, with the evidence in the case, in a maximum term of NINETY (90) days.

Likewise, once the petition is received, they will order the publication of edicts for two days in a circulation newspaper in the jurisdiction of the real domicile of the petitioner, clearly containing the data of the request, so that any person is entitled to deduce founded opposition against the granting of the benefit, which will be resolved upon the opinion of the intervening Public Ministry. *(Paragraph replaced by Article 1 of [Law N ° 24.951](#) BO [15/04/1998](#))*

The cost of the publications in the newspapers, foreseen in this article, will be the responsibility of the petitioner.

Citizenship can not be denied for political, ideological, professional, religious or racial reasons.

(Article replaced by article 2 of [Law N ° 24,533](#) BO 09/14/1995. Validity: The new provisions of this article will be applicable to all requests for naturalization in which there has been no judicial decision on the date of publication of this law)

Title 6 - Transitional provisions

Art. 12. The children of native Argentino and foreigners who are currently in the exercise of Argentine citizenship, are considered as natural or naturalized citizens, without being subject to any of the requirements established by this law, only having to register in the Civic Registry national.

Art. 13. All the provisions contrary to this law are revoked.

Art. 14. Communicate.

Given in the Room of Sessions of the Argentine Congress in Buenos Aires to the first of October of one thousand eight

hundred and sixty-nine. - SALÚSTIANO ZAVALIA - *Cárlos M. Saravia* - Secretary of the Senate - MANUEL QUINTANA - *Ramon B. Muñiz* - Secretary of the Chamber of Deputies.

Regulatory Background:

- Article 6 replaced by art. 1 ° of [Law N ° 21.610](#) BO 05/08/1977 . **Note Infoleg** : by art. 2 ° of Law No. 23,059 repeal all the amending regulations of Law No. 346.

- Articles S / N incorporated by art. 1st of the [Law No. 21,610](#) BO 05/08/1977 . **Note Infoleg** : by art. 2 ° of Law No. 23,059 repeal all the amendments to the Law No. 346.

- Article 2, Subsection 1 replaced by art. 1 ° of [Law N ° 21.610](#) BO 05/08/1977 . **Note Infoleg** : by art. 2 ° of Law No. 23,059 repeal all the amendments to the Law No. 346.

- Article 11, last paragraph incorporated by art. 1 ° of [Law N ° 20,835](#) BO 13/12/1974;

- Article 10 replaced by art. 1 ° of [Law N ° 16.801](#) BO 03/12/1965;

- Article 11 replaced by art. 2 ° of [Law N ° 16.801](#) BO 03/12/1965;

- Article 6, replaced by art. 1 ° of [Law N ° 10,256](#) BO 27/02/1918;