

IV. Applicant's residence or other contact data:

6. Residence: ____ (country) ____ (city, town)
 Former residence: ____ (street, number etc.)
 Phone number: ____
 E-mail address: ____
 I request the certificate to be served to the following address: ____
 If the applicant lives abroad and requests the certificate to be served to a Hungarian address (please attach power of attorney granted to the person who receives documents served)
 Name of attorney-in-fact: ____
 Address of attorney-in-fact: ____

V. Data relating to the applicant's and his ascendant's leaving of Hungary and foreign citizenship:

7. Start and end dates of your living in Hungary: ____
 Residences in Hungary: ____
 Last residence in Hungary: ____
 What country did you move from Hungary and what countries have you lived in? ____
 Start and end dates of your parents' (grandparents') living in Hungary: ____
 Parents' (grandparents') last residence in Hungary: ____
 What country did your parents' (grandparents') move from Hungary and what countries have they lived in? ____
 Have you ever had a Hungarian passport? Yes No
 (private passport, tourist passport, consular passport, passport for Hungarians living abroad, other: ____)

8. Foreign citizenship(s): ____
 Date of acquisition of such citizenship: ____
 Legal title: ____

Have you or your relative received a citizenship certificate or any other document or certificate relating to naturalisation, re-naturalisation, expatriation or citizenship? yes no
 If yes, name of the person concerned: ____
 Number of document: ____, dated: ____

Other data necessary for the establishment of citizenship: ____

I confirm that the above information is true and correct.

Birth and marriages certificates issued abroad shall be provided with appropriate authentication, together with their certified Hungarian translation.
The data of Hungarian civil registers are verified ex officio.

Dated:

.....
 Applicant's signature
 (also if applicant has reduced capacity to act)

.....
 Legal representative's signature

Authentication of the signature:

I certify the authenticity of the signature of the applicant and/or legal representative.
 The applicant and/or legal representative has proven his/her personal identity with a valid document containing a photo, number:, type:, valid until

.....
 Signature of person
 taking over the application

L. S.

.....
 Name of office

OFFICE OF IMMIGRATION AND NATIONALITY

Explanatory notes

for the application for certificate of citizenship

The citizenship has to be examined if a person is unable to support his/her Hungarian citizenship with any valid document when applying for passport, registration (“address card”), civil registration, or initiating other procedures. The proceeding authorities *ex officio* contact the Office of Immigration and Nationality, but the applicant has to contribute to the procedure by providing data and submitting documents.

In general, a **certificate of citizenship** is needed if the foreign authority requires the presentation of such document in procedures relating to employment, studies, compensation, marriage or probate. The certificate is subject to an administration fee of HUF 3000.

For more information on how to submit the application and for accessing the statutory form, please visit the “Rules of procedure” menu item at the following website: www.bevandorlas.hu.

Explanatory notes

I. Applicant's personal data

According to the Hungarian rules of using names, the family name comes before the given name. If the married name is included in the marriage certificate, it must be indicated as it appears on such certificate. If the marriage solemnised abroad has not been registered in Hungary, an application must be submitted for the registration of the marriage. If the marriage certificate does not include the married name, it is recommended to choose the form of name used abroad, with due respect to the rules of Hungarian family law.

In respect of the name at birth, please consider that the name change authorised by a foreign authority may not be recognised; the name change procedure must be conducted according to Hungarian law as well. (The relevant form must be completed, if the applicant wishes to use his/her name used abroad in his/her Hungarian documents as well.) Furthermore, the name at birth is also influenced by the family status. As a principal rule, the mother's husband must be considered as the child's father. If the applicant was born out of marriage, the statement on the recognition of fatherhood made before a foreign authority may be recognised, provided that it conforms to Hungarian family law. If such conformity is not found, a fully effective statement on the recognition of fatherhood must be made before the consul, Hungarian civil registrar, guardianship authority or notary public. The parties concerned are not required to be present together. The mother and the child, who has reached the age of 14, may make their statement of consent before an honorary consul as well.

