



Spanish Nationality

SAIER's lawyers offer advice and support in the application for Spanish nationality.

The Law 19/2015 (July 13th), establishes a fee for the procedure and requires the submission of tests that prove the knowledge of the applicant. We then resolve the most frequent doubts about the procedure for applying for citizenship by residence.

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NOTE: The following information does not replace the advice personalized in the SAIER offices. This is a general orientation on frequent questions, but always it is advisable to request personal advice in SAIER.

What are the main aspects of citizenship process?

- Payment of fees.
- Citizens from Spanish speaking countries must pass the Constitutional and Sociocultural Knowledge Examination of Spain (hereafter CCSE).
- Citizens who do not come from Spanish-speaking countries must obtain, in addition to the CCSE, a Diploma of Spanish as a second language at Level A2 (DELE A2 below).
- The tests of Spanish and knowledge are coordinated by [Instituto Cervantes](#).
- All documents to apply for Spanish nationality must be scanned and sent digitally to [the Ministry of Justice](#).

Why should I take the exams if I applied for my Nationality appointment before the regulations changed?

Because the Law has been in force since October 2015 and must be complied with. In fact, the quotation has never existed by Law, but was a form of internal organization in Civil Registry Offices. Even if the appointment has been requested before changing the Law, it must comply with current regulations.

What if I already have an appointment with a Civil Registry Office?

If the documents of your country are about to expire, you can go to the appointment to have them listed on your case file. It is recommended, in any case, to pass the exams first and once you have these certificates, scan all the documentation to make the application online.

Can I not attend the appointment at Civil Registry Office?

Yes, you can leave the appointment because the request is already made by computer. If the applicant passes the exams before the appointment, you can proceed with electronic process.

What should I do if my appointment in Civil Registry Office is to request the nationality of a child under 14?

Before making the application for nationality you must go to Civil Registry Office to obtain the appropriate authorization. Once obtained, the authorization will be attached to the application for nationality. If you have any questions about the procedure, we advise you to consult in SAIER.

Will the Civil Registry continue to receive documentation of nationality?

Applications for Spanish citizenship by residence are submitted through the corresponding electronic application. However, until June 30th 2017, applicants may continue to submit their requests for Spanish citizenship by residence in their nearest Civil Registry Office.

After that date, applications must be submitted through the corresponding electronic application or according the general rules on submission of applications, briefs and communications of citizens with Public Administration.



Is it necessary to have a digital certificate to make the telematic application?

Yes. The acquisition of Spanish nationality can be requested through Ministry of Justice website with "cl@ve" system of the Administration. It requires electronic identification by one of the following methods: DNI-e, recognized digital certificate, occasional key (PIN) or permanent key.

What are the steps to apply for Spanish nationality by residence?

1. To pass the examinations to obtain Spanish diploma as a foreign language (DELE) at least level A2, and the accreditation of historical, constitutional and sociocultural values of Spain knowledge (known as CCSE).
2. Applicants who have previously obtained a diploma of Spanish as a foreign language (DELE A2) and citizens of countries or territories with Spanish as official language are exempted from DELE test.
3. Minors and persons with judicially modified capacity neither should pass these tests (DELE and CCSE).
4. In [Instituto Cervantes web page](#) you will find the information to register and to carry out the exams.
5. Wait for tests results. CCSE exam response takes 20 days. DELE results take three months. It is best to wait for the results before starting the application for citizenship. You can do both exams at once, but it is preferable to do DELE test first because it can be more difficult.
6. Gather documentation from the country of origin (criminal records and birth registration).
7. Scan all previous documents and apply for Spanish nationality in digital form.

After sending documents, will the police call me to the interview?

It is possible that the police no longer conduct the interviews because the police checks will be done directly by Ministry of Justice. In some cases, the police may request a physical interview. In general terms, the process will be greatly simplified.

How much does the process cost? (updated october 2016)

Application Fee 100 euros.

Spanish Language Exam (DELE) 124 euros

Knowledge Test (CCSE) 85 euros.

Do the test results have an expiration date?

The result of the language test does not expire but the knowledge test expires at 4 years.

What happens if I do not pass the exams?

You must return to a new call of Instituto Cervantes until you approve. Without the approved examinations, you cannot start the nationality procedure.

How are the Spanish criminal records requested?

There is no need to request them personally, because in the application there is an option to authorize the Ministry of Justice to seek and verify the criminal record in Spain.



Is a police altercation or a short detention considered criminal record?

No, but they can be considered police records. Although the certificate of police records is not requested for nationality process, Ministry of the Interior does verify them. If you have been detained or have had a problem with police, it is advisable to consult with a lawyer to see if that record can be cancelled before applying for nationality.

For example, even if a person has been detained but not convicted, there is evidence in the police records and this may hinder the nationality file.

Remember that SAIER has professional lawyers and foreign experts to advise you personally.

Should the country of origin police records be also cancelled?

No, because they will only look at criminal or judicial record of original country.

The new regulations do not refer to economic means. Is it necessary to provide them?

It is recommended to bring them. The previous legislation did not ask for them but they have always been added. New digital format do not expressly request economic means, but it is advisable to scan and attach them. If there is no demonstrable economic means, it is suggested to consult with a specialist lawyer.

How long can I be abroad if I want to apply for citizenship?

Stay abroad more than 6 months within a year could be considered a conflictive time frame. This is a nationality process by residence and being more than six months outside of Spain in a period of one year is considered cause for loss of residence.

What is the time established by law to request nationality by residence?

Foreigner who aspires to Spanish nationality must complete ten years of legal residence in the country; but there are exceptions:

Refugees need to demonstrate five years of legal residence in Spain to apply for Spanish nationality (counted from the moment in which the refugee status was granted).

People from Ibero-American countries, Andorra, the Philippines, Equatorial Guinea, Portugal or Sephardi may apply for Spanish nationality with two years of legal residence in the country.

And with one year of legal residence they can request:

- Anyone born in Spanish territory.
- Any person who has not exercised the right to opt in due course.
- Any person who has been legally subject to the guardianship, custody or care of a Spanish citizen or institution for two consecutive years, even if he continues in this situation at the time of the request.
- The person who has been married to a Spanish citizen for a year and is not legally or de facto separated at the time of making the application.
- The person who was born outside of Spain by a father or mother, grandfather or grandmother, who had originally been Spanish.



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- The person born outside Spain as a father or mother, grandfather or grandmother with verifiable Spanish origins.
- Widows of Spanish citizens, who at the time of the death of the husband or wife were not separated, either legally or in fact.

Can I start the process of Spanish nationality before the established time?

No, because at the moment of submitting the application must demonstrate the compliance of the previous residence time. In any situation that requires review by a lawyer, it is advisable to ask in SAIER.

How long do I have to wait to find out if I have obtained Spanish nationality?

According to law, within one year. This term refers to the resolution of the Ministry of Justice, but to have the nationality will still be necessary the oath.

Where will I take the oath of Spanish nationality?

The oath will be made in your Civil Registry Office. That has not changed.

In what cases is Spanish nationality granted to those born in Spanish territory?

Spain gives Spanish nationality to those born of Spanish father or mother; however, those born in Spain may also acquire Spanish nationality if:

- Children of foreign parents, but at least one of them was also born in Spain.
- Children of foreign parents, and both lack nationality or if none of them can give a nationality to their children.
- When the filiation is not determined.
- If a year of residence in Spain is credited at the time of making the request.