

**THE NATIONAL CONGRESS  
ON BEHALF OF THE REPUBLIC**

**WHEREAS FIRST:** That Article 184 of the Constitution of the Dominican Republic, proclaimed on January 26, 2010, created a Constitutional Court to ensure the supremacy of the Constitution, the defense of the constitutional order and the protection of fundamental rights. Its decisions are definitive and irrevocable, and constitute binding precedent for all public authorities and bodies of the State;

**WHEREAS SECOND:** That in exercise of the powers assigned by the Constitution, the Constitutional Court issued Judgment TC/0168/13 on September 23, 2013, by which the court interpreted the regulations in force throughout the different constitutions since June 29, 1929, until the constitutional reform of January 26, 2010;

**WHEREAS THIRD:** That the Constitutional Court refers, in one part of the referred judgment, to what it qualifies as “the legal improvidences of the Dominican immigration policy, and the institutional and bureaucratic deficiencies of the Civil Registry”, stating that such improvidences “date back to the era immediately after the proclamation of the Constitution of June 20, 1929”, whereby the Constitutional Court revealed a deficiency of the Dominican State that lasted over time and spread throughout the country, causing that a determined number of people born in Dominican territory received, from the Dominican State itself, the documentation that led to the presumption that they were Dominican nationals, and by which they developed their civil life with certainty and specific expectations in terms of this condition;

**WHEREAS FOURTH:** That as was stated in the first WHEREAS, the decisions of the Constitutional Court, in its capacity as ultimate interpreter of the Constitution, constitute binding precedent for all public authorities and bodies of the State, but such constitutional mandate does not exclude that the political bodies, created as expression of the democratic principle and the popular will, give their solutions to new situations created from decisions dictated by the Constitutional Court;

**WHEREAS FIFTH:** That by stating and criticizing, in the referred judgment, the legal improvidences of the Dominican immigration policy, and the institutional and bureaucratic deficiencies of the Civil Registry, the Constitutional Court has determined that the Dominican State itself has been responsible for the irregularities and deficiencies on this matter, which has been a major cause of the situation faced by the people who received the referred documentation from the Dominican State;

**WHEREAS SIXTH:** That, among other measures, the Constitutional Court ordered through such judgment that the Central Electoral Board (*Junta Central Electoral*) must audit the Civil Registry records, covering the period specified above, to determine which individuals were irregularly registered in these books; such audit is being conducted by such institution;

**WHEREAS SEVENTH:** That the bodies of democratic political representation have the obligation of searching for solutions to the problems of society, based on the national interest, and guided by the values that we have cherished since the nation’s foundation and that are embodied in the Preamble of the Constitution, such as human dignity, freedom, equality, the rule of law, justice, solidarity and fraternal coexistence;

**WHEREAS EIGHTH:** That guided by these principles, the Dominican State, through its representative bodies, is called upon to find a solution to the problem faced by people who, although irregularly registered in the Civil Registry by the State itself, have acted throughout their lives under the premise that they benefit from the Dominican nationality and have had, on that basis, an undeniable attachment to our society;

**WHEREAS NINTH:** That the solution embodied in the provisions of this law, regarding the regularization of civil status records, does not imply a denial or a challenge to the interpretation given by the Constitutional Court to a portion of the regulations related to nationality, but is rather a response to a problem generated by it and that is of national interest to resolve;

**WHEREAS TENTH:** That it is of high interest and priority for the Dominican State, the urgent implementation of measures that enable the right to equality, development of personality, nationality, health, family, free transit, work and education, among others, of a population in the Dominican Republic comprising: a) the descendants, of foreign parents in irregular immigration status, whose birth records were registered by the State itself by the Officials of Civil Status, and b) foreigners born in national territory and that were not registered in the Civil Registry;

**SEEN:** The Constitution of the Dominican Republic, proclaimed on January 26, 2010, published in Official Gazette No. 10561;

**SEEN:** Law No. 1227, dated December 4, 1929, published in Official Gazette No. 4160;

**SEEN:** Law 165, dated August 4, 1931, which validated all records irregularly instrumented by former Official of Civil Status of the common of Santiago, Mr. Adriano Bordas, in the Birth Registry records, and that range from March 27 to December 5, 1927;

**SEEN:** Law on Civil Status Records No. 659, dated July 17, 1944, published in Official Gazette No. 6114 and its amendments;

**SEEN:** Law on Naturalization No. 1683, dated April 21, 1948, published in Official Gazette No. 6782;

**SEEN:** Law on the Rights of People in their Relations with the Administration and Administrative Procedures No. 107-13, published in Official Gazette No. 10722, dated August 8, 2013;

**SEEN:** Decree 327-13, dated November 29, 2013, which establishes the National Plan of Regularization of Foreigners in irregular immigration status in the Dominican Republic;

**SEEN:** The report from the Central Electoral Board on the auditing of Dominican Civil Registry, dated November 7, 2013.

