

Nationality Option under the Democratic Memory Law (“Grandchildren Law”). Frequently Asked Questions (FAQs).

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Who may apply for Spanish nationality under the Democratic Memory Law?

Spanish nationality may be obtained under the following circumstances:

- **Case 1A:** Persons born outside Spain whose father, mother, grandfather, or grandmother lost or renounced Spanish nationality due to exile.
- **Case 1B:** Persons born outside Spain whose father, mother, grandfather, or grandmother are or were originally Spanish nationals.
- **Case 2:** Persons born outside Spain, children of Spanish women who lost their nationality by marrying a foreign citizen before the entry into force of the 1978 Constitution.
- **Case 3:** Sons and daughters who were of legal age when their father or mother acquired Spanish nationality under Law 52/2007 on Historical Memory or Law 20/2022 on Democratic Memory.
- **Case 4:** Persons who, being children of a father or mother originally Spanish and born in Spain, had opted for Spanish nationality not by origin, as well as minor children of those who acquired Spanish nationality by application of Law 52/2007, who in turn opted for Spanish nationality not by origin for being under the parental authority of a Spanish national.
- **Particular case:** Persons who lost their nationality for failing to make the declaration of conservation.

Until when can Spanish nationality be applied for under the “Grandchildren Law”?

The deadline to submit the application expires on 21 October 2025. No further extension has been foreseen.

In the case of Consular Offices, the application may be submitted in person after 21 October 2025, provided that the appointment was requested before that date and through telematic means that guarantee the applicant's identity and generate a receipt accrediting the request within the deadline.

If the application is not submitted within the deadline, there is the possibility to apply for Spanish nationality by residence, for those born outside Spain whose father, mother, grandfather, or grandmother were originally Spanish. For this, it is necessary to reside legally and continuously in Spain for at least one year.

What documentation is required?

The documentation varies depending on the case and the Spanish consulate (or civil registry, if residing in Spain). In general, the following are required:

- Application form for Spanish nationality by option.
- Data declaration sheet (form for the Consular Civil Registry for the registration of the applicant's birth data).
- Document accrediting identity and residence.
- Literal birth certificate of the applicant, issued by the local civil registry, legalized/apostilled and, if applicable, translated.
- Literal birth certificate of the applicant's Spanish father, mother, grandfather, or grandmother.
- Literal birth certificate of the father or mother corresponding to the line of the Spanish grandparent, if applying as a grandchild.
- Documentation accrediting the status of exile (if applicable): may include documents of exile pensions, certificates from international organizations, political parties, trade unions, passport with entry stamp, consular certificates, etc.
- Marriage certificate (in the case of children of Spanish women who lost their nationality by marrying a foreigner).
- Literal birth certificate of the father/mother who was recognized as Spanish under the Grandchildren Law or proof of submission of the parent's application (in the case of adult children applying under Annex III). Some consulates require that the nationality be recognized for the father/mother before the child's application.

All foreign documents must be apostilled or legalized and translated into Spanish if applicable. Some consulates may allow exceptions to the translation requirement.

Can copies of original documents be submitted?

Yes, provided they are authentic copies, of good quality, and legible. The Consulate may retain the authentic copies and return the originals after verification.

What is the procedure?

The procedure may vary depending on the consulate and the applicant's personal situation, but generally consists of:

1. Requesting an appointment at the Spanish consulate corresponding to the domicile (or at the civil registry if residing in Spain). The appointment request procedure may vary by consulate (online registration, prior submission of documentation by email, etc.).
2. Submitting the application and all documentation in person at the assigned appointment. Submission by third parties is not permitted.

3. The consulate or civil registry reviews the documentation and may require rectification within 30 days if any document is missing.
4. If the decision is favorable, the formal act of oath or promise of allegiance to the King and obedience to the Constitution and laws is carried out.
5. Registration in the consular civil registry and issuance of the Spanish birth certificate.
6. Registration in the consular register and application for a Spanish passport.

Aspects to consider

- **Consular variability:** The procedure and requirements may vary by consulate, so it is essential to follow the specific instructions of each one.
- **In-person and orderly submission:** Applications are submitted in person and individually; entry of lawyers, representatives, or companions is generally not permitted, except in certain cases. It is recommended to submit the documentation properly organized.
- **Prior appointment:** The appointment is personal and non-transferable. It is important to obtain proof that the appointment was requested within the validity period.
- **Document update:** Some consulates require that documentation have a maximum age (e.g., 6 months or 1 year), while others do not set a specific limit.
- **Lack of birth registration:** If there is no birth registration for the ancestors, a baptism certificate and a negative certificate from the civil registry may be provided.
- **No loss of original nationality:** Obtaining Spanish nationality does not imply the loss of original nationality in most cases, although this will depend on the legislation of each country.
- **Additional documentation:** The consulate may request additional documentation at any time.
- **Delays:** The process may take more than a year due to the high volume of applications and the workload of the consulates.
- **Expiry and legalization:** All certificates that are not Spanish must be apostilled or legalized through diplomatic channels in the country of issue.
- **Competence to decide:** The consulate competent to decide on the birth registration (and the granting of nationality) is that of the applicant's place of birth, while the competent consulate to receive the application is that of the consular district of residence. In some cases, the consulate of the district of residence will receive the application and send it to the consulate of the place of birth, which will decide on the nationality option.

If you are a grandchild of a Spanish national or meet any of the above criteria, you may acquire Spanish citizenship and usually keep your current nationality. Spanish nationality offers numerous benefits, such as freedom of residence and movement in Spain and other member countries of the European Union and the European

Economic Area, access to public healthcare, political and labor rights, simplified procedures, and the possibility to travel to more than 187 countries without a visa.

This is an opportunity you should not miss. If you need assistance, contact us, as the deadline is approaching.