If the birth abroad has not been registered in Hungary, it must also be requested.

Please indicate your sex by putting an **x** mark in the appropriate field.

Under Hungarian law, a city or town must be named as the birth place. Birth certificates in many countries specify only the county, state or the district of a larger locality. In Hungary please always write the city/town as the place of birth.

If the place of birth is Budapest, please specify the district. If none of your documents indicate or you do not know it, please specify the contemporary name of the part of the city, the name of the hospital, or the parents' residence at the time of the birth. (In Hungary civil registration is not centralised. Data in the civil register may only be checked if the place and approximate time of the birth/marriage is known.)

II. Data concerning the applicant's ascendants

Hungarian citizenship law always follows as a fundamental rule the principle of *jus sanguinis*, that is the right of blood which means that Hungarian citizenship is, by operation of law, automatically conferred from the Hungarian parent to the child irrespective of where the child was born. It is important to know, however, that a child born before 01 October 1957 became Hungarian citizen only if its father was a Hungarian citizen. Any child who was born out of marriage from a Hungarian citizen mother became a Hungarian citizen. (Legitimation, the settlement of family status had and still has an effect on the child's citizenship.) Children born after 01 October 1957 became Hungarian citizens on the right of the Hungarian citizen mother as well.

The acquisition of citizenship through descent or the heredity of Hungarian citizenship is examined by setting up the chain of decent (a “family tree”) based on the civil registration documents. This is why the birth and marriage data of the parent, grandparent, great grand parent who emigrated from Hungary is essential. (No separate citizenship examination procedure must be requested in respect of the ascendants.) The Office of Immigration and Nationality *ex officio* collects the certificate about any birth and marriage registered in Hungary, but the birth/marriage certificates issue by a foreign authority must be submitted by the applicant.

Many of the second, third etc. generation descendants of the classic emigrants do not know that they can be Hungarian citizens because the major destination countries in terms of migration (The Americas, Australia) apply the principle of *jus soli* (i.e. citizenship is determined by the place of birth) when determining the citizenship of a person.

As far as the name and the place of birth (marriage) are concerned, the notes in **Point I** are also applicable to the ascendants.

III. Data concerning the applicant's family status

Please indicate your current family status by putting an **x** mark in the appropriate field. If the last marriage was annulled by a court, please specify this in a separate row. (The decision of a foreign court on the annulment of marriage may only be recognised if it was made by the court of another EU member state – except for Denmark – after 01 May 2004.)

Act LV of 1993 on Hungarian Citizenship stipulates that in addition to the birth certificate applications for citizenship shall also include documents certifying family status.

Marriage may have an effect on using names – as referred to in Point I – but it could also influence the citizenship of women based on former legal regulations. A foreign woman who married a Hungarian citizen before 01 October 1957 automatically obtained Hungarian citizenship and a Hungarian woman automatically lost her Hungarian citizenship if she obtained her husband's foreign citizenship through marrying him. Thus, in the case of such marriages the husband's citizenship must be examined. The principle of descent / the right of blood shall be applied in the case of the husband as well: if the husband's parents originated from Hungary, he may be a Hungarian citizen or a stateless person, and in such case he Hungarian citizen women could not have lost her Hungarian citizenship through marriage. If the applicant's husband originates from Hungary, please indicate this among the *data necessary for the establishment of citizenship*.

IV. Applicant's residence or other contact data

It is compulsory to provide residence data. If the applicant does not appear in the personal and residential data of citizens (i.e. he/she does not have an “address card”), his/her data shall be entered into the register of Hungarian citizens living abroad. Subsequently, there is no need to request a separate citizenship certificate, if the applicant fails to replace his/her documents certifying Hungarian citizenship in time. If the applicant wishes to register a Hungarian residence, he/she must fill in a separate form as well.

