

99059002010001

Heruntergeladen am 20.05.2025

<https://fimportal.de/services/99059002010001>

Modul	Sachverhalt
Leistungsschlüssel	99059002010001
Leistungsbezeichnung I	
Leistungsbezeichnung II	Application for exemption from presentation of the certificate of marriageability for foreign nationals.
Typisierung	2/3

Modul
Sachverhalt
Handlungsgrundlage(n)

- <https://www.gesetze-im-internet.de/bgbeg/BJNR006049896.html#BJNR006049896BJNG032101123>
- https://www.gesetze-im-internet.de/bgb/_1306.html
- https://www.gesetze-im-internet.de/jvkostg/_4.html
- <https://www.gesetze-im-internet.de/jvkostg/anlage.html>
- https://www.unhcr.org/dach/wp-content/uploads/sites/27/2017/03/Genfer_Fluechtlingskonvention_und_New_Yorker_Protokoll.pdf
- https://www.gesetze-im-internet.de/pstg/_12.html
- https://www.gesetze-im-internet.de/gvgeg/_23.html

Teaser

If you do not have German citizenship and wish to marry in Germany, you will need a certificate of marriageability from your home country. If you are not issued one, you can apply for an exemption from the requirement to present a certificate of marriageability.

Volltext

If you want to marry in Germany as a foreign national, the requirements for marriage are determined by the law that applies in your home country.

This regulation is intended to prevent the marriage from being recognized in Germany but not in your home country. It is of great importance, especially for future children, that a marriage contracted in Germany is also recognized in the country of origin of the foreign parent.

Therefore, you must always submit a certificate of marriageability from your home country. With this certificate of marriageability, the competent authority in your home country confirms that there are no obstacles to your intended marriage under the law of your home country.

If you have more than one nationality, the law of the country with which you have the closest connection is to be applied. If you also have German citizenship, this takes precedence.

In individual cases, you can apply for an exemption from the obligation to present a certificate of marriageability. This is done at the President of the competent Higher Regional Court in whose district you have registered the marriage.

This is possible for you if you belong to one of the following groups of persons:

- * Nationals of states whose authorities do not issue certificates of marriageability.
- * Nationals of states that issue certificates of marriageability, but if this is objectively impossible. This applies, among other things, to situations in which foreign law denies marriage for reasons that are incompatible with the freedom of marriage guaranteed by the Basic Law, for example, if the foreign home law prohibits remarriage after a divorce.

They do not need a certificate of marriageability and exemption if they belong to the following group of persons:

- * Recognized persons entitled to asylum,
- * foreign refugees,
- * homeless foreigners, and
- * Stateless persons with permanent residence in Germany.

Their status must be proven by an appropriate travel document.

If you apply for an exemption from the certificate of marriageability, the President of the Higher Regional Court will check in place of the foreign authority whether there is an obstacle to marriage under your home country's law or whether a requirement for marriage is missing. There must also be no obstacle to marriage under German law. Thus, it may have to be checked whether any previous marriages have been effectively dissolved in this context.

The exemption is valid for a period of 6 months.

Begriffe im Kontext

Bearbeitungsdauer

Fristen	You do not have to observe any deadlines. However, be sure to plan for the possible duration of the procedure in your wedding preparations.
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Formulare + Objekt

Formular

Forms:
 Online process available:
 Written form required:
 Personal appearance required:

Kurztext

- * Certificate of Marriageability Exemption for Foreigners
- * Foreign nationals who wish to marry in Germany require a certificate of marriageability from their home country.
- * Exemption from presentation or proof of a certificate of marriageability possible on application
- * Exemption is valid for a period of 6 months
- * Costs:
 - * For the exemption from the presentation/proof of the certificate of marriageability: EUR 15,00 to EUR 305,00
 - * In case of refusal or withdrawal of the application: half of the fee for granting the exemption, but at least EUR 15.00
- * Deadlines: none
- * Responsible: Higher Regional Court

weiterführende Informationen

Hinweise (Besonderheiten)

Rechtsbehelf		Request for court decision
fachlich durch	freigegeben	Federal Ministry of the Interior, for Construction and Home Affairs
fachlich am	freigegeben	25.10.2021
Lagen Portalverbund		Urkunden und Bescheinigungen (1070200), Eheschließung (1020300)