Spanish Nationality

A Practical Guide for Expats Living Legally in Spain

From residency to citizenship,
what you really need to know!

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You're Already Living in Spain... What's Next?

If you're legally residing in Spain — under a **Digital Nomad Visa**, **Non-Lucrative Visa**, or another residence permit — you may already be on the path to Spanish nationality.

Under Spanish law (Civil Code), nationality by residence is one of the most common ways for foreigners to become Spanish citizens.

However, the process involves:
- Specific legal requirements
- Strict documentation standards
- Administrative timelines that are not always predictable

This guide gives you a clear, practical overview based on real cases and current legal criteria.

Prepared by
Relocation for Expats

Helping you relocate to Spain with clarity, security, and expert legal guidance.

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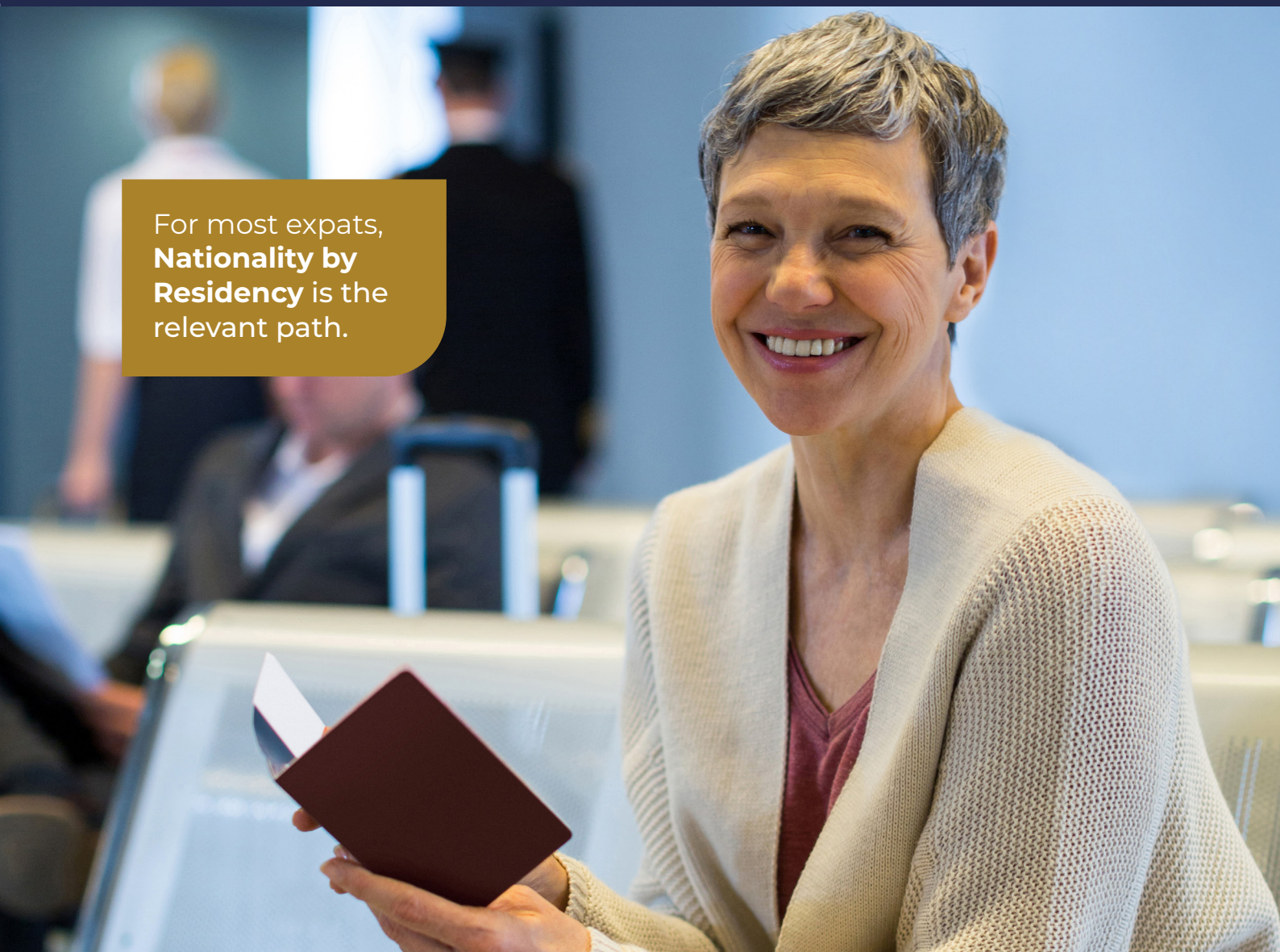
Legal Pathways to Spanish Nationality

