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<b>Comments</b>	The Act was adopted on 19 December 1984, and entered into force on 1 January 1985. Some provisions of the Act have changed as of 1 April 2003; these changes are unfortunately not reflected in this translation.

## Netherlands Nationality Act

### CHAPTER 1 - General Provisions

#### Section 1

##### 1. For the purposes of this Act:

- A. Our Minister means Our Minister of Justice of the Kingdom;
- B. person of full age means a person who has attained the age of eighteen or has married before attaining that age;
- C. mother means the woman who bore the child in question;
- D. father means the man with whom the child has lineal consanguinity of the first degree, other than by adoption;
- E. alien means a person who does not possess Netherlands nationality;
- F. stateless person means a person who is not regarded as a national citizen by any State under its legislation;
- G. admission: permission by the competent authority with respect to a durable place of residence of the alien in the Netherlands, the Netherlands Antilles or Aruba;
- H. principalplace of residence: the place where a person has his or her actual domicile.

2. Without prejudice to the application of Section 15A under a ofthis Act, a spouse must also be taken to mean the partner in a partnership registered in the Netherlands, and marriage must also be taken to mean the partnership registered in the Netherlands.

#### Section 2

1. Unless the Act provides otherwise, Netherlands nationality shall not be acquired or lost retroactively.

2. Declarations and applications by minors must be made or submitted by their statutory representatives.

3. The child, provided it has reached the age of twelve years, and its statutory representative are provided with the opportunity, at their request, to express their views regarding the acquisition or co-acquisition of Netherlands nationality. If the representation of the child is conferred on one of the parents by operation of law, the other parent may submit the same application. If both the child and its statutory representative or the other parent have objections against the co-acquisition, the child shall not acquire Netherlands nationality

## CHAPTER 2 - Acquisition of Netherlands nationality by Law

### Section 3

1. A child shall be a Netherlands national if the father or mother is a Netherlands national at the time of its birth, or if a Netherlands national who dies before its birth.
2. A foundling found in the territory of the Netherlands, the Netherlands Antilles or Aruba, or on a sea-going vessel or aircraft registered in the Netherlands, the Netherlands Antilles or Aruba shall be deemed to be the child of a Netherlands national unless it becomes apparent within five years of the day on which it was found that the child possesses a foreign nationality by birth.
3. A child shall be a Netherlands national if it is born to a father or mother who has his or her principal place of residence in the Netherlands, the Netherlands Antilles or Aruba at the time of its birth and who was born to a father or mother who himself or herself had his or her principal place of residence in one of those countries at the time of its birth, provided that the child has its principal place of residence in the Netherlands, the Netherlands Antilles or Aruba at the time of its birth.

### Section 4

1. In derogation of Section 3, the child of a person whose fatherhood is ascertained judicially shall acquire Netherlands nationality if the child is a minor on the day of the judgment in the first instance and the father was a Netherlands national on the day referred to in the next sentence, or, if the latter has died and was a Netherlands national on the day of his decease. If it concerns a Netherlands judgment, the child shall acquire Netherlands nationality on the first day following a period of two months after the day of the judgment in the first instance or, if an appeal is instituted within this period, two months after the day of the judgment on appeal, and/or, if an appeal is taken to the Supreme Court within this latter period, on the day of the judgment in cassation. If it concerns a judgment of a foreign court, the child shall acquire Netherlands nationality on the day on which this judgment becomes final and conclusive.
2. The children of a minor who has acquired Netherlands nationality pursuant to the first subsection shall also acquire Netherlands nationality.

### Section 5

1. A child shall become a Netherlands national if it is adopted in the Netherlands, the Netherlands Antilles or Aruba pursuant to a judicial decision, provided that the child was a minor on the day of the judgment in the first instance and that at least one of the adoptive parents is a Netherlands national on the day referred to in the next sentence. The child shall acquire Netherlands nationality on the first day following a period of two months after the day of the judgment in the first instance or, if an appeal is instituted within this period, two months after the day of the judgment on appeal, and/or, if an appeal is taken to the Supreme Court within this latter period, on the day on which this judgment becomes final and conclusive.
2. A child shall also acquire Netherlands nationality if it is adopted abroad pursuant to a decision of a competent local authority in accordance with the Convention concluded on 29 May 1993 in The Hague, the Netherlands, for the protection of children and cooperation in respect of inter-country adoption, if and when the following requirements are met:
  - a. the adoption is concluded in accordance with the aforementioned convention, and

- b. the previously existing family-law relationships cease to exist as a result of this adoption, and
- c. at least one of the adoptive parents is a Netherlands national on the day on which the judgment becomes final and conclusive, and
- d. the child was a minor on the day of the judgment in the first instance.

