

New Swiss Nationality Act

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NEW SWISS NATIONALITY ACT.

The Federal Act of 29th September, 1952 concerning acquisition and loss of Swiss nationality, came into force on the 1st January, 1953.

Two sections are of particular interest to Swiss and Swiss born living abroad.

According to section 9, a Swiss woman marrying a foreigner loses her Swiss nationality if, through the act of marriage she acquires (or already possesses) her husband's nationality and does not prior to the solemnization of such marriage declare that she wants to keep her Swiss nationality. As applied to the United Kingdom those provisions open 3 possibilities to the Swiss woman marrying a British subject:

- (1) She wants to keep her Swiss nationality and not acquire the British nationality: As under British law, the foreign woman does not acquire British nationality by the fact of the marriage itself, she can retain her Swiss nationality by doing nothing.
- (2) She wants to acquire the British nationality and to lose her Swiss nationality: on application to the Home Office for registration as a citizen of the United Kingdom and Colonies as the wife of such a citizen, she is entitled to the British nationality, and loses thereupon her Swiss nationality.
- (3) She wants to be a British-Swiss dual national: *If before the conclusion of the marriage, she makes a declaration to the competent Swiss authority to the effect that she wishes to remain a Swiss national, she will retain her Swiss nationality, even after having acquired the British nationality through registration.*

This last course should be followed whenever a woman wants to remain Swiss in any case, but has not made up her mind at the time of the marriage with regard to the British nationality.

A woman who already was a Swiss-British dual national before her marriage to a British subject (Swiss by descent, British by birth), will lose her Swiss nationality by marrying a man whose nationality she already possesses, *unless she makes a declaration as under a) 3.*

Section 58 provides that Swiss born wives of foreign husbands, who lost their Swiss nationality through marriage before the Act came into force, may upon their request be reinstated free of charge into their former Swiss nationality, notwithstanding the

maintenance of the marital bond. Such a request should be made to the "Département Fédéral de Justice et Police" within a year following the coming into force of the Act. Petitioners whose demeanour has impaired the interests or the good name of Switzerland, or who are obviously unworthy of such a favour, will have their request turned down.

The Swiss Legation in London and the Swiss Consulate in Manchester are competent to receive the requests. They will on application provide the forms to be filled for keeping or regaining the Swiss nationality.

MINISTER H. SCHAFFNER.

As has already been announced in the Swiss Press, the Federal Council conferred, at its meeting of 31st December, 1952, the title of Minister Plenipotentiary upon Mr. Hans Schaffner, the Delegate for Economic Agreements.

This honour is well deserved by its recipient, and it has been welcomed by the whole of the Swiss public opinion.

Mr. Schaffner was born in 1908, and hails from Gränichen, Aargau. He became a barrister, and exercised this profession for a few years in the Canton of Berne. He then joined the Administration by becoming Recorder to the Cantonal Court of Berne. His liking for economic matters later prompted him to accept the post of Secretary of the Bernese Chamber of Commerce and Industry. When war broke out in 1939 he was called to the Federal Office for Industry, Arts and Crafts, and Labour, where he immediately had to prepare war economy measures. In September 1939, he was appointed Deputy Chief of the War Economy Section, of which he was promoted Head in 1940. He certainly did a brilliant job in this capacity, until he was appointed by the Federal Council Delegate for Economic Agreements in 1946. He thus succeeded Prof. Dr. Paul Keller, who was the well-known leader of the Swiss delegation to the United Kingdom during the war years.

Since he has taken charge of the economic negotiations between Switzerland and other countries Mr. Schaffner has concluded more agreements — they exceed 90 altogether — than any other delegates. To his hunting ground belong such wide economic units as the Sterling Area, the United States, Germany, the Benelux States, the Scandinavian countries etc. The strain placed upon a negotiator who has to travel from Northern Europe to Indonesia and from India to America is enormous. Mr. Schaffner has not only preserved his physical strength, but, what is more important, his lively wit and a sense of humour which enable him to overcome even the greatest difficulties in negotiations with smiles and an easy manner.

The Swiss Colony in Great Britain are happy to see Mr. Schaffner thus honoured. They have asked themselves on many occasions what his title "Fürsprecher" could possibly mean for a negotiator, and what the authorities in other continents and countries may have thought of its significance.

The congratulations of the Swiss Colony go too to Mrs. Schaffner, who in her own quiet way has certainly also a claim to a share in Mr. Schaffner's successful career — not least because she has to put up with her husbands numerous absences from home.