Spanish nationality is regulated primarily under the Spanish Civil Code (Código Civil). There are three main pathways:

1. **Nationality by Residency**
   The most common route for foreigners legally living in Spain.
   (Regulated under Article 22 of the Civil Code)

2. **Nationality by Option**
   Applies to individuals with specific family connections to Spanish nationals.
   (Regulated under Article 20)

3. **Nationality by Simple Presumption**
   Applies in cases where a child born in Spain would otherwise be stateless.
   (Article 17.1.c)



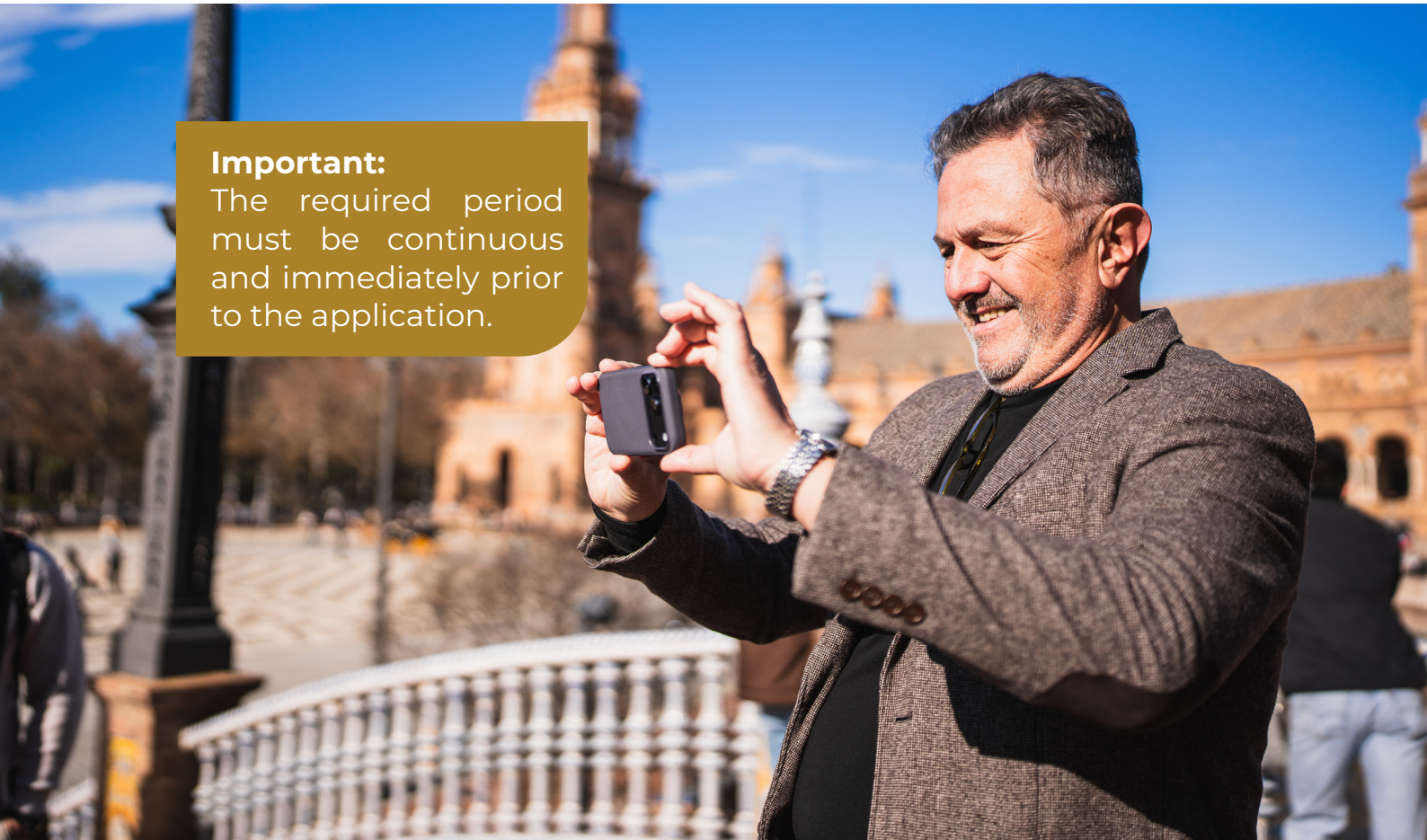
For most expats, **Nationality by Residency** is the relevant path.

1 Nationality by Residency (Article 22)

How Long Do You Need to Live in Spain?