**HAS ENACTED THE FOLLOWING LAW  
WHICH ESTABLISHES A SPECIAL REGIME FOR PEOPLE BORN ON  
NATIONAL TERRITORY REGISTERED IRREGULARLY IN THE  
DOMINICAN CIVIL REGISTRY AND ON NATURALIZATION**

**CHAPTER I.- SPECIAL REGIME**

**Article 1. Scope.-**This law has the exclusive purpose of establishing: a) a special regime for the benefit of children of foreign non-resident fathers and mothers that were born in the country between the period of June 16, 1929 to April 18, 2007, and registered in the Dominican Civil Registry records based on documents not recognized by the regulations in force for such purposes at the time of registration; and b) the registration of children, of foreign parents, that were born in the Dominican Republic and are not registered in the Civil Registry.

**Article 2. Regularization.-**The Central Electoral Board will proceed with the regularization and/or transcription in the Civil Registry records, free of any administrative process or cost to the beneficiaries, of people who are in the situation set out in subsection a) above. Once the referred irregularity is rectified by virtue of this Law, the Central Electoral Board will accredit them as Dominican nationals.

**Article 3. Exception.-**The records instrumented with falsification of data, identity theft, or any other event that constitutes the offense of forgery of a public document, shall be excluded from the provisions of the preceding articles, provided that the offense is attributable directly to the beneficiary.

**Article 4. Identity Card (*Cédula de Identidad*).**- The Central Electoral Board shall provide that the beneficiaries of this regime, which in the past have been issued identity and electoral cards, be endowed with the same document and previous number they have had, and those who have not had this document, shall be granted one.

**Article 5. Homologation.-** The Dominican State recognizes, with effective retroactivity to the date of birth, all acts of the civil life of its beneficiary, while recognizing and providing that all acts carried out by the beneficiaries of this Law by using the documents they used under the presumption of legality, are enforceable against third parties.

**CHAPTER II.- REGISTRATION OF CHILDREN OF FOREIGN PARENTS THAT WERE  
BORN IN THE DOMINICAN REPUBLIC**

**Article 6. Registration.-** Every person who is the child of foreign parents in irregular immigration status, that having been born in the country is not registered in the Dominican Civil Registry, will be able to register in the registry for foreigners contemplated in the General Immigration Law No. 285-04, provided that the fact of their birth is proven with certainty through the means established in the implementation guidelines for this Law.

**Paragraph I.-** To benefit from the registry of foreigners contemplated in this article, an application for registration shall be made to the Ministry of Interior and Police, no later than ninety (90) days from the effective date of the enactment of the implementation guidelines of this Law.

**Paragraph II.-** Formulated the application for registration, the Ministry of Interior and Police has a period of thirty (30) days to process it with its no objection before the Central Electoral Board.

**Article 7. Regularization.-** Upon the registration in the registry of foreigners, the person shall have sixty (60) days to comply with the provisions of Decree 327-13, which establishes the National Plan of Regularization of Foreigners in irregular immigration status.

### **CHAPTER III.- NATURALIZATION**

**Article 8. Naturalization.-** The children of foreigners born in the Dominican Republic, regularized accordingly to what is provided in the National Plan of Regularization of Foreigners in irregular immigration status, may opt for the ordinary naturalization established in the law governing the matter, after two (2) years have passed since obtaining one of the immigration categories established in the General Immigration Law No. 285-04, provided that the inexistence of a criminal background is verified by a certification.

### **CHAPTER IV.- SANCTIONS**

**Article 9. Falsehoods.-** A falsehood incurred by a person when filing an application for foreigner registration, in his or her own name or as a parent, ascendant, privileged collateral or guardian, or in the process of special naturalization, shall be punished with imprisonment of two (2) to five (5) years and fines of ten (10) to twenty (20) minimum wages.

**Article 10. Criminal Prosecution of the Officials of Civil Status.-**The Central Electoral Board shall submit to the Public Ministry, within a period not exceeding three (3) months, the certified copies of the documents raised in connection with the inspection of the civil registry, where falsehoods exist in public documents or any other criminal offense incurred by Officials of Civil Status, in connection with the instrumentation of the records, for the purpose of being subject to the criminal courts of the Republic.

### **CHAPTER V.- FINAL PROVISIONS**

**Article 11. Enforcement.-** The provisions established in Chapters II and III of this Law shall be effective for the duration of the implementation of the National Plan of Regularization of Foreigners in irregular immigration status.

**Article 12. Implementation guidelines.-** The Executive Power shall dictate the implementation guidelines for the provisions of Chapters II and III of this Law, no later than sixty (60) days after the effective date of its enactment; guidelines which, among other provisions, shall contain the means by which the act of birth will be accredited, as well as the pertinent adjustments to the National Plan of Regularization of Foreigners in irregular immigration status for these people.

**Article 13. Free of Charge.-** The provisions of this Law shall not generate any fee or charge to the beneficiaries.

**ENACTED...**