

99059002010001

# Certificate of no impediment to marriage for foreigners, exemption from providing a certificate

Heruntergeladen am 20.05.2025

<https://fimportal.de/xzufi-services/6000995/L100009>

Modul	Sachverhalt
Leistungsschlüssel	99059002010001
Leistungsbezeichnung I	Certificate of no impediment to marriage for foreigners, exemption from providing a certificate
Leistungsbezeichnung II	Certificate of no impediment to marriage for foreigners, exemption from providing a certificate
Typisierung	2/3

Modul	Sachverhalt
Handlungsgrundlage(n)	<ul style="list-style-type: none"> <li>* [Artikel 13 Einführungsgesetz zum Bürgerlichen Gesetzbuch (EGBGB)](<a href="https://www.gesetze-im-internet.de/bgbeg/BJNR006049896.html">https://www.gesetze-im-internet.de/bgbeg/BJNR006049896.html</a>)</li> <li>* §§ 1309 Abs. 2 und 1306 ff. [Bürgerliches Gesetzbuch (BGB)](<a href="https://www.gesetze-im-internet.de/bgb/">https://www.gesetze-im-internet.de/bgb/</a>)</li> <li>* § 4 Abs. [Gesetz über Kosten in Angelegenheiten der Justizverwaltung](<a href="http://www.gesetze-im-internet.de/jvkostg/index.html">http://www.gesetze-im-internet.de/jvkostg/index.html</a>) (Justizverwaltungs-Kostengesetz – JVKostG) – Höhe der Kosten</li> <li>* Gesetz über Kosten in Angelegenheiten der Justizverwaltung (Justizverwaltungs-kostengesetz – JVKostG), Kostenverzeichnis – Anlage (zu § 4 Abs. 1) Kostenverzeichnis, Nr. 1330</li> <li>* [Artikel 12 Genfer Flüchtlingskonvention (GFK)](<a href="https://www.unhcr.org/dach/wp-content/uploads/sites/27/2017/03/Genfer_Fluechtlingskonvention_und_New_Yorker_Protokoll.pdf">https://www.unhcr.org/dach/wp-content/uploads/sites/27/2017/03/Genfer_Fluechtlingskonvention_und_New_Yorker_Protokoll.pdf</a>)</li> <li>* § 12 Absatz 3 [Personenstandsgesetz (PStG)](<a href="http://www.gesetze-im-internet.de/pstg/index.html">http://www.gesetze-im-internet.de/pstg/index.html</a>)-Anmeldung der Eheschließung</li> <li>* [Sächsisches Kostenverzeichnis (SächsKVZ)](<a href="https://www.revosax.sachsen.de/vorschrift/19330-Zehntes-Saechsisches-Kostenverzeichnis">https://www.revosax.sachsen.de/vorschrift/19330-Zehntes-Saechsisches-Kostenverzeichnis</a>), Lfd. Nr. 75 Personenstandsrecht, öffentliches Namensrecht</li> </ul>
Teaser	If you are a foreign national and wish to marry in Germany, the requirements for marriage are determined by the law that applies in your home country.
Volltext	<p>If you are a foreign national and wish to marry in Germany, the requirements for marriage are determined by the law that applies in your home country.</p> <p>This regulation is intended to prevent the marriage from being recognised in Germany but not in your home country ("limping marriage"). It is particularly important for future children that a marriage entered into in Germany is also recognised in the country of origin of the foreign parent.</p> <p>Therefore, you must always submit a certificate of no impediment to marriage from your home country in which the domestic authority of your home country confirms that there are no obstacles to the intended marriage under the law of your home country.</p> <p>If you have more than one nationality, the law of the</p>

country with which you are most closely connected will apply. If you are also German, the German nationality takes precedence.

Certificates of no impediment to marriage are issued, for example, by Albania, Bulgaria, Denmark, Finland, Greece, Great Britain, Ireland, Italy, Japan, Cape Verde, Kenya, Croatia, Cuba, Liechtenstein, Luxembourg, Mozambique, New Zealand, Netherlands, Norway, Austria, Poland, Portugal, Samoa, Sweden, Switzerland, Slovakia, Spain, Tanzania, Czech Republic, Turkey (non-binding list).

If it is not possible to issue a certificate of no impediment to marriage, you can be exempted from this obligation in individual cases by the President of the Higher Regional Court in whose district the marriage was registered.

As a rule, this exemption is possible for

- \* Nationals of countries whose authorities do not issue certificates of no impediment to marriage.
- \* Nationals of countries that issue certificates of no impediment to marriage but where it is objectively impossible for them to authorise such certificates. This applies, among other things, to situations in which foreign law refuses to authorise marriage for reasons that are incompatible with the constitutionally guaranteed freedom to marry (for example, if it is forbidden under foreign law to remarry after a divorce)

Recognised persons entitled to asylum, foreign refugees, homeless foreigners and stateless persons with permanent residence in Germany do not require a certificate of no impediment to marriage or an exemption. Their legal status must be proven by an appropriate travel document.

In the case of an exemption, the President of the Higher Regional Court checks instead of the foreign authority whether there is an obstacle to marriage under the home country law or whether a marriage requirement is missing. There must also be no impediment to marriage under German law. In this context, it may be necessary to check whether any previous marriages have been effectively dissolved.

Despite a favourable decision by the Higher Regional Court,

the registrar may deviate and refuse the marriage if he or she considers an impediment to marriage to exist. The registrar as registrar must be convinced that the conditions for marriage are met.

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## Begriffe im Kontext

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**Bearbeitungsdauer** \* Depends on the individual case.

As the examination of the documents by the German and, if applicable, foreign authorities can take some time, it is important that the certificate of no impediment to marriage is applied for in good time.

**Fristen** The exemption is only valid for a period of six months.

**Formulare + Objekt**  
**Formular**

**Kurztext**

**weiterführende**  
**Informationen**

**Hinweise**  
**(Besonderheiten)** Be sure to plan the possible duration of the procedure for exemption from providing a certificate of no impediment to marriage and the validity of the exemption (six months) into your wedding preparations.

**Rechtsbehelf**

**fachlich** **freigegeben**  
**durch**

**fachlich** **freigegeben**  
**am**

**Lagen Portalverbund**

**zuständige Stelle**

**Ansprechpunkt**

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