

99099008037005, 99099008037005

# Request clarification of the non-existence of an option obligation

Heruntergeladen am 05.06.2025

<https://fimportal.de/xzufi-services/450685668/L100040>

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	Niedersachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Staatsangehörigkeit (099)
Verrichtungskennung	Feststellung (037)

Modul	Sachverhalt
SDG-Informationsbereich	Voraussetzungen für die Einbürgerung von Staatsangehörigen eines anderen Mitgliedstaats
Lagen Portalverbund	Einbürgerung (1080300), Einwanderung (1080100)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	07.04.2022
Fachlich freigegeben durch	Lower Saxony Ministry of the Interior and Sports
Handlungsgrundlage	<a href="https://www.gesetze-im-internet.de/stag/_29.html">https://www.gesetze-im-internet.de/stag/_29.html</a>
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 have other nationalities in addition to the German citizenship you acquired in Germany at birth, you must generally declare after reaching the age of 21 whether you wish to retain German or foreign citizenship (option procedure).</p> <p>Before you reach the age of 21, you can apply to the citizenship 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 have reached the age of 21 whether you want to retain your German citizenship or foreign citizenship from the nationalities you acquired when you were born in Germany.</p> <p>Among other things, the citizenship authority determines the continued existence of German citizenship if you grew up in Germany. You are considered to have "grown up in Germany" if you</p> <ul style="list-style-type: none"> <li>• have or have had their centre of life in Germany for eight years,</li> <li>• have attended school in Germany for six years,</li> <li>• have a school-leaving certificate or vocational training completed in Germany, or</li> <li>• have a comparably close connection to Germany</li> </ul>

## Modul

## Sachverhalt

and the option obligation would mean a particular hardship for you in individual cases.

If the citizenship authority approves your application, it will give you a written decision. You do not need to do anything else and retain your German citizenship even if you do not renounce your foreign citizenship.

If, in addition to 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 an option. 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.
  - In addition to at least one foreign citizenship established by descent from your parents, you have acquired German citizenship by birth in Germany.
  - You are currently in possession of German citizenship; it must not have been lost after your birth, for example by applying for another nationality.
  - They are considered to have "grown up in Germany", i.e.
    - You have or have lived in Germany for eight years,
    - You attended school in Germany for six years,
    - You have obtained a school-leaving certificate or

Modul	Sachverhalt
	<p>completed vocational training here, or</p> <ul style="list-style-type: none"> <li>• You have a comparably close connection to Germany and the option obligation would mean a particular hardship for you in individual cases.</li> </ul>
Kosten	The declaratory decision is free of charge.
Verfahrensablauf	<ul style="list-style-type: none"> <li>• You must apply for the determination of the continued existence of German citizenship (non-existence of an option obligation) at the competent citizenship authority.               <ul style="list-style-type: none"> <li>• To submit your application, please use the application form provided for download by the citizenship authority or sent to you on request.</li> <li>• Submit the application form you have completed in full with all the required supporting documents (see "Required documents") in legible copies (on white paper, DIN A4) to the citizenship authority.</li> <li>• Upon receipt of the application documents, the citizenship authority will contact you. You don't need to do anything else before that</li> <li>• In the course of the procedure, the nationality authority will ask them to submit the original documents to them for verification; they will then receive the documents back.</li> <li>• If it is determined that you are not subject to an option, you will be issued with a notice of continued German citizenship.</li> </ul> </li> </ul>
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	
Hinweise	
Rechtsbehelf	Appeal before the Administrative Court

**Modul**
**Sachverhalt**
**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**
**Formulare**

Personal appearance required: Yes

**Ursprungsportal**

Klärung des Nichtbestehens einer Optionspflicht beantragen, Request clarification of the non-existence of an option obligation