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# 全国人民代表大会常务委员会关于《中华人民共和国国籍法》在澳门特别行政区实施的几个问题的解释

# Interpretation by the Standing Committee of the National People's Congress on Several Issues Concerning Implementation of the Nationality Law of the People's Republic of China in the Macao Special Administrative Region

全国人民代表大会常务委员会关于《中华人民共和国国籍法》在澳门特别行政区实施的几个问题的解释

Interpretation by the Standing Committee of the National People's Congress on Several Issues Concerning Implementation of the Nationality Law of the People's Republic of China in the Macao Special Administrative Region

（１９９８年１２月２９日第九届全国人民代表大会常务委员会第六次会议通过）

(Adopted at the 6th Meeting of the Standing Committee of the Ninth National People's Congress on December 29, 1998)

根据《中华人民共和国澳门特别行政区基本法》第十八条和附件三的规定，《中华人民共和国国籍法》自１９９９年１２月２０日起在澳门特别行政区实施。考虑到澳门的历史背景和现实情况，对《中华人民共和国国籍法》在澳门特别行政区实施作如下解释：

According to the provisions in Article 18 of the Basic Law of the Macao Special Administrative Region of the People's Republic of China and in Annex III to that Law, the Nationality Law of the People's Republic of China shall become effective in the Macao Special Administrative Region as of December 20, 1999. In view of the historical background and the reality of Macao, an interpretation regarding implementation of the Nationality Law of the People's Republic of China in the Macao Special Administrative Region is made as follows:

一、凡具有中国血统的澳门居民，本人出生在中国领土（含澳门）者，以及其他符合《中华人民共和国国籍法》规定的具有中国国籍的条件者，不论其是否持有葡萄牙旅行证件或身份证件，都是中国公民。

I. Any Macao resident of Chinese descent who was born in the territory of China (including Macao), or any other person who meets the conditions for Chinese nationality as prescribed in the Nationality Law of the People's Republic of China, whether or not he or she holds Portuguese travel documents or an identity card, is a Chinese national.

凡具有中国血统但又具有葡萄牙血统的澳门特别行政区居民，可根据本人意愿，选择中华人民共和国国籍或葡萄牙共和国国籍。确定其中一种国籍，即不具有另一种国籍。上述澳门特别行政区居民，在选择国籍之前，享有澳门特别行政区基本法规定的权利，但受国籍限制的权利除外。

Any resident in the Macao Special Administrative Region who is of both a Chinese and a Portuguese descent may, out of his or her own wish, choose either the nationality of the People's Republic of China or of the Republic of Portugal. Determining one nationality means not having the other. The above-mentioned resident in the Macao Special Administrative Region shall, before he or she chooses his or her nationality, enjoy the rights prescribed in the Basic Law of the Macao Special Administrative Region, with the exception of the rights that are restricted by nationality.

二、凡持有葡萄牙旅行证件的澳门中国公民，在澳门特别行政区成立后，可继续使用该证件去其他国家或地区旅行，但在澳门特别行政区和中华人民共和国其他地区不得因持有上述葡萄牙旅行证件而享有葡萄牙的领事保护的权利。

II、 All Chinese citizens residing in Macao who hold the Portuguese travel documents, after establishment of the Macao Special Administrative Region, may continue to use these travel documents for the purpose of travelling to other countries or regions. However, they may not be entitled to Portuguese consular protection in the Macao Special Administrative Region or in any other part of the People's Republic of China on account of their holding the Portuguese travel documents mentioned above.

三、在外国有居留权的澳门特别行政区的中国公民，可使用外国政府签发的有关证件去其他国家或地区旅行，但在澳门特别行政区和中华人民共和国其他地区不得因持有上述证件而享有外国领事保护的权利。

III、 Any Chinese national who resides in the Macao Special Administrative Region and has the right of abode in a foreign country may use the relevant documents issued by the foreign government for the purpose of travelling to other countries or regions, but he or she may not be entitled to the consular protection of the foreign country in the Macao Special Administrative Region or in any other part of the People's Republic of China on account of their holding the foreign documents mentioned above.

四、在澳门特别行政区成立以前或以后从海外返回澳门的原澳门居民中的中国公民，若变更国籍，可凭有效证件向澳门特别行政区受理国籍申请的机关申报。

IV、 If a Chinese national, who previously resided in Macao and returns to Macao either before or after the Macao Special Administrative Region is established, wishes to change his or her nationality, he or she may, by producing valid documents, apply to the competent authorities of the Macao Special Administrative Region that handle nationality applications.

五、授权澳门特别行政区政府指定其有关机构根据《中华人民共和国国籍法》和以上规定对所有国籍申请事宜作出处理。

V、 The Government of the Macao Special Administrative Region is authorized to designate a relevant body under it to deal with all matters relating to nationality applications in accordance with the Nationality Law of the People's Republic of China and the provisions mentioned above.