By providing other contact data the applicant can speed of the procedure as certain issues can be clarified more quickly by the Office.

V. Data relating to the applicant's and his ascendant's leaving of Hungary and foreign citizenship

The significance of the date of leaving Hungary

Under the Citizenship Act of 1879, if a person was staying abroad for ten years (called absence) he/she automatically lost his/her Hungarian citizenship. The legal title of “lost citizenship” may only apply to persons who left the country before 01 September 1929. (The period of war must be disregarded.) The ten-year period was calculated from the date of expiry of the Hungarian passport. No register of residential data has survived from this era. If the last residence is known, data about and copies of issued passports can be obtained from county archives. (Until 1945 passports had been issued by the sub-prefect of the county. Archives in many states can certify the date when a person entered the country's territory and the country where he/she arrived from.

The significance of the period of the permanent residence

- After 1945 masses of former Hungarian citizens from the detached parts of Hungary lived in Hungary in an unsettled citizenship status. Their citizenship status was settled by the Citizenship Act of 1948. One of the provisions of the Act related to persons who lost their Hungarian citizenship in consequence of the rescission of the Vienna Awards decisions on 20 January 1945. From 20 January 1945 they could be recognised as Hungarian citizens, if their **permanent residence** was in Hungary both on 01 January 1948 and on 01 February 1949. Another provision of the Act related to persons who or whose ascendants lost their Hungarian citizenship in the wake of the Treaty of Trianon: they could be recognised as Hungarian citizens, if they had no foreign citizenship and their permanent residence was in Hungary on 01 January 1948. The register of residential data from this era is incomplete, so in some cases the contemporary residence has to be proven by other documents.
- The citizenship of children born from “mixed marriages” was shaped by seven bilateral conventions aimed at reducing the cases of dual citizenships which made the choice of the parents and the family's residence equally important. If the parents did not make a statement on their child's citizenship, the child kept the citizenship of the state party where their residence was located when the period of time set for making statements expired. Hungary entered into such convention with the Soviet Union, Bulgaria, Czechoslovakia, Poland, GDR, Mongolia and Romania). The conventions were repealed in the beginning of the 1990s but their provisions still have to be considered if a person is concerned. (The conventions regulated deadline differently but also differed on other issues.)

Resettlement of German nationals: As a result of the decision of the Potsdam Conference in August 1945, we have all the list of names of all persons resettled to Germany. The list of names was compiled by localities, so the last residence in Hungary is needed to check whether the person was resettled. The persons affected by the resettlement lost their Hungarian citizenship and may become Hungarian citizens again by making a statement or through re-naturalisation.

On the basis of the date and manner of acquisition of foreign citizenship, we can draw conclusion from, for example, when a person could have arrived in the given country with respect to the waiting period preceding the naturalisation.

Other information

The Office of Immigration and Nationality keeps record of citizenship documents generated after 1933. There is a better chance to prove citizenship if you provide the siblings' data in addition to the ascendant's particulars. If any sibling of the applicant or of the applicant's parents had a case before, the documents relating to the common ascendants need not be searched for and collected again. The index of citizenship documents can be searched by name and date of birth. (So the registration number of the citizenship document is not a requisite.)

If you had more than one marriage, please specify the place, date, manner of termination of each marriage, as well as the name, place and date of birth of the former spouses among *the other data necessary for the establishment of citizenship* or on a separate sheet. The significance of marriage data is described in detail in **Point III**.

Pursuant to the Act on Hungarian Citizenship, the following may be requested:

- the establishment of the date of termination of Hungarian citizenship,
- the establishment of the fact that the applicant has never been a Hungarian citizen.

You may also certify when and under what legal title the applicant acquired Hungarian citizenship, and whether the applicant was a Hungarian citizen on a specific date or in a specific period. If you request for the issuance of a citizenship certificate with the above content, please indicate this in the introductory part of the form.

Budapest, July 2013