According to **Article 22 of the Spanish Civil Code**, the general requirement to apply for Spanish nationality is **10 years of legal and continuous residence immediately prior to the application**; however, Spanish law also establishes reduced timeframes in specific cases, allowing certain applicants to qualify in a shorter period depending on their individual circumstances.

5 years	2 years	1 year
For refugees	For nationals of Ibero-American countries, Philippines, Equatorial Guinea, Portugal, or Sephardic origin	In cases such as: • Marriage to a Spanish citizen (1 year married + both living in Spain) • Born in Spain • Widowed from a Spanish citizen • Children or grandchildren of Spanish nationals



Important:
The required period must be continuous and immediately prior to the application.

What "Legal and Continuous Residence" Really Means

The law requires “residencia legal, continuada e inmediatamente anterior”.
This has practical implications:

Legal Residence
You must hold valid residence permits (visas alone are not sufficient).

Continuous Residence
Absences from Spain must not break continuity.
Although the law does not define exact limits, in practice:
- Long or repeated absences may negatively affect the application
- Authorities evaluate your center of life (economic and personal ties to Spain)

Immediately Prior
The required period must be completed right before applying — gaps can invalidate eligibility.

The Core Requirements

(Legal Criteria)

In addition to residence, Article 22 establishes:

1. Good Civic Conduct
- No serious criminal record
- Background checks required:
  - o Spain
  - o Country of origin

2. Sufficient Degree of Integration
Evaluated mainly through:
- CCSE exam
- DELE exam (if applicable)

3. Properly Submitted Application
The application must include:
- Official forms
- Valid documents (apostilled or legalized when required)
- Translations where required

Key point: Many applications are delayed not due to eligibility, but due to documentation issues or inconsistencies.

The Required Exams

Spanish nationality applicants must pass exams administered by the **Instituto Cervantes:**

DELE (Language Exam)
- Minimum level: A2
- Mandatory unless exempt (e.g. nationals of Spanish-speaking countries)

CCSE (Constitutional & Cultural Knowledge)
- Based on:
  - o Spanish Constitution
  - o Social and cultural knowledge
- 25 multiple-choice questions
- Passing score: typically 15 correct answers

Additional facts:
- Exams are held monthly
- Limited number of attempts per registration

Step-by-Step:
The Administrative Process

The process is regulated and managed by the **Spanish Ministry of Justice.**

1. Document Preparation

Includes:

- Criminal records
- Proof of residence
- Exams certificates

2. Online Submission

Through the official platform of the Ministry of Justice.

3. Administrative Review

Authorities evaluate:

- Legal requirements
- Police reports
- Integration

4. Resolution

Approved or rejected

5. Oath of Allegiance (Jura)

Before Civil Registry or Notary

6. Registration & Documentation

Issuance of:

- Spanish birth certificate
- DNI and passport

How Long Does the Process Take?

Officially, the administration aims to resolve applications within **1 year.**

However, in practice:
- Many cases take longer
- Processing times vary significantly

Factors that affect timing:
- Volume of applications
- Complexity of the case
- Quality of documentation submitted

Common Reasons for Delays or Rejection
- Incomplete or incorrect documentation
- Issues with residence continuity
- Criminal record inconsistencies
- Failure to prove integration

Important:
A well-prepared application can significantly reduce delays.

Other Legal Pathways

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2 **Nationality by Option (Article 20)**
Available for:
- Individuals under parental authority of a Spanish citizen
- Children of Spanish nationals

Usually subject to strict time limits.

3 **Nationality by Simple Presumption (Article 17.1.c)**
Applies when:
- A child is born in Spain
- The parents' nationality does not automatically transfer

Purpose: Prevent statelessness

Why Legal Strategy Matters

Spanish nationality is not a one-size-fits-all process. Each application depends on multiple factors, including your nationality, your residence history in Spain, and how your case is prepared and presented.

For this reason, a personalized legal assessment is essential to identify the most suitable and secure path forward. What works for one applicant may not apply to another — even if their situations appear similar at first glance.

A More Efficient and Secure Way to Apply

One of the key factors that can impact your process is how your application is submitted.

At **CABR Relocation**, we work through **the College of Administrative Managers (Colegio de Gestores Administrativos de Madrid)** — an alternative pathway that offers a more structured and efficient process.

What this means for you:
- Your application is **reviewed and verified before submission**
- Documentation is checked to ensure it is **complete and correctly prepared**
- It goes through an additional level of **administrative validation**
- Applications submitted through this channel often benefit from **more efficient processing times** (typically between 6 months to 1 year)

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Ready to Take the Next Step?

Before starting the process, it's essential to understand your situation correctly.

Book a consultation.
We'll assess your case and guide you through the most effective path.

Your journey to Spain starts with a single conversation.

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