3. A child shall also acquire Netherlands nationality if it is adopted in accordance with the Convention, concluded on 29 May 1993 in The Hague, the Netherlands, for the protection of children and cooperation in respect of inter-country adoption by an adoption that does not result in the cessation of previously existing family-law relationships, which adoption is converted into an adoption under the law of the Netherlands, the Netherlands Antilles or Aruba by a judicial decision in accordance with Section 27 of the aforementioned convention, if the following requirements are met:

- a. the adoption is concluded in accordance with the aforementioned convention, and
  - b. at least one of the adoptive parents is a Netherlands national on the day after a period of two months since the judgment in respect of the conversion in the first instance or on appeal has expired without an appeal or appeal in cassation being lodged, and/or, if an appeal in cassation is taken to the Supreme Court, on the day of the judgment in cassation, and
  - c. the child was a minor on the day of the judgment in respect of the conversion in the first instance.
4. The child of the person who acquires Netherlands nationality by adoption shall also acquire Netherlands nationality.

### CHAPTER 3 - Acquisition of Netherlands Nationality by Option

#### Section 6

1. After making a written declaration to that effect, the following persons shall acquire Netherlands nationality by a confirmation referred to in the second subsection:
- a. An admitted alien who is of full age and who was born in the Netherlands, the Netherlands Antilles or Aruba and has his or her principal place of residence there since his or her birth;
  - b. an alien who was born in the Netherlands, the Netherlands Antilles or Aruba and has been admitted to and who has had his or her principal place of residence there during a continuous period of at least three years and is stateless since his or her birth;
  - c. an alien who as a minor was recognized by a Netherlands national or had become the child of a Netherlands national by legitimation without recognition and before coming of age had been raised and cared for during a continuous period of at least three years by the Netherlands national by whom he or she is recognized or whose child he or she has become by legitimation;
  - d. an alien who as a minor comes under the joint custody of persons of whom at least one is a Netherlands national by a decision of a Netherlands court, provided that he or she after the custody is granted and before he or she comes of age has been raised and cared for during a continuous period of at least three years by this Netherlands national, and provided that he or she does not have his or her principal place of residence in the

country of which he or she is a subject;

e. an alien who is of full age and who has been admitted to and has his or her principal place of residence in the Netherlands, the Netherlands Antilles or Aruba since attaining the age of four;

f. an alien who is of full age and who has at some time possessed either Netherlands nationality or the status of Netherlands subject without Netherlands nationality and during a minimum period of one year had been admitted for an indefinite period of time to and had his or her principal place of residence in the Netherlands, the Netherlands Antilles or Aruba unless he or she has lost Netherlands nationality pursuant to Section 15 first subsection under d;

g. an alien who for a minimum period of three years is married to a Netherlands national and has been admitted to and has his or her principal place of residence in the Netherlands, the Netherlands Antilles or Aruba during a continuous period of at least fifteen years;

h. an alien who has reached the age of sixty-five years and has been admitted to and has his or her principal place of residence in the Netherlands, the Netherlands Antilles or Aruba during a continuous period of at least fifteen years.

2. The authority who receives the declaration, assesses on the basis of the documents submitted the grounds on which the declaration is based. If the requirements are satisfied, it shall confirm the acquisition of Netherlands nationality in writing.

3. It shall refuse the confirmation if there are grave reasons for believing, on the ground of the behaviour of the person concerned that he or she may constitute a danger to public order, public morals or the security of the Kingdom, unless this is in conflict with international-law obligations.

4. It shall decide within a period of thirteen weeks of the date of receipt of the declaration; this term may be postponed for a maximum period of thirteen weeks on one occasion.

