

HAVE YOU RENEWED YOUR CNBPA MEMBERSHIP?

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Dual Citizenship becomes Double Headache for Dutchies


There are concerns amongst Dutch citizens in Canada about dual citizenship as the Dutch government is proposing to change the rules on dual Dutch citizenship. Many people that emigrated from The Netherlands to

Canada (either in the years after World War II or more recently) and their children are uncertain about the rules that govern dual citizenship these days. They wonder whether they are still Dutch and if they are still allowed to hold both Dutch and Canadian citizenships. There is much information available on various websites, but the overload of information often leads to more confusion. Given the controversy around the subject, we would like to remind you of a few key issues to keep in mind.

Individuals with a Dutch *and* Canadian parent as well as individuals born in Canada with at least one Dutch parent are automatically entitled to both nationalities, as long as, at least one parent remains Dutch until the individual turns 18 years of age. In general, Dutch citizenship is automatic for someone with a Dutch parent, no matter in which part of the world the child was born (The principle is *Jus Sanguinis* = right to nationality based on parentage. Dutch = bloedrecht). However, in Canada, just like the USA, the legal principle is *Jus Solis* (= law of soil, or principle of territoriality. Dutch = grondrecht). As always, exceptions and conditions may apply.

Although each individual's case may differ and restrictions often apply, the main Dutch law regarding dual citizenship (since 1892, still in effect) rules that:

when you, as an adult, take on another nationality: you lose your Dutch citizenship

However, since April 1, 2003, if you become a Canadian citizen as an adult, you will not lose your Dutch citizenship if (in this country):

1. You were born in Canada
2. You are/were married to a Canadian citizen at the time of your naturalization;
3. You (can prove that) you lived and/or were educated in Canada for five consecutive years as a minor (under 18 years of age).

At present, if you became a Canadian citizen as an adult *before* April 1, 2003 (and thereby lost your Dutch citizenship), and one of the above exceptions is applicable to you and can be proven with documentation, you can file an option to regain citizenship, *before April 1, 2013* by contacting a diplomatic mission. See also:

www.minbuza.nl/producten-en-diensten/burgerzaken/nederlandse-nationaliteit/herkrijgen-nederlanderschap.html

As the legislation governing this whole topic is extraordinarily complex, with restrictions and exceptions to nearly every article of the law, it is virtually impossible to present generic guidelines regarding the (im)possibility of (re)gaining or keeping Dutch citizenship. On top of this, the applicability of various regulations depends on a large number of individual factors, for instance when you were born in Canada, when you became a citizen of Canada and which national law was in effect at that time. Each application for Dutch citizenship therefore must be judged on its own merits. If you are a (former) Dutch citizen residing abroad, it is highly recommended that you contact the Dutch Embassy or a Consulate-General with specific questions concerning your (or your family's) situation when it comes to dual citizenship.

If you already are a **dual citizen**, and if you, as an adult, reside for an uninterrupted period of **10 years outside The Netherlands** (inclusive BES islands), Aruba, Curacao, St. Maarten and outside the EU, you lose your Dutch citizenship. You can prevent loss, however, if you renew your passport / obtain a declaration of Dutch citizenship before the ten-year period is completed. Once you renew, a new period of ten years will commence (note: the current 'grace period' expires 1 April 2013). Therefore, if dual citizens wish to retain their Dutch citizenship: check the expiry date of your last Dutch passport and don't allow this to expire by more than 5 years. Always ensure that your request for extension is submitted in time. For information on Dutch naturalization, and regaining Dutch citizenship by taking up residence in The Netherlands, visit the IND or Dutch missions' link.

