

99099008037005, 99099008037005

Request clarification of the non-existence of an option obligation

Heruntergeladen am 05.06.2025

<https://fimportal.de/xzufi-services/121384151/L100002>

Modul	Sachverhalt
Leistungsschlüssel	99099008037005, 99099008037005
Leistungsbezeichnung I	Request clarification of the non-existence of an option obligation
Leistungsbezeichnung II	Request clarification of the non-existence of an option obligation
Typisierung	1 - Bund: Regelung und Vollzug, 3b - Bundesaufsichtsverwaltung: Regelung, Land: Ausführungsvorschriften, Kommune: Vollzug
Quellredaktion	Nordrhein-Westfalen
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Staatsangehörigkeit (099)
Verrichtungskennung	Feststellung (037)

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SDG-Informationsbereich	Voraussetzungen für die Einbürgerung von Staatsangehörigen eines anderen Mitgliedstaats
Lagen Portalverbund	Einwanderung (1080100), Einbürgerung (1080300)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	08.02.2022
Fachlich freigegeben durch	Ministry of the Interior and for Municipal Affairs of the State of Brandenburg
Handlungsgrundlage	https://www.gesetze-im-internet.de/stag/_29.html
Teaser	German citizenship: Determination of the continued existence of German citizenship for children born in Germany within the framework of the option obligation
Volltext	<p>Since the possession of several nationalities is only possible in exceptional cases, if you possess other nationalities in addition to the German nationality acquired at birth in Germany, you must in principle declare after reaching the age of 21 whether you wish to retain the German or the foreign nationality (option procedure).</p> <p>Before you reach the age of 21, you can apply to the nationality authority for binding official proof that you are not subject to an option in Germany and that you do not have to declare after you reach the age of 21 whether you wish to retain the German nationality or the foreign nationalities of the nationalities you acquired at birth in Germany.</p> <p>The citizenship authority determines the continued existence of German citizenship, among other things, if you have grown up in Germany. You are considered to have "grown up in Germany" if you have</p> <ul style="list-style-type: none"> • have or had your center of life in Germany for eight years, • have attended school in Germany for six years • have a school-leaving qualification obtained in Germany or have completed vocational training in Germany, or

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• in addition to German citizenship, you have only acquired citizenship of other member states of the European Union or Switzerland by birth.

If the citizenship authority approves your application, it will issue you with a written decision. You then do not need to do anything further and will retain your German citizenship even if you do not give up your foreign citizenships.

If, in addition to your German citizenship, you only have the citizenship of another member state of the European Union or the citizenship of Switzerland, it is obvious to public authorities in Germany that you are not subject to the option requirement. You should then check whether you really have reason to apply for the determination anyway.

Erforderliche Unterlagen

- Fully completed application form
 - Proof of identity (valid German passport or identity card)
 - Proof of acquisition of German citizenship by birth and current possession of German citizenship: birth certificate, citizenship certificate if applicable
 - Proof of possession of foreign citizenship: foreign identity documents (passport, citizenship certificates), if necessary also for the parents
 - Proofs for the non-existence of an option obligation:
 - School reports proving that the applicant has attended school in Germany for at least six years, or
 - Certificates of a school-leaving qualification obtained in Germany or of vocational training completed in Germany.

Voraussetzungen

- You have not yet reached the age of 21.
- You have acquired German citizenship by birth in Germany in addition to at least one foreign citizenship established by descent from your parents.
- You are currently in possession of German citizenship; it must not have been lost after your birth, for example, through the acquisition of another citizenship by application.
- You are considered to have "grown up in Germany",

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	<p>that is,</p> <ul style="list-style-type: none"> • You have or had your center of life in Germany for eight years, • You have attended school in Germany for six years, • you have obtained a school leaving certificate or completed vocational training here, or • In addition to German citizenship, you only have EU citizenship or Swiss citizenship.
Kosten	The declaratory decision is free of charge.
Verfahrensablauf	<ul style="list-style-type: none"> • You must apply to the competent citizenship authority for a determination of the continued existence of German citizenship (non-existence of an option obligation). • For your application, use the application form provided by the citizenship authority for download or sent to you on request. • Submit the completed application form with all required documents (see "Required documents") in clearly legible copies (on white paper, DIN A4) to the citizenship authority. • After receipt of the application documents, the citizenship authority will contact you. You do not need to do anything else before that • In the course of the procedure, the citizenship authority will ask you to submit the original documents for verification; the documents will then be returned to you. • If it is determined that you are not subject to the option requirement, you will be issued a notice of continued German citizenship.
Bearbeitungsdauer	The duration of the application processing depends, among other things, on the factual correctness of your information, the completeness of your application documents and the current capacities of the citizenship authority.
Frist	The notice of continued German citizenship (non-existence of an option obligation) is issued once and should therefore be kept securely and permanently. It will not be reissued if it is lost.
weiterführende Informationen	https://www.bva.bund.de/DE/Services/Buerger/Ausweis-Dokumente-Recht/Staatsangehoerigkeit/Optionsverf

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ahren/Optionsverfahren_node.html

Hinweise
Rechtsbehelf
Kurztext

- German nationality Determination of the continued existence of German nationality for children born in Germany within the framework of the option obligation.
 - In principle, persons who possess other foreign nationalities in addition to their German nationality (acquired at birth in Germany) must declare which nationality they wish to retain after reaching the age of 21 (option obligation). Possession of more than one nationality is only possible in exceptional cases.
 - Before reaching the age of 21, an application can be made for exemption from the option obligation and for a determination of the continued existence of German citizenship.
 - The citizenship authority determines the continued existence of German citizenship, among other things, if the applicant has grown up in Germany, that is:
 - has had or has had his or her center of life in Germany for eight years,
 - attended school in Germany for six years
 - has a school-leaving certificate acquired in Germany or has completed vocational training in Germany, or
 - in addition to German citizenship, has acquired by birth only citizenships of other member states of the European Union or Switzerland.
 - With the determination of the non-existence of the option obligation, an option procedure does not have to be carried out and the German citizenship can continue while retaining the other citizenships.
 - The determination is made free of charge by means of a written decision.
 - Responsible: the German citizenship authority responsible for the place of habitual residence (center of life) of the applicant.

Ansprechpunkt
Zuständige Stelle

The application shall be processed by the nationality authority responsible for the place of habitual

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	residence of the applicant.
Formulare	Personal appearance required: Yes
Ursprungsportal	Klärung des Nichtbestehens einer Optionspflicht beantragen, Request clarification of the non-existence of an option obligation