5. If a person to whom the declaration refers, has no surname or forename, or if the correct spelling thereof has not been determined, such names and the spelling thereof shall be established, in consultation with this person, in the confirmation; where necessary, his or her name shall be transliterated into the characters in use in the Kingdom.

6. For the application of the first subsection, opening words and under a and b, the birth on a sea-going vessel or aircraft registered in the Netherlands, the Netherlands Antilles or Aruba is considered equivalent to a birth in the Netherlands, the Netherlands Antilles or Aruba.

7. The minor, non-Netherlands child of the person who makes a declaration to acquire Netherlands nationality shall also acquire Netherlands nationality if it has been admitted to and has its principal place of residence in the Netherlands, the Netherlands Antilles or Aruba since the time at which the declaration was made and provided this is stated for that purpose in the declaration. Children of a child that co-acquires Netherlands nationality shall also acquire Netherlands nationality under the same conditions. A child that has reached the age of sixteen years when the declaration is made shall only co-acquire Netherlands nationality if it explicitly consents to this and provided that no grave reasons exist to suspect him or her in the sense of the third subsection.

## CHAPTER 4 - The Grant of Netherlands Nationality

### Section 7

1. On the recommendation of Our Minister and with due regard to the provisions of this Chapter, We shall grant Netherlands nationality to aliens who request this.
2. With regard to persons who have their principal place of residence in the Netherlands Antilles or Aruba, Our Minister of Justice of the Netherlands Antilles or Our Minister of Justice of Aruba, respectively, shall make recommendations regarding applications.

### Section 8

1. The following applicants only shall be eligible for the grant of Netherlands nationality pursuant to Section 7:
  - a. those who are of full age;
  - b. a person whose residence in the Netherlands, the Netherlands Antilles or Aruba for an unlimited period does not meet with any objection;
  - c. a person who has been admitted to and has had his or her principal place of residence in the Netherlands, the Netherlands Antilles or Aruba for a minimum period of five years immediately preceding their application; and
  - d. a person who may be deemed to have been assimilated into Netherlands, Netherlands-Antillean or Aruban society on the ground that he or she has a reasonable knowledge of the Dutch language to be determined by general administrative order of the Kingdom and/or – if he or she has his or her principal place of residence in the Netherlands Antilles or Aruba – of the language in common use on the island on which he or she has his or her principal place of residence in addition to the Dutch language, and a certain knowledge of the Netherlands, Netherlands-Antillean or Aruban political system and society, and who has also otherwise integrated in society in the Netherlands, the Netherlands-Antilles or Aruba.
2. The first subsection under c shall not apply to an applicant who has at some time possessed either Netherlands nationality or the status of Netherlands subject without Netherlands nationality, or who has been married to and has been living with a Netherlands national for a period of at least three years, or since coming of age has been adopted in the Netherlands, the Netherlands Antilles or Aruba by parents at least one of whom possesses Netherlands nationality.
3. The period referred to in the first subsection under c shall be two years for the person who has been admitted to and has had his or her principal place of residence in the Netherlands, the Netherlands Antilles or Aruba for a total period of at least ten years.
4. The period referred to in the first subsection under c shall be three years for an applicant who has either been living with a Netherlands national in a permanent relationship other than marriage for a continuous period of at least three years or who is stateless.
5. The period referred to in the first subsection under c shall also be three years for an applicant who by recognition or legitimation without recognition has become the child of a Netherlands national. As regards an applicant who was recognized or legitimated when he or she was a minor, the three-year term is reduced by the continuous period immediately preceding his or her coming of age during which he or she was raised and cared for by the Netherlands national by whom he or she was

acknowledged or whose child he or she had become by legitimation without acknowledgement.

6. A general administrative order of the Kingdom laid down pursuant to the first subsection under d does not enter into force until four weeks after the date of publication of the *Staatsblad* in which it is published. Both Houses of the States-General shall be promptly informed of this publication.

#### Section 9

1. An application by an alien who fulfils the conditions laid down in Sections 7 and 8 shall nevertheless be refused if

a. there are grave reasons for believing, on the ground of the behaviour of the applicant that he or she constitutes a danger to public order, public morals or the safety of the Kingdom;

b. the applicant possessing a foreign nationality has not made every effort to renounce that nationality and/or is not prepared to make such effort after his or her naturalization, unless this cannot reasonably be expected of him or her;

c. an applicant to whom one of the exceptions referred to in Section 8 second subsection applies, has his or her principal place of residence in the country of which he or she is a subject.

