

## Changes in Dutch Citizenship Law

A series of important changes in Dutch Citizenship Law will enter into effect soon. Some of these changes may have significant consequences for you and the members of your family.

Please check if the questions below are relevant to you and if so, get in touch with the Netherlands Consulate-General in Sydney.

The examples cited below refer to Dutch citizens voluntarily acquiring *Australian* citizenship, but the same rules apply in case any other foreign citizenship is acquired voluntarily.

1. I was born prior to 1985 as a child of a Dutch mother and a non-Dutch father and I do not have Dutch citizenship.
2. I acquired Australian citizenship through naturalization prior to 2003 and subsequently lost my Dutch citizenship. Is there any way I could get my Dutch citizenship back?
3. I was born in the Netherlands and together with my parents I acquired Australian citizenship through naturalization at the time that I was still a minor child. Am I still a Dutch citizen?
4. I am a Dutch citizen or at least I think I am, but I have not applied for a Dutch passport for many years. Is this a problem?
5. I was born in Australia and received Australian citizenship at birth. At the time of my birth one of my parents was Dutch. Am I still a Dutch citizen?
6. I am a Dutch citizen, but I am considering to apply for Australian citizenship through naturalization. Will I subsequently lose my Dutch citizenship and if so, will this have any consequences for the Dutch citizenship of my children?
7. I am a Dutch – Australian dual citizen and I live in Australia permanently. Will there be any changes in Dutch citizenship law that I should be aware of?

8. I am a Dutch man and I am in a relationship with a non-Dutch female partner. We are not married. Will our children automatically acquire Dutch citizenship at birth?

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**1. I was born prior to 1985 as a child of a Dutch mother and a non-Dutch father and I do not have Dutch citizenship.**

Prior to 1985 only the child to a Dutch father or a non-married Dutch mother acquired citizenship by descent. Since 1985 a child acquires Dutch citizenship at birth through either Dutch parent.

A change in citizenship law has made it possible for all children born prior to 1985 to a Dutch mother and a non-Dutch father to still apply for Dutch citizenship through a relatively simple and quick option procedure. What is decisive is that the mother had Dutch citizenship at the time the child was born. It is irrelevant that the mother may have lost Dutch citizenship since.

If you think you may qualify for this option procedure, please contact the Netherlands Consulate-General in Sydney at [syd-nat@minbuza.nl](mailto:syd-nat@minbuza.nl).

**2. I acquired Australian citizenship through naturalization prior to 2003 and subsequently lost my Dutch citizenship. Is there any way I could get my Dutch citizenship back?**

As a general rule a Dutch citizen loses his citizenship when he/she voluntarily acquires another citizenship through naturalization.

Only in special circumstances can he/she retain Dutch citizenship:

- If a Dutch citizen naturalizes at a minor age independently from his parents.
- If a Dutch citizen as a legal adult acquires the citizenship of the country in which he was born or of the country in which he spent an uninterrupted period of five years during the time he was still a minor.
- If a Dutch citizen acquires the citizenship that his / her married partner already has at the time of naturalization.

The conditions in the last two bullits only came into effect in 2003. Dutch citizens who naturalized prior to 2003 and subsequently lost their Dutch citizenship, but at the time met the conditions in these

bullits, have the option to claim their Dutch citizenship back. The application must be made prior to 1 April 2013. Beyond this date they no longer qualify for Dutch citizenship.

If you think you may qualify for this option procedure, please contact the Netherlands Consulate-General in Sydney at [syd-nat@minbuza.nl](mailto:syd-nat@minbuza.nl).

**3. I was born in the Netherlands and together with my parents I acquired Australian citizenship through naturalization at the time I was still a minor child. Am I still a Dutch citizen?**

If you were born in the Netherlands and one of your parents and his/her parents were also born in the Netherlands and you acquired Australian citizenship as a minor child through naturalization after 1984, it is likely that you are still a Dutch citizen, although your parents will have lost their Dutch citizenship. You should apply for a Dutch passport well before April 2013. Otherwise you will likely lose your Dutch citizenship in April 2013.

If you were born in the Netherlands and you naturalized together with your parents prior to 1985, it is likely that you and your parents have lost Dutch citizenship. Only if you naturalized independently from your parents, you will have retained Dutch citizenship. In this case you should apply for a Dutch passport well before April 2013. Otherwise you will likely lose your Dutch citizenship in April 2013.

**4. I am a Dutch citizen or at least I think I am, but I have not applied for a Dutch passport for many years. Is this a problem?**

Any Dutch citizen, who is a dual national living outside the Kingdom of the Netherlands and outside of the European Union for a period of 10 years, automatically loses the Dutch citizenship unless he/she applies for and receives a valid Dutch passport at least once every 10 years or lives in the Kingdom or the EU for at least one year. Advice: always see to it that you and your Dutch children have valid Dutch passports. Then your Dutch citizenship is safe.

**5. I was born in Australia and received Australian citizenship at birth. At the time of my birth one of my parents was still Dutch. Am I (still) a Dutch citizen?**

The child of a Dutch father or (since 1985) a Dutch mother acquires Dutch citizenship at birth. It is irrelevant where the child is born or whether the child acquires other citizenships at birth. It is possible to lose Dutch citizenship as a dual citizen living abroad, e.g. because no application has been made for a Dutch passport at regular intervals. For further information, please contact the Netherlands Consulate-General in Sydney at [syd-nat@minbuza.nl](mailto:syd-nat@minbuza.nl)

**6. I am a Dutch citizen, but I am considering to apply for Australian citizenship through naturalization. Will I subsequently lose my Dutch citizenship and if so, will this have any consequences for the Dutch citizenship of my children?**

As a general rule a Dutch citizen loses his citizenship when he/she voluntarily acquires another citizenship through naturalization. Only in special circumstances will he/she be allowed to retain Dutch citizenship. See questions 2 and 3 above. Advice: always contact the Netherlands Consulate-General in Sydney at [syd-nat@minbuza.nl](mailto:syd-nat@minbuza.nl) prior to acquiring a foreign citizenship. The Consulate-General will be able to assess the consequences for yourself and your Dutch minor children.

**7. I am a Dutch – Australian dual citizen and I live in Australia permanently. Will there be any changes in Dutch citizenship law that I should be aware of?**

Nothing will change as long as you see to it to always have a valid Dutch passport. Each Dutch citizen, who is a dual national living outside the Kingdom of the Netherlands and outside of the European Union for a period of 10 years, automatically loses the Dutch citizenship unless he/she applies for and receives a valid Dutch passport at least once every 10 years or lives in the Kingdom or the EU for at least one year.

**8. I am a Dutch man and I am in a relationship with a non-Dutch female partner. We are not married. Will our children automatically acquire Dutch citizenship at birth?**

In principle children to a Dutch father and a non-Dutch mother only acquire Dutch citizenship if the parents are legally married. Exceptions may apply, depending on where and when the child was born. Under all conditions the name of the Dutch father should be mentioned on the child's birth certificate. For further information, please contact the Netherlands Consulate-General in Sydney at [syd-nat@minbuza.nl](mailto:syd-nat@minbuza.nl)

Sydney, August 2012

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Dit document is tevens te verkrijgen in de Nederlandse taal op onze website; [www.mfa.nl/can](http://www.mfa.nl/can).