

99133002026000

Maternity recognition

Heruntergeladen am 27.07.2025

<https://fimportal.de/xzufi-services/299318122/L100012>

Modul	Sachverhalt
Leistungsschlüssel	99133002026000
Leistungsbezeichnung I	Maternity recognition
Leistungsbezeichnung II	Maternity recognition
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Schleswig-Holstein
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Anerkennung Vater-/Mutterschaft (133)
Verrichtungskennung	Beurkundung (026)
SDG-Informationsbereich	Geburt, Sorgerecht für Minderjährige, elterliche Pflichten, Vorschriften für Leihmutterschaft und Adoption, einschließlich Stiefkindadoption, Unterhaltspflichten für Kinder bei grenzüberschreitenden familiären Gegebenheiten
Lagen Portalverbund	Nach der Geburt (1010200), Vor der Geburt (1010100)

Modul	Sachverhalt
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	09.10.2020
Fachlich freigegeben durch	Senator for Internal Affairs, Department 23 - Civil Status Law, of the State of Bremen
Handlungsgrundlage	<ul style="list-style-type: none"> • Art. 19 para. 1 sentence 1 EGBGB • § Section 27 PStG • § Section 44 of the Civil Status Act (PStG) • §§ Sections 1591 to 1599 BGB
Teaser	<ul style="list-style-type: none"> • If you wish to make a declaration recognizing the maternity of your child, insofar as this is required by your home law or the law of the country in which the child has its habitual residence.
Volltext	<p>A declaration recognizing the maternity of a child can be recorded at any registry office, at youth welfare offices and before notaries.</p> <p>Recognition of maternity only applies in cases where the parentage of a child of unmarried parents is governed by the law of the country in which the child has its habitual residence or, alternatively, by the mother's home law.</p> <p>If the mother's or father's home country law requires a maternity acknowledgement, this will be publicly notarized. The same rules apply as for acknowledgment of paternity.</p>
Erforderliche Unterlagen	Proof of identity (e.g. identity card, passport, ID card)
Voraussetzungen	<ul style="list-style-type: none"> • The recognition must be publicly notarized. • Recognition of maternity can be submitted to any municipal office, youth welfare office or notary. • Recognition and consent are not subject to receipt and do not require acceptance by a specific registry office or other authority to be effective. • Recognition of maternity only applies in cases where the parentage of a child of unmarried parents is governed by the law of the state in which the child has its habitual residence or, alternatively, by the mother's home law.

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If the mother's or father's home country law requires a maternity acknowledgement, this will be publicly notarized. The same rules apply as for recognition of paternity.

- Recognition subject to a condition or time limit is invalid.
- Recognition also requires the child's consent if the mother is not entitled to parental custody.
- Persons with limited legal capacity can only acknowledge themselves, but require the consent of their legal representative. In the case of legally incompetent persons, the legal representative can acknowledge with the approval of the family court; if the legal representative is a guardian, the approval of the guardianship court is required.
- For a legally incompetent child or a child who is not yet 14 years old, only the legal representative can consent to the acknowledgment.
- Acknowledgements or consents cannot be declared by an authorized person.

Kosten

Recognition of maternity is free of charge.

Fees for the declaration in lieu of an oath and for an interpreter, if applicable

Verfahrensablauf

Recognition of maternity can be submitted to any municipal office, youth welfare office or notary.

- The recognizing woman declares that she is the mother of the child.
- The registrar must check the declaration of recognition in order to prevent ineffective recognitions as far as possible.
- In particular, the following is checked
 - The identity of the acknowledging party, the mother and the child
 - The legal capacity of the parties involved
 - Any previous status determinations
 - The registrar clarifies the legal consequences of the name.
- The recognition is officially notarized

Modul	Sachverhalt
Bearbeitungsdauer	<ul style="list-style-type: none"> • Depending on the individual case
Frist	<ul style="list-style-type: none"> • The declaration of recognition can be made for an unlimited period of time, even before the birth of the child (prenatal recognition) and after the child's death (post-mortem recognition), as well as for stillborn children.
weiterführende Informationen	
Hinweise	
Rechtsbehelf	<ul style="list-style-type: none"> • Objection • Contestation • Declaratory proceedings
Kurztext	<p>Under German law, maternity results solely from the fact of birth: the mother of the child is the woman who gave birth to it.</p> <ul style="list-style-type: none"> • Maternity is only recognized if the parentage of a child of unmarried parents must be determined in accordance with the law of the state in which the child has its habitual residence or, alternatively, in accordance with the mother's home law. (cf. Art. 19 para. 1 sentence 1 EGBGB) • The recognition of maternity is notarized in public form. • Every registry office, all youth welfare offices and notaries are responsible.
Ansprechpunkt	<ul style="list-style-type: none"> • Youth welfare offices • Notaries • registry offices
Zuständige Stelle	<ul style="list-style-type: none"> • Youth welfare offices • Notaries • registry offices
Formulare	at the registry office
Ursprungsportal	Maternity recognition, Mutterschaftsanerkennung