

The Dutch *passpoortgate* issue: When the Loss of Nationality Affects the Player's Eligibility



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In early 2026 Dutch professional football confronted an uncomfortable possibility: that clubs had been fielding players who were, unknown to anyone, ineligible. The cause was not doping or forged papers but nationality law. A footballer who voluntarily acquires another country's nationality automatically loses his Dutch one, and a player who is neither Dutch nor a national of another EU state needs a work permit to play in the Netherlands. Several players who had joined foreign national teams had lost their Dutch nationality. According to the KNVB, ineligible players had featured in as many as 133 matches in a single competition.

The issue (also commonly known as the 'passpoortgate' scandal) came to a head on 15 March 2026. NAC Breda (**NAC**), fighting relegation, lost 6–0 at home to Go Ahead Eagles. Shortly afterwards NAC alleged that one of the Go Ahead players who had featured was ineligible: he had lost his Dutch nationality in 2025 on taking Indonesian nationality to play for Indonesia's national team, and had since been playing without the work permit he now needed.¹

¹ ECLI:NL:RBMNE:2026:2166, r.o. 3.6, 3.18-3.19.

NAC asked the KNVB to investigate and sought to have the match replayed. On 8 April 2026 the league committee refused. NAC challenged that refusal before the District Court of Central Netherlands (the Rechtbank Midden-Nederland) before the interim relief judge; after a hearing on 28 April 2026, the court dismissed its claims on 4 May 2026, finding no grounds to order a replay.² A problem of this scale had not arisen before in professional football, and it sits at an awkward junction of nationality law, immigration law and the rules of sport. This article examines the judgment (available [here](#)³) and what it means for clubs.

This article looks at:

- Legal background to the eligibility issue: Dutch nationality law
 - Work permit requirements
 - KNVB's eligibility criteria
- The court proceedings
 - NAC's Arguments
 - The question before the court
 - The criterion for setting aside the KNVB league committee's decision
 - Powers of discretion with KNVB
 - Arguments around balancing of interests of both parties
 - Court's decision
- Conclusion

Please note that the authors acted for an interested party in this case.

² ECLI:NL:RBMNE:2026:2166.

³ ECLI:NL:RBMNE:2026:2166. Available here: <https://uitspraken.rechtspraak.nl/details?id=ECLI:NL:RBMNE:2026:2166&showbutton=true&keyword=EC LI%253aNL%253aRBMNE%253a2026%253a2166&idx=1> (last accessed 21 August 2026)

Legal background to the eligibility issue: Dutch nationality law

First, there will be a brief general introduction to Dutch nationality rules and when a player is eligible to play in a Dutch professional competition.

In the Netherlands, a person automatically loses their Dutch nationality when they voluntarily acquire another nationality as per the **RWN** (which is the *Rijkswet op het Nederlanderschap* or the [Dutch Nationality Act](#)).⁴ There are three exceptions under which players may still hold dual nationality:

- 1) The person lived in the country of the other nationality for five years whilst being a minor (before the age of eighteen);
- 2) The person was born in the country of the other nationality and is living there at the time of acquiring that nationality;
- 3) The person is married to or in a registered partnership with someone who holds the other nationality.⁵

Work permit requirements

Under Dutch law, a work permit is needed to employ a foreign national, so the requirement never applies to Dutch nationals, who may work in their own country as of right.⁶ Nationals of other EU or EEA states are also exempt, this time by virtue of the free movement of workers (Article 45 TFEU), which prevents a host state from requiring a permit of them. Third-country nationals must generally hold one. Losing Dutch nationality matters because EU citizenship follows national citizenship: a player who voluntarily acquires a non-EU nationality loses both, becomes a third-country national, and so needs a work permit to remain eligible to play.

KNVB's eligibility criteria

The regulations on professional football of the KNVB specify the conditions under which a player is eligible to play.

⁴ Article 15 (1) under a RWN. The Act is available at <https://wetten.overheid.nl/BWBR0003738> accessed 17 August 2026.

⁵ Article 15(2)(a), (b) and (c) RWN.

⁶ Article 45 TFEU.

Article 7 (1) of the Regulations of Professional Football Matches (Reglement Wedstrijden Betaald Voetbal, or **RWBV**⁷) states that a player is eligible to play if he meets the following requirements set out, for the men's Eredivisie and Eerste Divisie, in Article 5A RWBV⁸:

- The player complies with all applicable statutory requirements, including immigration and employment legislation (such as work permit requirements);
- The player is eligible to play for the relevant professional club under the KNVB regulations and is not suspended or otherwise barred from participation;
- The player has been medically cleared by a KNVB-recognised medical authority;
- The player has obtained a declaration of no objection from the KNVB after participating in matches organised under the authority of a foreign FIFA-affiliated association, where required; and
- The player complies with the applicable provisions of the KNVB professional Football Regulations, if registered as a professional player.

Particularly relevant in this case was the first bullet point in the above list [Article 5A (1) (b)], which requires players to comply with all applicable statutory requirements.

It was common ground that the player had automatically lost his Dutch nationality after voluntarily acquiring Indonesian nationality; the dispute was not about his eligibility but about whether the match therefore had to be replayed.