2. If an applicant has lost Netherlands nationality pursuant to Section 16 first subsection, the application may only be refused on the grounds laid down in the first subsection under a if he or she was convicted for a criminal offence against the safety of the Kingdom or sentenced to a prison term of a minimum period of five years for another criminal offence during the ten years preceding the application.

3. The first subsection, opening words and under b shall not apply to

a. an applicant who is a national of the State that is party to the Second Protocol concluded on 2 February 1993 in Strasbourg concerning the amendment to the Convention for Limiting the Cases of Multiple Nationality and in respect of military obligations in case of multiple nationality (*Tractatenblad* 1994, 265);

b. an applicant who was born in the Netherlands, the Netherlands Antilles or Aruba and who has his or her principal place of residence there at the time of the application;

c. an applicant who had his or her principal place of residence in the Netherlands, the Netherlands Antilles or Aruba for a continuous period of five years before turning eighteen;

d. an applicant who is married to a Netherlands national;

e. an applicant who is acknowledged as a refugee in the Netherlands, the Netherlands Antilles or Aruba.

4. A decision on the application shall be taken within one year of payment of the fee referred to in Section 13 or of the decision to grant an exemption of payment and/or of the receipt of the requested supplement to the application, necessary for its assessment. The decision may be held over for a maximum period of six months on not more than two occasions.

5. Decisions to refuse or hold over applications to grant Netherlands nationality may be taken by Our Minister.

## Section 10

We may, after hearing the Council of State of the Kingdom, grant Netherlands nationality on grounds other than those laid down in Section 8 first subsection, opening words and under a, c and d, Section 9 first subsection, opening words and under c, and the term referred to in Section 11, third, fourth and fifth subsection.

## Section 11

1. The minor, non-Netherlands child of a father or mother who has been granted Netherlands nationality shall also acquire Netherlands nationality provided this has been explicitly stipulated in the decree. The application for co-acquisition shall be submitted together with the application to grant Netherlands nationality.

2. An application by the father or the mother to co-grant Netherlands nationality to a child under 16 years of age shall be granted if the child has been admitted for an unlimited period of time to and had its principal place of residence in the Netherlands, the Netherlands Antilles or Aruba at the time of the application.

3. An application by the father or mother to co-grant Netherlands nationality to a child who reached the age of 16 years at the time of the application shall be granted if the child had been admitted for an unlimited period of time to and had its principal place of business for a continuous period of at least three years immediately preceding the application and to whom no grounds for dismissal apply as referred to in Section 9 first subsection, opening words and under a, including the second subsection of that Section. It shall only acquire Netherlands nationality if it explicit consents to this.

4. Netherlands nationality shall, at its request, be granted to a minor, non-Netherlands child of a father or mother who has acquired Netherlands nationality by option or to whom it is granted, who did not co-acquire Netherlands nationality, provided it had been admitted for an unlimited period of time to and had its principal place of residence in the Netherlands, the Netherlands Antilles or Aruba for a continuous period of at least three years immediately preceding the application. The term for admission for an unlimited period of time and the principal place of residence shall not apply to a child that is born after his parent has submitted the declaration referred to in Section 6 first subsection or the application referred to in Section 7 first subsection. Netherlands nationality is only granted to a child that has reached the age of sixteen years at the time of the application subject to its explicit consent and to whom no grounds for dismissal apply as referred to in Section 9, opening words and under a, including the second subsection of that Section.

5. Netherlands nationality shall, at its request, be granted to a non-Netherlands child of a father or mother who has acquired Netherlands nationality by option or to whom it was granted, that was a minor at the time of the declaration or the application by that parent and who did not co-acquire Netherlands nationality because it had come of age, provided that it had been admitted to and had its principal place of residence in the Netherlands, the Netherlands Antilles or Aruba for a continuous period of at least three years immediately preceding the application and commencing prior to its coming of age and to whom no grounds of dismissal apply as referred to in Section 9 first subsection, opening words and under a, including the second subsection of that Section.