For further information on all current nationality issues, visit www.dutchmissions.com (Diplomatic Mission in Canada)

www.ind.nl (Immigration, naturalization)

english.ind.nl/Brochures_en_Formulieren/ (Brochure "Former Dutch nationals")

www.minbuza.nl (Ministerie van Buitenlandse Zaken Den Haag)

www.minbuza.nl/producten-en-diensten/burgerzaken/nederlandse-nationaliteit (Dutch)

www.minbuza.nl/en/services/consular-services/dutch-nationality (English)

www.rijksoverheid.nl/onderwerpen/nederlandse-nationaliteit/documenten-en-publicaties/richtlijnen/2008/07/16/uitzonderingen-en-toelichting-op-het-verliezen-van-de-nederlandse-nationaliteit.html (Toelichting dubbele nationaliteit verlies)

www.minbuza.nl/producten-en-diensten/burgerzaken/nederlandse-nationaliteit/herkrijgen-nederlanderschap.html (Toelichting opties: geboren in Canada)

wetten.overheid.nl/BWVW33099 To view legislation (Dutch only): Handleiding Rijkswet op het Nederlanderschap: RWN 2003

www.rijksoverheid.nl/onderwerpen/nederlandse-nationaliteit (Dutch)

Inquiries:


www.rijksoverheid.nl/contact/contactformulier


Upcoming Events & Resources
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CNBPA EVENTS
INFORMATION SEMINAR: *Doing Business with Government of Canada*

for Small and Medium Enterprises (SMEs)

 Thursday, February 2, 2012, 6:30 p.m.
KPMG, Suite 4600, Bay Adelaide Centre, 333 Bay Street, Toronto | [map](#) |

Keynote Speaker: Mary Bagnulo, SME Engagement Officer, Public Works and Government Services Canada
This seminar will discuss the process of engaging in business with the government. For example, who does the purchasing for the government and how to identify opportunities to sell goods and services to the government.

| [more information or to register](#) |

OTHER EVENTS
NETHERLANDS LUNCHEON CLUB EVENT:

JANUARY LUNCHEON; Dutch Masters of the 17th Century. Speaker: Osnat Lipka, Lecturer, Digital Artist
Friday, January 27, 2012, 11:30 am. **REGISTRATION DEADLINE: MONDAY, JANUARY 23, 2012**

| [more information \(PDF\)](#) | www.netherlandsluncheonclub.ca |





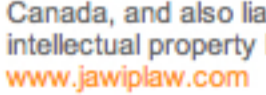
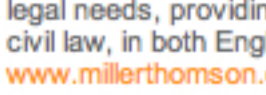
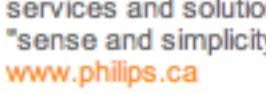



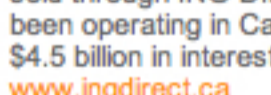


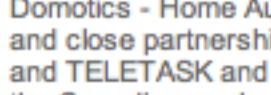
DUTCH TREAT EVENT:

DUTCH TREAT BORREL: Friday, January 27, 2012
| www.dutchtreat.ca |

EUCOCIT: (CNBPA members are also members of EUCOCIT and, as such are welcome to attend all EUCOCIT events at reduced member rates!) | [EUCOCIT Events](#) | [News Jan. 13](#) | [News Jan. 17](#) | [News Jan 18](#) |

Discover the benefits of becoming a Corporate Member of the CNBPA

The CNBPA would like to thank our 2011 Corporate Members for their support this year. Below please find a list of our Corporate Members with a brief description of their companies.