Having lost his Dutch nationality, the player would no longer qualify as an EU national and would therefore require a work permit under Dutch law to be eligible to play in Dutch professional football. The player in question voluntarily acquired Indonesian nationality, resulting in the automatic loss of his Dutch nationality under Dutch nationality law. As long as the player held Dutch nationality, he benefited from the EU principle of free movement of workers and no work permit was required. However, once he voluntarily acquired Indonesian

⁷ Reglementen [Betaald Voetbal](#) KNVB. See: www.knvb.nl/downloads/bestand/29888/reglementen-betaald-voetbal-seizoen-2025-26versie-juli2026.

⁸ 5A – men's Eredivisie and Eerste Divisie; 5B – women's Eredivisie; 5C – women's Eerste Divisie; 5D – Under-21 competition; 5E – Under-18 competition

nationality and consequently lost his Dutch nationality, he ceased to qualify as an EU citizen. Since Go Ahead Eagles was unaware that the player had lost his Dutch nationality, no work permit had been applied for or obtained. As a result, the player no longer complied with the statutory requirements referred to in Article 5A(1)(b) RWBV, which formed the basis of the eligibility dispute.

The court proceedings

NAC's Arguments

NAC argued that the KNVB's league committee's decision to not have the match replayed contravenes Article 7 RWBV. According to NAC, under the second and fourth paragraphs of this article, a match must be replayed if an ineligible player has taken part in it.⁹

Article 7 of the RWBV reads – insofar as relevant to these interim proceedings – as follows (translated into English from the original language):

[...]

'2 a. If a professional football organisation considers that a player has taken part in a match whilst not being eligible to play, that professional football organisation may lodge a complaint in this regard with the competent disciplinary body.

b. Furthermore, the professional football organisation (...) may request the professional football league board (...) to have the result of the match re-determined.

3. A report or request, as referred to in paragraph 2 above, must be submitted in writing to the aforementioned body within eight days of the professional football organisation in question becoming aware, or reasonably being able to become aware, of the

⁹ ECLI:NL:RBMNE:2026:2166, r.o. 2 and r.o. 3.4.

participation of an ineligible player, stating the name, or at least as clear a description as possible, of the player concerned.

4 a. If the investigation conducted by the professional football prosecutor reveals that an ineligible player took part in the match, the professional football prosecutor may deal with the matter (or have it dealt with) in accordance with the provisions of the Professional Football Disciplinary Regulations.

b. In the case referred to in (a) above, the (...) professional football league board (...) may declare the match void, if so requested. The (...) professional football league board (...) shall determine whether the match is to be replayed.

c. The (...) professional football league board (...) is authorised not to order a match to be replayed if the result of that match has no bearing on a position that (...) could result in relegation, nor on a position that could entitle a team to participate in European cup competitions, the national cup competition or the play-offs.'

The question before the court

The question in this case was whether the regulations imply that the league committee is obliged to have the match replayed. If that is the case, NAC would thereby be given an additional opportunity to avoid relegation, as the previous defeat against Go Ahead Eagles could be converted into a draw or a win. NAC argued that the 'may' provision regarding the annulment of a match in Article 7(4)(b) of the regulations must be interpreted in the light of the restriction set out in sub-paragraph (c) of that same article. In this regard, NAC also heavily relied on the [decision](#) of the Rules Committee ("Reglementscommissie") of 18 April 2016¹⁰ from which it followed, so was argued by NAC, that there is no discretion for the KNVB not to declare the match invalid as long as the match can have its impact on promotion, relegation or a ranking giving right to participate in European competition, the Dutch FA competition ("nationale bekercompetitie") or play-offs (the so-called "nacompetitie"). Also, to further

¹⁰ Available here: <https://www.knvb.nl/downloads/bestand/3309/nr> (last accessed 21 August 2026)

support its position, NAC Breda relied on KNVB's standing practice of replaying matches in which an ineligible player had taken part.

In other words, where there is a risk of (in this case) possible relegation, the league committee would therefore be obliged to declare the match void, or at least to have it replayed. A further interpretation of Article 7(4) of the RWBV is necessary to answer this question.

The criterion for setting aside the KNVB league committee's decision

The court states, first and foremost, that the decision of the league committee can only be set aside if it contravenes the KNVB regulations or the principles of reasonableness and fairness. Central to this is how Article 7(4) of the RWBV is to be interpreted. As the regulations were drawn up unilaterally by the KNVB and apply to all members, the court applies the so-called collective agreement standard. This means that the provision is interpreted objectively and, first and foremost, according to its literal meaning.¹¹

Powers of discretion with KNVB

The court's interpretation separates the decision to invalidate a match from the decision to replay it. Article 7 RWBV creates two separate decisions. Decision one concerns the question of whether the match should be declared void. Decision two concerns the question of whether the match should be replayed. This distinction was decisive because Article 7(4)(c) only limits the second discretion. The KNVB therefore has discretionary power in this matter.¹² This means that the KNVB may decide to declare the match void, but is not obliged to do so. Only after the match has been declared void will a decision be made as to whether or not it should be replayed. This second decision is governed by Article 7(4)(c), which states that the league committee may not refuse to allow a match to be replayed if the result could affect, for example, relegation. NAC argued that the match should be declared void and that it should be replayed. However, as the match had not been declared void by the KNVB, the question of whether or not it should be replayed was never even considered.