6. The requirement of admission for an unlimited period of time and the principal place of residence of the second and third subsection shall not apply to a minor child of a father or mother who has his or her principal place of residence abroad and who acquires Netherlands nationality by application of the second subsection of Section 8, provided the child forms an actual part of the family of this parent and does not have his or her principal place of residence in the country of which he or she is a national.

7. Children of a child who co-acquires Netherlands nationality shall also acquire Netherlands nationality under the same conditions.

8. For the application of this Section, father or mother must also be taken to mean the adoptive parent, provided the adoption took place in accordance with the rules of Dutch international private law and the adoption had resulted in the cessation of the previously existing family-law relationships.

#### Section 12

1. If the applicant has no surname or forename, or if the correct spelling thereof has not been determined, such names and the spelling thereof shall be established in consultation with the application in the decree granting Netherlands nationality.

2. Where necessary, the name of the applicant shall be transliterated into the characters in use in the Kingdom and it may be changed with the consent of the applicant in the decree granting Netherlands nationality, if this in the interest of his or her assimilation.

#### Section 13

1. Rules shall be laid down by general administrative order of the Kingdom with respect to the fee to be paid for making and handling the declaration by option and the application for granting Netherlands nationality, the cases in which full or partial exemption may be granted and the manner in which payment must be made.

2. Rules shall be laid down by general administrative order of the Kingdom with respect to proof of admission to one of the countries of the Kingdom.

### CHAPTER 5 - Loss of Netherlands Nationality

#### Section 14

1. Our Minister may revoke the decree granting Netherlands nationality if it is based on a false declaration made by the person concerned or fraud and/or on concealment of any fact relevant to this decree. The revocation has retroactive effect to the time of the acquisition or grant of Netherlands nationality. The revocation is not possible following the expiration of a period of twelve years since the decree granting Netherlands nationality. The third sentence shall not apply if the person concerned is convicted for criminal offences referred to in the Criminal Law in Wartime Act (*Wet Oorlogsstrafrecht*), the Torture Convention Implementation Act (*Uitvoeringswet folteringsverdrag*) and the Genocide Convention Implementation Act (*Uitvoeringswet genocideverdrag*).

2. Netherlands nationality is lost by a minor on cessation of the family-law relationship on which it is based pursuant to Sections 3, 4, 5 or 6 first subsection, opening words and under c, and pursuant to Section 4 as it read until the coming into force of the Kingdom Act to amend the Netherlands Nationality Act with respect to the acquisition and the loss of Netherlands nationality of \*, *Staatsblad* \*. The loss referred to in the first sentence shall not occur if the other parent was a Netherlands national at the time of the cessation of that relationship or if this parent was a Netherlands national at the time of his or her death. Nor does the loss occur if Netherlands nationality can also be based on Section 3 third subsection or Section 2 under a of the Netherlands Citizenship and Residence Act (*Wet op het Nederlanderschap en het ingezetenschap*) of 12 December 1892 (*Staatsblad*268).

3. Netherlands nationality may only be lost pursuant to one of the provisions of this chapter.

4. Without prejudice to the case referred to in the first subsection, Netherlands



nationality may not be lost if this would lead to statelessness.

#### Section 15

1. A person who is of full age shall lose his or her Netherlands nationality:
  - a. by acquiring another nationality of his or her own free will;
  - b. by making a declaration of renunciation;
  - c. if he also has a foreign nationality and, after coming of age, he has his or her principal place of residence for a continuous period of ten years, while possessing both nationalities, outside the Netherlands, the Netherlands Antilles and Aruba, and outside the areas to which the European Union Treaty applies, other than in the service of the Netherlands, the Netherlands Antilles or Aruba and/or of an international organization at which the Kingdom is represented, or as the spouse of or as an unmarried person in a permanent relationship living with a person in such a service;
  - d. by Our Minister's revocation of the decree granting Netherlands nationality, which may take place if the person concerned has failed, after his or her naturalization, to make every effort to divest himself of his or her original nationality;
  - e. if he or she, of his or her own free will, takes military service with a foreign power involved in actions against the Kingdom and/or against an alliance of which the Kingdom is a member;
2. The first subsection, opening words and under a, do not apply to the acquirer
  - a. who was born in the country of that other nationality and has his or her principal place of residence there at the time of the acquisition;
  - b. who before coming of age has had his or her principal place of residence in the country of that other nationality for a continuous period of at least five years;
  - c. who is married to a person possessing that other nationality.
3. The period referred to in the first subsection under c is deemed to be interrupted if the person concerned has his or her principal place of residence in the Netherlands, the Netherlands Antilles or Aruba and/or in the areas to which the European Union Treaty applies.
4. The period referred to in the first subsection under c is interrupted by issuing a declaration with respect to the possession of Netherlands nationality and/or a travel document within the meaning of the Passport Act (*Paspoortwet*). A new period of ten years commences as from the day of issue.

