# Am I at risk of automatically losing my Dutch nationality? How can I make sure that doesn't happen?

If you are a Dutch national and you acquire another nationality, or if you already have another nationality in addition to Dutch, you could be at risk of automatically losing your Dutch nationality. Read the information below carefully.

Dutch nationality is a broad topic. This document covers only the automatic loss of Dutch nationality by adults. You can find information about the revocation of Dutch nationality by the authorities and about regaining Dutch nationality on the central government website under the topic 'Dutch nationality'.

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1. Situation 1. You have voluntarily acquired another nationality. Do you automatically lose your Dutch nationality?

Under Dutch law, when you voluntarily acquire another nationality you automatically lose your Dutch nationality. You are then no longer a Dutch national. This applies regardless of whether you live in or outside the Netherlands.

#### Example

Anneke has Dutch nationality. At the age of 40 she moved to France. At the age of 55 she still lives in France, and she acquires French nationality. Anneke automatically loses her Dutch nationality by voluntarily acquiring another nationality.

#### Three exceptions to the rule

There are three situations in which the above rule does not apply. You do not lose your Dutch nationality if:

1. You were born in the country of your new nationality and have your main residence there when you acquire the new nationality.

#### Example

Dwight has Dutch nationality. He was born in Suriname in 1953. In 2007 he left the Netherlands to live in Suriname and in 2016 he applies for and is granted Surinamese nationality. Dwight retains his Dutch nationality because he acquired the nationality of the country in which he was born and in which he also lived at the time he acquired the new nationality.

2. You had your main residence in the country of your new nationality for an uninterrupted period of five years before reaching the age of 18.

#### Example

Ronald has Dutch nationality. When he was 8 years old he moved with his parents from the Netherlands to Switzerland. At the age of 23 he acquires Swiss nationality. Ronald retains his Dutch nationality because he lived in Switzerland for an uninterrupted period of at least five years as a minor.

3. You voluntarily acquire the nationality of your spouse or registered partner. On the day you acquire the other nationality you must be married or in a registered partnership with someone who has that nationality.

#### Example

Rose has Dutch nationality. She is married to Felix, who has Brazilian nationality. Rose applies for and is granted Brazilian nationality. She retains her Dutch nationality because she acquired the nationality of her spouse.

Please note: Even if you are exempt under Dutch law from automatically losing your Dutch nationality, the country of your new nationality may still require you to renounce it. To do that you must submit a declaration of renunciation of Dutch nationality to the Dutch authorities. You will then no longer be a Dutch national. Before acquiring a new nationality find out from the country in question whether this requirement applies. Suriname requires its nationals to renounce their Dutch nationality, for example.

#### The three exceptions do not apply to Austria

If you are applying for Austrian nationality, the three exceptions mentioned above do not apply. As a result of a treaty between the Netherlands and Austria, Dutch nationality is always lost.

**Please note:** The Netherlands previously had a similar agreement with Norway. However, Norway terminated the agreement on 19 December 2019 and the current Dutch law now applies.

#### Example

- om has Dutch nationality. He was born in Austria in 1953. In 2007 he left the Netherlands to live in Austria and in 2016 he applies for and is granted Austrian nationality. Tom automatically loses his Dutch nationality on the basis of the agreement between the Netherlands and Austria.
- 2. Mark has Dutch nationality. When he was 8 years old he moved with his parents from the Netherlands to Austria. At the age of 23 he acquires Austrian nationality. Mark automatically loses his Dutch nationality on the basis of the agreement between the Netherlands and Austria.
- 3. Lisa has Dutch nationality. She is married to Hans, who has Austrian nationality. Lisa applies for and is granted Austrian nationality. She automatically loses her Dutch nationality on the basis of the agreement between the Netherlands and Austria.

2. Situation 2. As an adult you have lived outside the Kingdom of the Netherlands (the Netherlands, Aruba, Curação and St Maarten) and outside the European Union for at least 13 years. Do you automatically lose your Dutch nationality?

As of 1 April 2022, under Dutch law you automatically lose your Dutch nationality if: :

- after reaching the age of 18, you live for at least 13 years outside the Netherlands, Aruba, Curaçao and St Maarten, and outside the European Union, and
- during those 13 years you also have another nationality.

#### Example

Ayhan was born in the Netherlands in 1988. He has had Dutch and Turkish nationality since birth. In 2014, at the age of 26, he moved to South Africa. Ayhan is at risk of automatically losing his Dutch nationality in 2027, 13 years from the day he moved.

## Period before automatic loss of Dutch nationality extended from 10 to 13 years

From 1 April 2003 to 31 March 2022, you were at risk of automatically losing your Dutch nationality after living outside the Kingdom of the Netherlands and the European Union for 10 years. If the 10-year period ended before 1 April 2022 and you had not taken steps to retain your Dutch nationality, you lost your Dutch nationality. If the 10-year period started before 1 April 2022, but ends after this date, you have an additional three years to take action before you automatically lose your Dutch nationality.