¹¹ ECLI:NL:RBMNE:2026:2166, r.o. 3.3 & r.o. 3.7.

¹² ECLI:NL:RBMNE:2026:2166, r.o. 3.12.

Furthermore, the court ruled that the KNVB's decision did not contravene the principles of reasonableness and fairness. The basic principle is that the KNVB's committee has discretionary power, which means that the court will exercise restraint in its review. The court will only assess whether, in taking the decision, the league committee carefully weighed up all the interests involved in accordance with the principles of reasonableness and fairness. The conclusion is that it is not sufficiently plausible that the court, in proceedings on the merits, would set aside the league committee's decision on the grounds that it could not reasonably have been taken.¹³

Arguments around balancing of interests of both parties

NAC argued that the league committee had failed to take sufficient account of its interests in its decision. According to the club, the threat of relegation and the associated financial consequences had not been given sufficient consideration. The court rejected this argument. Although these interests were not explicitly mentioned in the decision, the court considered it plausible that the league committee had taken them into account. Furthermore, NAC had not set out its specific interests in detail in its request to have the match replayed, so the league committee was not required to address them separately.

Additionally, NAC argued that the league committee should have taken into account the previous ruling of the Rules Committee regarding Article 7(4)(c) of the RWBV in its decision-making. This argument also failed. According to the court, that ruling relates exclusively to the decision as to whether or not to replay a match that had already been declared invalid, and not to the prior decision to declare a match invalid.

The appeal to the principle of equality was also rejected. Although the KNVB had previously allowed matches to be replayed in individual cases following the fielding of an ineligible player, the court found that there were no comparable cases. The situation in question involved a

¹³ ECLI:NL:RBMNE:2026:2166, r.o. 3.13.

large number of potentially ineligible players and could therefore be assessed differently. In fact, according to the KNVB, ineligible players took part in 133 matches in this competition, which shows that this was not an isolated incident, but that the outcome of the decision would affect many more matches. The practical reach of that concern was, however, tempered by the eight-day time limit in Article 7(3) RWBV for requesting that a match be declared void and replayed; it was undisputed that this period had already expired, leaving only a handful of timely claims being valid, such as that of Top Oss in the Eerste Divisie (second division).

With regard to culpability, the court considered that there had been indications for some time regarding the possible consequences of the loss of Dutch nationality for players' eligibility to play. Clubs could therefore have had reason to carry out further investigations. The indications were also reflected in an article published in March 2025, which highlighted the impact of the loss of nationality and the requirements on players eligibility.¹⁴ At the same time, the court considers the applicable nationality rules to be complex and not straightforward to apply, meaning that it could not be determined with certainty which players had lost their eligibility to play. Whilst this does make the league committee's judgement that the clubs are not at fault open to debate, it is insufficient to deem the decision unlawful.

Finally, the court ruled that the league committee was entitled to give greater weight to the organisational and sporting consequences of replaying the match than to NAC's interests. Granting the application could have led to other clubs also claiming the right to have matches replayed, whilst the league was already in its final stages, although the eight-day time limit meant that few such claims could in fact still be brought. Set against those far-reaching consequences, NAC had only an additional opportunity to avoid relegation. Therefore, the league committee could reasonably decide not to declare the match invalid and not to have it replayed.

¹⁴ [Duel met Go Ahead nietig verklaard? Waarom NAC een serieuze zaak denkt te hebben](https://www.vi.nl/pro/overig/land-opereert-als-koopclub-paspoort-programma-indonesie-roept-vragen-op), www.vi.nl, 'Land opereert als koopclub: paspoort-programma Indonesië roept vragen op', *Voetbal International* (20 March 2025) <https://www.vi.nl/pro/overig/land-opereert-als-koopclub-paspoort-programma-indonesie-roept-vragen-op> accessed 17 August 2026.

Court's decision

The court considered it sufficiently plausible that the judge in the main proceedings would not set aside the decision of 8 April 2026. NAC's claims were therefore dismissed. The court weighed up the interests involved and concluded that NAC's interest in being allowed to reschedule a match does not automatically outweigh the KNVB's interest in preventing potentially major problems in the completion of the Eredivisie season.¹⁵

Conclusion

The Dutch court confirmed that the league committee from the KNVB is not obliged to declare a match void merely because an ineligible player participated. Instead, it retains discretion to decide whether a match should first be invalidated, after which the question of a replay arises.

At the same time, the case highlights an important issue in professional football. As a club, you cannot simply assume that a player has a particular nationality. In the future, clubs will have to check carefully whether their players have the correct nationality and whether or not they require a work permit.

The case therefore serves as an important reminder that nationality law, immigration law and sports regulations are more closely connected than clubs may previously have realised. This problem does not seem to be limited to the Netherlands but could occur at any professional football club with international players.

Written by



¹⁵ ECLI:NL:RBMNE:2026:2166, r.o. 3.23-3.24.

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