

## **ITALIAN CITIZENSHIP**

**The following FAQs reflect the most common cases in Australia. Each individual case, even if based on general rules and principles could differ according to an individual's personal situation. There are sometimes, exceptions and particular rules that are not considered in this section. Please contact the nearest Italian consular office to obtain more detailed information about your individual case.**

**Q:** How do I know if I am eligible for Italian citizenship?

**A:** Italian citizenship is based on the principle of "iures sanguinis" (blood right) by virtue of which a baby born from an Italian father or mother (depending on the year of birth of the child) is an Italian citizen.

**Q:** My father was born in Italy and moved to Australia before I was born. He also became Australian citizen. Am I still eligible for Italian citizenship?

**A:** Cases like yours are not always black and white, as there could be a possibility that you are eligible and another that you are not. If your parent became an Australian citizen as an adult or, as a child included in his parents' naturalization, then you would not be eligible because you were born from a parent who was no longer an Italian citizen at the time of your birth. However, if your father was still an Italian citizen at the time of his marriage to your mother but not at the time of your birth, then, depending on the date of your parents' marriage, you may still be eligible.

**Q:** My grandparents moved to Australia many years ago. My father was born in Australia. Am I eligible for Italian citizenship?

**A:** Citizenship may be passed on from generation to generation without limitation - but there can be no generation gap. To be eligible for Italian citizenship you must prove that your father born to an Italian citizen, i.e., that your grandfather had not acquired Australian citizenship before the birth of your father. If you are looking at your grandmother as the holder of citizenship at the time of your father's birth, you have to take into consideration that women can only bequeath Italian citizenship to children born from the 1<sup>st</sup> of January 1948 (the birth of the Italian Constitution). Prior to this date, Italian citizenship was passed on only by the father.

**Q:** I was born in Italy and I moved to Australia with my parents when I was a child. My father became an Australian citizen while I was under age. Am I still an Italian citizen?

**A:** If your father became an Australian citizen and did not include you in his naturalization certificate, and nor did your mother, then, unless you have become an Australian citizen in your own right, there is a good chance that you are still an Italian citizen.

**Q:** I married an Italian gentleman. Am I eligible for Italian Citizenship?

**A:** If your marriage was celebrated before the 27<sup>th</sup> April 1983, then you have acquired Italian citizenship automatically at the date of marriage. If you were married after the said date, then you are not eligible for citizenship automatically, but would have to request to become an Italian citizen by naturalization on the basis of marriage. Request for citizenship may be lodged only after 3 years of marriage if you reside overseas or 6 months of marriage if you reside in Italy.

**Q:** I have lost my Italian citizenship because I obtained Australian citizenship before the 16<sup>th</sup> of August 1992. How can I regain Italian citizenship?

**A:** If you became an Australian citizen before 16/08/1992, even if you were included in your parents' naturalization certificate, you automatically lost your Italian citizenship.

Current Italian citizenship laws (entered into force on the 16th of August 1992) allow dual citizenship. You can reacquire Italian citizenship by residing in Italy for one year. You must obtain an Italian visa for elective residence before departing for Italy.

By signing a declaration in which you state your intention to reside in Italy for this purpose, and then registering as a resident, within 1 year of the date of the declaration, at the Italian municipality of your choice. This declaration may be signed at the competent Consulate before departing for Italy or directly at the chosen Municipality (Comune) in Italy.

Documentation required for the declaration:

- Australian passport;
- Australian citizenship certificate;
- Birth certificate.

If the applicant has children (under 18 years of age) that will reside with him/her during the whole stay in Italy, they will also acquire Italian citizenship.

**Q:** I am a dual citizen, Italian and Australian. Does the possession of the Italian citizenship affect my situation as an Australian citizen?

**A:** The possession of Italian citizenship by descendant does not affect your position as an Australian citizen. Since the Australian Citizenship Act was changed in April 2002, Australian citizens are allowed to hold dual citizenship even by naturalization.