#### Section 15a

A person who is of full age shall also lose his or her Netherlands nationality:

- a. if he or she acquires the nationality of a Contracting State to the Convention concluded on 6 May 1963 in Strasbourg concerning the limitation of cases of multiple nationality and military obligations in case of multiple nationality (*Tractatenblad* 1964, no 4) as a result of an explicit declaration of intention by naturalization, option or correction to this and this convention implies that loss. However, the foregoing does not apply if this State is also party to the Second Protocol to amend that Convention (*Tractatenblad* 1994, no 265) and the person involved belongs to one of the categories referred to in Section 15 second subsection;

b. if he or she acquires the Surinam nationality under the Agreement between the Kingdom of the Netherlands and the Republic of Surinam concerning the assignment of nationality concluded on 25 November 1975 in Paramaribo (*Tractatenblad* 1975, no 132).

#### Section 16

1. A minor shall lose his or her Netherlands nationality:

a. by recognition, legitimation or adoption by an alien, if he or she thereby acquires the nationality of the alien or already possesses it;

b. if his or her father or mother acquires another nationality of his or her own free will and the minor thereby also acquires the foreign nationality or already possesses it;

c. if his or her father or mother loses his or her Netherlands nationality pursuant to Section 15 first subsection under b, c or d or pursuant to Article 15A;

d. if he or she acquires the same nationality as his or her father or mother in his or her own right.

For the application of parts b, c and d father or mother must also be taken to mean the adoptive parent from whom the minor acquired Netherlands nationality.

2. The loss of Netherlands nationality referred to in the first subsection shall not occur:

a. if and for as long as the other parent possesses Netherlands nationality;

b. if the other parent dies after the time at which Netherlands nationality would be lost pursuant to the first subsection;

c. if the other parent dies as a Netherlands national before the time at which Netherlands nationality would be lost pursuant to the first subsection;

d. if the minor complies with Section 3 third subsection or Section 2 under a of the Netherlands Citizenship and Residence of 12 December 1892 (*Staatsblad* 268);

e. if the minor was born in the country of the nationality acquired by him or her and has his or her principal place of residence there at the time of the acquisition; or

f. if the minor has or has had his or her principal place of residence in the country of the nationality acquired by him or her for a continuous period of at least five years;

g. if, in the case referred to in the first subsection under d, the other parent is a Netherlands national at the time of the acquisition.

#### Section 16a

In addition, the minor shall lose Netherlands nationality if he or she acquires the nationality of a Contracting State to the Convention concluded on 6 May 1963 in Strasbourg for limiting cases of multiple nationality and military obligations in cases of multiple nationality (*Tractatenblad* 1964, no 4) as a result of an explicit declaration of intention by naturalization, option or correction to this and this convention implies that loss. The foregoing shall not apply if this State is also party to the Second Protocol to amend that Convention (*Tractatenblad* 1994, no 265) and the person involved belongs to one of the categories referred to in Section 16 second subsection under e, f and g;

## CHAPTER 6 - Establishing Netherlands Nationality

### Section 17

1. Any person who has an immediate interest in a case instituted other than before a judicial body or administrative appeals tribunal in either part of the Kingdom, may submit to The Hague District Court or, if he or she is resident in the Netherlands Antilles or Aruba, to the Court of Justice of the Netherlands Antilles and Aruba, an application for an order confirming either that he or she does or that he or she does not possess Netherlands nationality. Application may also be made for an order establishing whether the person concerned did or did not possess Netherlands nationality at a certain time.
2. An application as referred to in the immediately preceding subsection may also be made with respect to a deceased person.