#### Example

Pieter was born in 1968. He has had Dutch and Finnish nationality since birth. In May 2014, at the age of 46, he moved to Canada. Originally he would have been at risk of automatically losing his Dutch nationality 10 years after moving abroad, so in May 2024. However, because this date falls after the change which entered into effect on 1 April 2022, Pieter has an additional three years, until May 2027, to take action to avoid automatically losing his Dutch nationality.

#### Exception to the rule

The above rule does not apply to you if you live abroad because:

- you work for the government of the Netherlands, Aruba, Curaçao or St Maarten or for an international organisation in which the Kingdom of the Netherlands is represented, or
- you are the spouse or registered partner of someone who works for such an employer, or
- you are the unmarried partner of someone who works for such an employer, and you are in a long-term relationship with and live together with this person.

#### Example

Fatih was born in the Netherlands in 1986. He has had Dutch and Turkish nationality since birth. In 2012, at the age of 26, he moved to South Africa with his registered partner, who works for the Dutch Ministry of Foreign Affairs. Fatih is not at risk of automatically losing his Dutch nationality after living abroad for an extended period of time because (and so long as) his registered partner works for the Dutch government.

#### Important

The 13-year period stops in the following situations:

- 1. You live for more than one year in the Netherlands, Aruba, Curação or St Maarten, or in the European Union, or
- 2. You apply for and are issued a valid Dutch passport, or
- 3. You apply for and are issued a valid Dutch identity card, or
- 4. You apply for and are issued a certificate of Dutch nationality. This is a certificate issued under section 15, subsection 4 of the Netherlands Nationality Act, which deals with the possession of Dutch nationality. You can find more information about this on the central government website.

#### New 13-year period begins

A new 13-year period begins when you receive one of the abovementioned documents or if you re-establish residence outside the Netherlands, Aruba, Curaçao, St Maarten or the European Union. You are advised to always have a valid Dutch passport, valid identity card or a certificate of Dutch nationality.

#### Example

Rachida was born in the Netherlands in 1990. She has had Dutch and Moroccan nationality since birth. In 2011, at the age of 21, she moved to Morocco. That means that she will be at risk of automatically losing her Dutch nationality 10 years from 2011. She continues to live in Morocco. On 20 July 2020 she is issued a new Dutch passport. That means that on 20 July 2020 the clock resets. As of 1 April 2022 the 10-year period was extended to 13 years. Rachida is at risk of automatically losing her Dutch nationality 13 years from when her new passport was issued, so on 20 July 2033.

# 3. Situation 3. A combination of situations 1 and 2

If you have lived for an extended period outside the Netherlands, Aruba, Curação and St Maarten, and also outside the EU, situations 1 and 2 may both apply to you.

#### Example

Gerard was born in the Netherlands in 1981 and has Dutch nationality. In 2006 he married Susan, who has New Zealand nationality. Since 2007 the couple has lived in New Zealand. In 2013 Gerard applied for and was granted New Zealand nationality. When he did that he retained his Dutch nationality because he acquired the nationality of his spouse (situation 1). However, Gerard is at risk of losing his Dutch nationality 13 years after acquiring his New Zealand nationality

(situation 2). That is because he has dual nationality and is living long-term outside the Kingdom of the Netherlands and the European Union. Gerard can avoid losing his Dutch nationality by ensuring he always has a valid Dutch passport, a valid Dutch identity card or a certificate of Dutch nationality.

#### 4. Loss of EU citizenship

Losing your Dutch nationality may also mean the loss of your EU citizenship. This is the case if you lose your Dutch nationality and do not have the nationality of another EU member state. If this happens to you and you want to regain your Dutch nationality, as of 1 April 2022 you can submit an application for Dutch nationality by option. Part of the application process involves an assessment of whether you were disproportionally affected by the loss of your Dutch nationality/EU citizenship. You must provide evidence to prove how the loss of your EU citizenship disproportionately affected you at the time you lost it. You can find more information about this on the IND website.

### Additional grounds for loss of Dutch nationality

This document sets out the various ways in which you can automatically lose your Dutch nationality.

The Dutch government can also **revoke** your Dutch nationality. You can find more information about this on the <u>central government</u> website

#### 6. More information

#### www.government.nl

You'll find information about many government-related topics on the central government website. If you can't find the answer to your question on this site, you can contact the Public Information Service by phoning 1400 (local calling charges apply) Monday to Friday between 8.00 and 20.00. From outside the Netherlands, phone +31 (0)70 2140 214. Or you can email us your question using the contact form on our website.

You can also find more information about acquiring and regaining Dutch nationality on the central government website.

#### Immigration and Naturalisation Service (IND)

You can also find information about Dutch nationality on the IND website.

#### **Legal Aid and Advice Centre**

You can contact the Legal Aid and Advice Centre for legal information and advice. To find out whether there is a Legal Aid and Advice Centre near you, call 0900-8020 (from the Netherlands only, €0.10 per minute), or go to the Legal Aid and Advice Centre website (in Dutch).

This factsheet was published by the:

Ministry of Justice and Security

Postbus 20301 | 2500 eh  $\,$  The Hague | The Netherlands

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April 2022 | 22400678