<p> Baker & McKenzie</p> <p>Baker & McKenzie LLP - With more than 70 offices in 38 countries around the globe and over 3,600 lawyers worldwide, Baker & McKenzie LLP is a leading and innovative full-service international business law firm. www.bakermckenzie.com</p> <p> DHL</p> <p>DHL - DHL is Part of the World's Leading Logistics Group, Deutsche Post DHL. DHL offers integrated services and tailored, customer-focused solutions for managing and transporting letters, goods and information. www.dhl.com/</p> <p> GARDINER ROBERTS</p> <p>Gardiner Roberts LLP - is a strategically placed mid-sized law firm with a diverse client base including two banks, several municipalities, agencies, boards and commissions and other government entities, high tech and software companies, real estate developers, lenders, investors. www.gardiner-roberts.com</p> <p> Johnston Wassenaar LLP Intellectual Property Law</p> <p>Johnston Wassenaar LLP - provides all types of intellectual property agency and litigation services in Canada, and also liaise with a network of foreign intellectual property lawyers and agents. www.jawiplaw.com</p> <p> Miller Thomson</p> <p>Miller Thomson - is one of Canada's most respected national business law firms, committed to delivering what matters most - added experience, added clarity, added value. With more than 480 lawyers in 11 offices across the country, we offer a complete range of business law, advocacy and personal legal services to assist domestic and international decision-makers with all of their Canadian legal needs, providing advice for Canadian common and civil law, in both English and French. www.millertomson.com</p> <p> PHILIPS</p> <p>Philips Electronics Ltd. Canada - Royal Philips Electronics of the Netherlands is a global leader in healthcare, lifestyle and technology, delivering products, services and solutions through the brand promise of "sense and simplicity". Headquartered in the Netherlands. www.philips.ca</p> <p> Rabobank</p> <p>Rabobank Nederland Canadian Branch - Rabobank, the world's premier Food & Agribusiness bank, offers unique corporate banking solutions and specialized industry knowledge to our clients throughout the global food chain. www.rabobank.com</p>	<p> Kingdom of the Netherlands</p> <p>Consulate General of the Kingdom of the Netherlands in Toronto is a diplomatic mission of the Dutch government. The Trade Department of the Consulate General is your partner in business concerning all questions related to trade, commerce and other economic and financial transactions. www.cgtoronto.org</p> <p> DUCA Come bank with us.</p> <p>DUCA Financial Services Credit Union Ltd. - Founded in 1954, DUCA credit union serves the GTA with exceptional service, a rewarding member profit-sharing program and offers all the products and services you would expect at a major financial institution. www.duca.com</p> <p> ING DIRECT save your money</p> <p>ING DIRECT is Canada's leading DIRECT bank with over 1.7 million clients and more than \$29 billion in total assets. ING DIRECT gives the power of saving to all Canadians by offering high-value, simple products such as high interest savings accounts with no fees or service charges, and low rates on mortgages. Low cost, index based mutual funds are sold through ING DIRECT Funds Limited. ING DIRECT has been operating in Canada since 1997, and paid more than \$4.5 billion in interest to Clients. www.ingdirect.ca</p> <p> KPMG cutting through complexity™</p> <p>KPMG - provides Audit, Tax, and Advisory services. We work closely with clients, helping them to mitigate risks and grasp opportunities. KPMG LLP is the Canadian member firm of KPMG International. www.kpmg.ca</p> <p> M&T Bank</p> <p>M&T Bank - M&T offers a wide array of financial solutions for your personal, business and commercial banking needs, designed to accommodate the way you bank today, while helping you build financial security for the future. We look forward to working with you to find the right solutions for your situation. www.mtb.com</p> <p> R3&A Limited - is a Canadian, independent, privately-owned company located in Cobourg, Ontario offering complete solutions of Surge and Lightning Protection, and Domotics - Home Automation - Systems. We have strong and close partnerships with well-known suppliers like DEHN and TELETASK and are their exclusive business partner for the Canadian market. Our main focus and markets are the Telecom Industry, Industrial Automation, and Renewable Energy such as the Solar and the Wind Turbine Industry. R3&A Limited offers extensive support and customer service on the spot. Additionally, we organise seminars and lectures, and supply detailed information and designing material. www.r3alimited.com</p> <p> THOMAS MKAIG INTERNATIONAL INC.</p> <p>Thomas McKaig International Inc. - Multilingual Management Advisor and In-house Educators to companies in countries where structural changes in government policies including de-regulation, have eroded corporate profit and market share, demoralized staff and undermined quality customer service; assists clients in regaining focus within changing business environments. www.tm-int.com</p>
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Find more information about membership on our web site www.cnbpa.ca/membership.asp