### Section 18

1. The District Court or the Court of Justice or the Public Prosecutions Department shall hear the applications referred to in the immediately preceding section. In the case of the Netherlands, Articles 429-d, 429f-429l and 429s-429t of the Code of Civil Procedure shall apply.
2. The interested parties may only lodge an appeal in cassation against the order.

### Section 19

An order which is made under Section 17 and has become final shall be binding on all bodies charged with the enforcement of any statutory regulations.

### Section 20

1. If, in a case instituted before a judicial body in the Netherlands or in the Netherlands Antilles or Aruba, it is uncertain whether an interested party involved in the case possesses Netherlands nationality or possessed it at an earlier date, the court in question may seek the advice of Our Minister or Our Minister of Justice of the Netherlands Antilles or Our Minister of Justice of Aruba.
2. If, in a case instituted before an administrative appeals tribunal in the Netherlands or in the Netherlands Antilles and Aruba, there is uncertainty as referred to in subsection 1, the tribunal shall hold over the case and request the advice of Our Minister or Our Minister of Justice of the Netherlands Antilles or Our Minister of Justice of Aruba.
3. The proceedings of the case shall be resumed immediately upon receipt of the advice referred to in subsections 1 and 2.

## CHAPTER 7 - Declarations and Official Registers

### Section 21

By a general administrative order of the Kingdom, the authorities and public officials who are authorized to receive declarations relating to the acquisition and renunciation of Netherlands nationality shall be designated and further regulations may be laid down in this order with respect to the manner in which the declarations and applications, the confirmations referred to in Section 6 must be received and the further

administrative treatment of acquisition of Netherlands nationality.

#### Section 22

1. Our Minister shall keep a public record of:
  - a. declarations of acquisition and renunciation of Netherlands nationality;
  - b. the confirmations, referred to in the second subsection of Section 6 and in Section 28;
  - c. the granting of Netherlands nationality;
  - d. the revocations referred to in the first subsection of Section 14, and Section 15 first subsection under d.
2. Our Ministers of Justice of the Netherlands Antilles and of Aruba shall keep a public register of the documents referred to in the first subsection that concern residents in their country.

### CHAPTER 8 - Final Provisions

#### Section 23

By or pursuant to general administrative order of the Kingdom, we may lay down further regulations relating to the implementation of this Act.

#### Section 24

1. This Kingdom Act may be cited as the 'Netherlands Nationality Act'. It shall enter into force on a date to be determined by Us. We may designate an alternative date for the entry into force of Chapter 6.
2. The Act of 12 December 1892(*Staatsblad* 268) governing Netherlands Citizenship and Residence shall be revoked.

### CHAPTER 9 - Transitional Provisions

#### Section 25

Persons who on entry into force of this Act already possess Netherlands nationality shall also be Netherlands nationals within the meaning of the Act.

#### Section 26

1. The requirement of admission and principal place of residence referred to in Section 6 first subsection under f shall not apply to an alien who, after coming of age, has lost Netherlands nationality as a result of acquiring another nationality pursuant to Section 5 (old) as this read up to 1 March 1964 and Section 7, opening words and first or third, of the Act of 12 December 1892 (*Staatsblad* 268) governing the Netherlands Citizenship and Residence, and/or has lost this pursuant to Section 15, opening words and under a, if the person:

a. was born in the country of the other nationality and had his or her principal place of residence there at the time of the acquisition;

b. had his or her principal place of residence in the country of the other nationality for a continuous period of at least five years before coming of age;

or

c. was married to a person of that other nationality at the time of the acquisition of that other nationality.

2. The first subsection shall not apply to an alien who after the entry into force of this Act was a national citizen of the State of the other nationality for a minimum period of ten years.

3. A minor non-Dutch child of a person referred to in the first subsection shall also acquire the latter's nationality if he or she is included in the declaration to that effect. Children of a child co-acquiring Netherlands nationality also acquire Netherlands nationality under the same conditions. A child that has attained the age of 16 when the declaration is made shall only co-acquire Netherlands nationality if it explicitly consents to this and provided that no grave reasons exist to suspect him or her in the sense of the third subsection of Section 6.

