

99083005001001

# Certificate on name declarations Issued in the absence of a domestic civil status entry

Heruntergeladen am 06.06.2025

<https://fimportal.de/services/99083005001001>

| Modul                     | Sachverhalt  |
|---------------------------|--|
| Leistungsschlüssel        | 99083005001001   |
| Leistungsbezeichnung I    | Certificate on name declarations Issued in the absence of a domestic civil status entry  |
| Leistungsbezeichnung II   | Declaration on the use of the name - Declaration on the use of the name of spouses without a domestic marriage or marriage entry |
| Typisierung               | 2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug   |
| Quellredaktion            | Baustein Leistungen  |
| Freigabestatus Katalog    | fachlich freigegeben (gold)  |
| Freigabestatus Bibliothek | fachlich freigegeben (silber)  |
| Begriffe im Kontext       |  |
| Leistungstyp              | Leistungsobjekt mit Verrichtung  |
| Leistungsgruppierung      | Names (individuell, 083)   |
| Verrichtungskennung       | Erteilung (001)  |

| Modul                         | Sachverhalt  |
|-------------------------------|--|
| SDG-Informationsbereich       | Leben in einer binationalen Partnerschaft, auch einer gleichgeschlechtlichen Partnerschaft (Eheschließung, zivile/eingetragene Partnerschaft, Trennung, Scheidung, Güterrecht, Rechte von Lebenspartnern)  |
| Lagen Portalverbund           | Urkunden und Bescheinigungen (1070200), Eheschließung (1020300)  |
| Einheitlicher Ansprechpartner | Nein   |
| Fachlich freigegeben am       | 13.04.2021   |
| Fachlich freigegeben durch    | Department 23 Personal Status Law - Senator for the Interior Bremen  |
| Handlungsgrundlage            | <a href="https://www.gesetze-im-internet.de/pstg/_41.html">https://www.gesetze-im-internet.de/pstg/_41.html</a><br><a href="https://www.gesetze-im-internet.de/pstv/_5.html">https://www.gesetze-im-internet.de/pstv/_5.html</a><br><a href="https://www.gesetze-im-internet.de/pstv/_46.html">https://www.gesetze-im-internet.de/pstv/_46.html</a><br><a href="https://www.gesetze-im-internet.de/bgb/_1355.html">https://www.gesetze-im-internet.de/bgb/_1355.html</a><br><a href="https://www.gesetze-im-internet.de/bgb/_1617c.html">https://www.gesetze-im-internet.de/bgb/_1617c.html</a><br><a href="https://www.gesetze-im-internet.de/bgbeg/BJNR006049896.html">https://www.gesetze-im-internet.de/bgbeg/BJNR006049896.html</a> |
| Teaser                        | <p>Persons who are married to each other may, under certain circumstances, be able to change their name after marrying abroad by making a declaration to a German registry office.</p> <p>The registry office will issue a certificate to this effect.</p>   |
| Volltext                      | <p>Spouses can choose their own name.</p> <p>The following name declarations can be considered if the spouses are subject to the German personal statute:</p> <ul style="list-style-type: none"> <li>• Determination of a married name (also after the marriage)</li> <li>• Adoption of a companion name (prefix or addition)</li> <li>• Reassumption of the birth name</li> </ul> <p>The relevant declaration must be made to the registry office The declaration is personal.</p>  |

## Modul

## Sachverhalt

Furthermore, the person making the declaration must have legal capacity; for persons with limited legal capacity, the provisions of § 106 BGB apply; for persons under guardianship, §§ 119ff BGB apply.

Declarations made after the marriage must always be officially notarized.

In Germany, notaries and any registrar appointed in Germany are responsible for notarization. In the case of declarations made abroad, the certification and authentication powers of German consular officials must be observed.

Declarations of name are declarations of intent requiring official receipt and only become effective after receipt by the competent German registry office.

If there is no German marriage or marriage entry for the marriage, the registry office in whose jurisdiction one of the declaring parties has or last had his or her domicile or habitual residence is responsible for accepting a declaration on the use of names in the marriage. If there is such a domestic connection, this jurisdiction applies if the marriage was concluded abroad and has not yet been subsequently notarized in a German marriage register. If there is no such domestic connection in the form of a domicile or habitual residence in Germany, the registry office I in Berlin is responsible.

## Erforderliche Unterlagen

- Identity document (identity card or passport)
- Marriage certificate or certified extract from the marriage register

with translation, apostille and, if necessary, verification of content. (To be determined in detail by the competent registry office).

## Voraussetzungen

- The declarants must be married to each other.

| Modul                        | Sachverhalt  |
|------------------------------|--|
|                              | <ul style="list-style-type: none"> <li>• The corresponding declaration must be made to the registry office.</li> <li>• Declarations on marriage names must be made in person.</li> <li>• The declaration can only be made by persons with legal capacity.</li> <li>• The declaration must be publicly notarised.</li> </ul>  |
| Kosten                       | <p>There may be a charge for the names.</p> <p>Please contact your registry office.</p>  |
| Verfahrensablauf             | <ul style="list-style-type: none"> <li>• The declaration on the use of the name in marriage is made personally by the married couple at the competent registry office.</li> </ul> <p>Only after the registrar has examined the underlying facts and concluded that a name declaration is possible, can the spouses choose to use their names</p> <ul style="list-style-type: none"> <li>• according to the law of a state to which one of the spouses belongs, or</li> <li>• according to German law, if one of you has his or her habitual residence in Germany.</li> </ul> |
| Bearbeitungsdauer            | Case-by-case   |
| Frist                        | No deadlines   |
| weiterführende Informationen |  |
| Hinweise                     |  |
| Rechtsbehelf                 | If the registrar's office refuses your request for a certificate, you can apply to the relevant court to order the registrar's office to issue the certificate to you.   |

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|-------------------|--|
| Kurztext          | Under certain circumstances, spouses can arrange the use of their name in the marriage, even after the marriage abroad, by making a declaration at a German registry office. |
| Ansprechpunkt     | The registry office in whose area of jurisdiction one of the declarants has or last had his or her domicile or habitual residence  |
| Zuständige Stelle | The registry office in whose area of jurisdiction one of the declarants has or last had his or her domicile or habitual residence  |
| Formulare         |  |
| Ursprungsportal   |  |