

99099008037005

Option obligation

Heruntergeladen am 05.06.2025

<https://fimportal.de/xzufi-services/199014020/L100039>

Modul	Sachverhalt
Leistungsschlüssel	99099008037005
Leistungsbezeichnung I	Option obligation
Leistungsbezeichnung II	Option obligation
Typisierung	1 - Bund: Regelung und Vollzug, 3b - Bundesaufsichtsverwaltung: Regelung, Land: Ausführungsvorschriften, Kommune: Vollzug
Quellredaktion	Rheinland-Pfalz
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	
Verrichtungskennung	Feststellung (37)
SDG-Informationsbereich	Voraussetzungen für die Einbürgerung von Staatsangehörigen eines anderen Mitgliedstaats
Lagen Portalverbund	Einwanderung (1080100), Einbürgerung (1080300)
Einheitlicher	

Modul	Sachverhalt
Ansprechpartner	Nein
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	https://www.gesetze-im-internet.de/stag/index.html#BJNR005830913BJNE002704377 https://www.gesetze-im-internet.de/stag/index.html#BJNR005830913BJNE002704377
Teaser	
Volltext	<p>Germans who have received German citizenship either automatically or under a transitional arrangement **due to their birth** in Germany and who also have a foreign citizenship may be obliged to choose between their citizenships (opt) from the age of 21.</p> <p>This **does not** apply to Germans who have acquired German citizenship by **descent**.</p> <p>Due to a new legal regulation, since 20.12.2014 the obligation to opt no longer arises when acquiring German nationality by birth if</p> <p>\- there is no foreign nationality other than the nationality of another member state of the European Union or Switzerland or \- if the person grew up in Germany.</p> <p>A person has grown up in Germany if they have lived in Germany for eight years up to the age of 21 \- has lived in Germany for eight years or \- attended school here for six years or \- has obtained a school-leaving certificate in Germany or \- has completed vocational training in Germany.</p> <p>If you have not grown up in Germany, but cannot give up your foreign citizenship for legal or factual reasons, or if giving it up would be unreasonable, a retention permit will be issued on application. As a result, the option obligation no longer applies.</p>

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****Re-naturalization****

If German citizenship was given up or lost before 20.12.2014 due to the previous option regulation, there is generally the possibility of re-naturalization if no option obligation would have arisen under the new regulation.

****Re-acquisition of foreign citizenship****

If foreign citizenship was renounced before 20.12.2014, it is generally possible to obtain permission to reacquire it if no option obligation would have arisen under the new regulations.

Erforderliche Unterlagen

Voraussetzungen

You can submit an application to your citizenship authority at any time so that an official determination can be made as to whether you are subject to the option requirement.

However, this is not necessary: If the authority cannot determine from the registration data whether you grew up in Germany, you will be informed in writing and given the opportunity to provide evidence.

You should respond to this. If you can provide evidence, such as a German school-leaving certificate, you will not be required to submit an option. If you have any questions about the letter, you can contact your citizenship authority for advice.

Kosten

The option procedure is ****free of charge****.

In the case of re-naturalization or the granting of a retention permit to former option holders, the citizenship authority decides whether a fee will be charged due to the administrative effort involved.

Verfahrensablauf

In many cases, the registration file is already used to determine whether the option obligation no longer applies. No application is required for this. The determination is made ex officio and is noted in the registration register.

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If it is not possible to determine this on the basis of the registration data, the person concerned will be informed and given the opportunity to submit evidence.

If the matter has not been clarified by the time the person reaches the age of 21, the citizenship authority will formally write to the person concerned and draw their attention to the option obligation. The obligation to opt arises upon delivery of this letter. This letter explains the steps to be taken and the deadlines to be observed.

If no letter from the authorities has been delivered by the 22nd birthday, the option obligation can no longer arise. This means that it is not necessary to decide between German and foreign citizenship. Dual nationality can continue to exist.

****Re-naturalization or re-acquisition of foreign citizenship****

Upon application, the competent citizenship authority will check whether the requirements are met. On request, a consultation will be held before an application is submitted.

Bearbeitungsdauer

Frist

If you receive a letter in which the citizenship authority asks you to submit proof that you no longer have the option obligation, you should respond or take advantage of the advice offered. As soon as you receive a formal letter informing you of your obligation to make a declaration, you become subject to the option obligation. This letter explains what steps are necessary and what you must or can do. It is important to observe the deadlines stated in the letter so that you do not lose your German citizenship. If you have not received a formal notification letter by your 22nd birthday, you can no longer become subject to the option.

weiterführende

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Informationen	
Hinweise	<p>Further information on the option obligation can be found in the brochure "Questions and answers on naturalization" and on:</p> <p>https://einbuengerung.rlp.de/</p> <p>https://einbuengerung.rlp.de/einbuengerungsbroschue re/</p> <p>https://einbuengerung.rlp.de/</p> <p>https://einbuengerung.rlp.de/einbuengerungsbroschue re/</p>
Rechtsbehelf	
Kurztext	
Ansprechpunkt	<p>If the place of residence is in a district, the competent citizenship authority is the district administration. In independent cities, the city administration is responsible.</p>
Zuständige Stelle	
Formulare	
Ursprungsportal	Option obligation, Optionspflicht