#### Section 27

1. Section 3 of this Act shall only apply to children born after the entry into force of this Act.

2. A non-Dutch child – including a child adopted in the Netherlands, the Netherlands Antilles or Aruba – of a woman who is a Netherlands national or – if she is deceased – was a Netherlands national at the time of her decease shall acquire Netherlands nationality by making a declaration to that effect, provided the said child has not reached the age of 21 years upon the entry into force of this Act and is not married and has not been previously married. In the case of children under 18 years of age, the declaration must be made by the mother or – if she is deceased – the statutory representative. This declaration shall be made within three years of the entry into force of this Act.

#### Section 28

1. The woman who lost her Netherlands nationality through or in connection with her marriage before the entry into force of this Act, shall acquire Netherlands nationality by making a written declaration to that effect followed by a confirmation, which must be made within a year of the dissolution of that marriage or within a year after she may have learned of such dissolution. Acquisition of Netherlands nationality in this manner shall be retroactive to the date of dissolution of the marriage.

2. Section 6 second up to and including fifth subsection shall apply *mutatis mutandis*.

3. The minor non-Dutch child of the person referred to in the first subsection shall also acquire Netherlands nationality if it is included in the declaration for that purpose. Children of a child co-acquiring Netherlands nationality shall also acquire Netherlands nationality under the same conditions. A child that has attained the age of 16 when the declaration is made shall only acquire Netherlands nationality if it explicitly consents to this and provided that no grave reasons exist to suspect him or her in the sense of the third subsection of Section 6.

## Section II

1. The revocation of Netherlands nationality pursuant to Section 14 first subsection shall only be retroactive to the date of the entry into force of this Act if Netherlands nationality was granted before that date.
2. For the application of Section 6 first subsection under f and Section 8 second subsection, a person whose Netherlands nationality is revoked pursuant to Section 14 first subsection in conjunction with the first subsection of this Section shall be deemed not to have possessed Netherlands nationality.

## Section III

The Sections 14 subsection 2 and 16 second subsection under a, b, c and d of the Netherlands Nationality Act as it shall read under this Kingdom Act, shall be retroactive up to and including the date on which the Netherlands Nationality Act entered into force.

## Section IV

1. The period referred to in Section 15 first subsection under c does not commence until this Act enters into force.
2. The first subsection does not apply if it concerns a person who upon the entry into force of this Act has his or her continuous principal place of residence in the country in which he or she was born and which nationality he or she also possesses after coming of age.
3. If the period referred to in Section 15 first subsection under c ends for the person referred to in the second subsection within one year of the entry into force of this Act, it shall be extended to the end of that year.

## Section V

1. A person who is of full age and who has lost his or her Netherlands nationality before the entry into force of this Act pursuant to or, as a minor, on account of Section 15, opening words and under c, of the Netherlands Nationality Act, shall regain Netherlands nationality by making a written declaration to that effect within a period of two years following the entry into force of this Act. This shall be retroactive to the date of loss. Section 6, second, fourth and seventh subsection shall apply *mutatis mutandis* with the exception of the requirement of admission and principal place of residence. The period referred to in Section 15 first subsection, opening words and under c, commences on the date of confirmation as referred to in Section 6 second subsection.
2. A person who lost his or her Netherlands nationality pursuant to Section 15, opening words and under c, of the Netherlands Nationality Act as it read before the entry into force of this Act and to whom a declaration regarding the possession of Netherlands nationality and/or a travel document within the meaning of the Passport Act was issued, shall be deemed to not have lost Netherlands nationality. The period referred to in Section 15 first subsection, opening words and under c, shall commence for this person on the date of issue of said declaration or document, but not before 1 January 1992.

#### Section VI

The Kingdom Act of 14 November 1963(*Staatsblad* 467) with respect to an amendment to the Netherlands Citizenship and Residence Act (*Staatsblad* 1892, 268) regarding marriage shall be revoked.

#### Section VII

The Sections of this Act shall enter into force on a date to be determined by Royal Decree, which may entail different dates for the different sections or parts thereof.

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