



## Law on Nationality

### On this site

- Overview of amendments
- Provisions for foreigners living in Germany
- Provisions for Germans abroad



### Overview of amendments

The German rules on citizenship were thoroughly revised with the entry into force of the amended Nationality Act (Staatsangehörigkeitsgesetz) on 1 January 2000. The rules underwent another lesser revision with the entry into force of the Immigration Act (Zuwanderungsgesetz) on 1 January 2005.

Here you can find information on the main issues covered by the new legislation.

### Provisions for foreigners living in Germany

Children born in Germany to foreign parents may acquire German nationality if certain conditions are met. They must however decide between the ages of 18 and 23 whether to retain their German nationality or the nationality of their parents.

Pursuant to section 7 of the Nationality Act, repatriates returning to Germany in or after 1993 automatically acquire German nationality upon receipt of the papers issued under section 15 of the Federal Expellees Act after they arrive in Germany.

As a general rule, foreigners now have the right to become naturalized after eight years of habitual residence in Germany, provided they meet the relevant conditions, instead of the fifteen years previously required. The minimum period of residence for spouses of German nationals is usually shorter. For naturalization, it is necessary to prove adequate knowledge of German. A clean record and commitment to the tenets of the Basic Law (Constitution) are further criteria. The person to be naturalized must also be able to financially support him/herself.

The aim of avoiding multiple nationality remains a key feature of the German law on nationality. In general, those applying for naturalization must give up their foreign nationality. However, in contrast to the old rules, there are generous exceptions which allow applicants to retain their old nationality. These apply for example to elderly persons and victims of political persecution. Applicants may also keep their nationality if it is legally impossible for them to renounce it or if they cannot be expected to do so, e.g. because of the excessive cost or degrading procedures used. The same is true if renouncing the foreign nationality would bring serious disadvantages, especially economic disadvantages or problems with property and assets. The rules have also been relaxed for the citizens of most EU countries.

The text of the law, as well as statistics on the foreign population in Germany, can be found on the website of the Federal Government Commissioner for Migration, Refugees and Integration. Further details concerning nationality law are available on the website of the Federal Ministry of the Interior, the government agency responsible for legislative reforms in the field.

If you are a foreigner living in Germany and have questions about acquiring German nationality, please contact the local authority in the town or district in which you reside.

- [Text of Nationality Act](http://www.bmi.bund.de/Internet/Content/Common/Anlagen/Gesetze/Staatsangehoerigkeitsgesetz_englisch.templateId=raw.property=publicationFile.pdf/Staatsangehoerigkeitsgesetz_englisch.pdf) [[http://www.bmi.bund.de/Internet/Content/Common/Anlagen/Gesetze/Staatsangehoerigkeitsgesetz\\_englisch.templateId=raw.property=publicationFile.pdf/Staatsangehoerigkeitsgesetz\\_englisch.pdf](http://www.bmi.bund.de/Internet/Content/Common/Anlagen/Gesetze/Staatsangehoerigkeitsgesetz_englisch.templateId=raw.property=publicationFile.pdf/Staatsangehoerigkeitsgesetz_englisch.pdf)]
- [Commissioner for Migration, Refugees and Integration \(In German\)](http://www.integrationsbeauftragte.de/) [<http://www.integrationsbeauftragte.de/>]

### Provisions for Germans abroad

The Federal Foreign Office played a decisive role in the reform of the law on nationality, for the very good reason that this reform does not just affect foreigners living in Germany, but also Germans living abroad. The most important provisions for Germans living abroad are:

Children born abroad to one or more German parents who themselves were born abroad on or after 1 January 2000 (entry into force of the revised Nationality Act), will in principle no longer acquire German nationality. The only exceptions to this rule are if the child would otherwise be stateless or if the German parent(s) register(s) the birth with the German mission responsible for where they live within one year of the birth of the child (section 4 (4) of the Nationality Act).

It is now easier for people who have lost their German nationality by choosing to acquire a foreign nationality (section 25 of the Nationality Act) to re-acquire their German nationality provided they move back to Germany and fulfil certain other conditions.

Former Germans may also re-acquire German nationality without having to give up their place of residence abroad. In such cases, the opinion of the local German mission abroad carries considerable weight (section 13 of the Nationality Act).

Foreigners can also be naturalized whilst living abroad, provided they have special ties with Germany to justify it (section 14 of the Nationality Act).

It is now easier for Germans who acquire a foreign nationality to retain their German nationality. Pursuant to section 25 (2) of the Nationality Act, both public and private interests must be weighed up when deciding whether to allow someone to keep their German nationality. In the case of Germans living abroad, a key factor to be considered is whether they still have ties with Germany, such as close relatives or property in the country. Please note that permission to retain German nationality must be obtained before acquiring the new nationality.

German nationals who voluntarily enter the forces or comparable armed groups of a state of which they are also a national without the consent of the relevant German authorities automatically lose their German nationality.

People living abroad should contact their German mission if they have any questions about the new rules and their impact.

- [Websites of the German Missions abroad](#)

Last updated 16.02.2006

---

© 1995-2010 Auswärtiges Amt