

99083004018000

Namensgebung, Namensrecht

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Modul	Sachverhalt
Leistungsschlüssel	99083004018000
Leistungsbezeichnung I	Namensgebung, Namensrecht
Leistungsbezeichnung II	Namensgebung, Namensrecht
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Sachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	

Modul
Sachverhalt
Fachlich freigegeben durch
Handlungsgrundlage

- § 1616 Bürgerliches Gesetzbuch (BGB) – Geburtsname bei Eltern mit Ehenamen
- § 1617 BGB – Geburtsname bei Eltern ohne Ehenamen und gemeinsamer Sorge
- § 1617a BGB – Geburtsname bei Eltern ohne Ehenamen und Alleinsorge
- § 1617b BGB – Name bei nachträglicher Sorge oder Scheinvaterschaft
- § 1617c BGB – Name bei Namensänderung der Eltern
- § 1618 – Einbenennung
- § 21 Personenstandsgesetz (PStG) – Eintragung in das Geburtenregister
- § 22 PStG – Fehlende Vornamen
- § 45 PStG – Erklärungen zur Namensführung des Kindes
- § 45a Vornamenssortierung
- Nr. 75 der Anlage 1 zu § 1 Sächsisches Kostenverzeichnis (10.SächsKVZ)
- § 9 Absatz 5 Lebenspartnerschaftsgesetz (LPartG) – Einbenennung

Teaser

You are largely responsible for deciding your child's first name. If both parents have custody, they are jointly entitled to choose the first name. If only one parent has custody, they alone may choose the first name.

Volltext

First name

You are largely responsible for deciding your child's first name. If both parents have custody, they are jointly entitled to choose the first name. If only one parent has custody, they alone may choose the first name.

However, there is a limit to the right to freely choose a name if the child's welfare could be impaired by the name. In addition to the name itself, this also applies to the number of first names.

- It is up to the parents, or later the bearer of the name, to decide which of several first names is to be used.

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- Due to international regulations, the name must be entered in the passport as it appears on the birth certificate.

Please note: As the space available in the machine-readable zone of the passport is limited, it may not be possible to include the last name or the last surname if you have more than one first name. This could lead to inconvenience if the last name is used as the first name.

Sorting first names

- If you have several first names and would like to change the order (for example, because the first name has been removed from the machine-readable zone of the ID), you can change the order.
- It is not possible to change the spelling or to add or omit a first name.
- The declaration must be notarised. The Standesamt (registry office) that keeps your birth register entry is responsible for accepting the declaration.

Limited choice of names

In principle, only female first names should be chosen for girls and only male first names for boys. However, names that are commonly used as first names for both girls and boys are also permitted (e.g. Kai, Chris, Alex).

Names that are not first names by their very nature, such as trade names, fantasy names or slurs, are not permitted.

Tip:

Family name

The following options are available for determining your child's surname (birth name):

- The child is given either the joint surname of his/her parents as his/her birth name,
- the surname of his/her father or
- the surname of his/her mother.

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If the parents are married and have a married name, the child will be given this as its birth name. If both parents have different surnames, the parents decide on one of the two as the child's birth name. This decision then also applies to all other children.

If the child's parents are not married and one parent has sole custody of the child, the child will be given the surname of the parent with custody. However, the custodial parent has the option of giving the child the surname of the non-custodial parent.

However, this requires the parent's consent.

If a parent marries after the birth or establishes a registered civil partnership, the child can also be given the new married / civil partnership name by means of a declaration to the Standesamt.

- This name can also be placed in front of or added to the child's current surname.
- The prerequisite for this is that the child lives in the same household as the parent who is married or in a civil partnership.
- If both parents have custody of the child, the other parent must give their consent for the name to be given, prefixed or added.
- If the child has reached the age of five, the child's consent is also required.
- The aforementioned declarations must be notarised.

The name of a child of foreign nationality is generally determined by the law of the country to which the child belongs. Specific information and details can be obtained from the foreign representations in Germany.

- ausländischen Vertretungen in Deutschland
Auswärtiges Amt

Erforderliche Unterlagen

Voraussetzungen

You must have custody of the child.

Kosten

- Determination of the child's birth name if the parents

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do not have a married name - Notarisation or certification of the declaration of the custodial parents:

- as part of the notarisation of the birth: free of charge
- Declaration, consent or agreement to the use of a name on the basis of family law regulations - notarisation or certification: EUR 35.00
- Sorting of first names: EUR 30.00 if there is no domestic birth entry, additional EUR 35.00

Verfahrensablauf

The easiest way is to have the desired first names and surnames entered when you register the birth.

If you do not do this, you must do so within one month of the birth.

Bearbeitungsdauer

Frist

Family name You must notify the Standesamt of your surname within one month of the birth. After this period has expired, the registry office is obliged to notify the competent family court. The family court will then assign the right to determine the name to one of the parents. The child will be given the name of this parent if he or she does not choose the name of the other parent for the child. **First name** If you do not provide the registry office with a first name when registering the birth, you must do so within one month of the birth.

weiterführende Informationen

Hinweise

Rechtsbehelf

Kurztext

Ansprechpunkt

Zuständige Stelle

Formulare

Ursprungsportal