

99013007026000, 99013007026000

Waiver by the father of the transfer of custody

Heruntergeladen am 09.06.2025

<https://fimportal.de/xzufi-services/106343152/L100027>

Modul	Sachverhalt
Leistungsschlüssel	99013007026000, 99013007026000
Leistungsbezeichnung I	Waiver by the father of the transfer of custody
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Mecklenburg-Vorpommern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Adoption (013)
Verrichtungskennung	Beurkundung (026)
SDG-Informationsbereich	Geburt, Sorgerecht für Minderjährige, elterliche Pflichten, Vorschriften für Leihmutterschaft und Adoption, einschließlich Stiefkindadoption, Unterhaltspflichten für Kinder bei

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	grenzüberschreitenden familiären Gegebenheiten
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	11.04.2019
Fachlich freigegeben durch	Ministry for Social Affairs, Integration and Equality Mecklenburg-Western Pomerania
Handlungsgrundlage	https://www.gesetze-im-internet.de/bgb/_1747.html https://www.sozialgesetzbuch-sgb.de/sgbviii/51.html https://www.sozialgesetzbuch-sgb.de/sgbviii/59.html https://www.gesetze-im-internet.de/bgb/_1747.html https://www.sozialgesetzbuch-sgb.de/sgbviii/51.html https://www.sozialgesetzbuch-sgb.de/sgbviii/59.html
Teaser	Consent to the adoption of a child by the natural parents is required by law under Section 1747 of the Civil Code (BGB).
Volltext	Consent to the adoption of a child by the natural parents is required by law under Section 1747 of the German Civil Code (BGB). In the case of newborns, consent may not be given until the child is eight weeks old. Pursuant to section 1747 (3) no. 3 of the Civil Code, the father may waive the right to have parental care or part thereof transferred to him alone by the family court in accordance with section 1672 (1) sentence 1 of the Civil Code. This must be publicly certified. Pursuant to § 59.1 No. 7 of Book VIII of the Social Code, the certifying officer of the youth welfare office is authorized to do this. The youth welfare office must advise the father before the declaration of relinquishment in accordance with § 51.3 SGB VIII. The waiver is in connection with the adoption of the child by a third party. The father can attempt to prevent the adoption by applying for the transfer of parental custody to himself in accordance with section

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	1747 (3) no. 2 of the Civil Code. However, if he declares renunciation, he thereby clears the way for the adoption.
Erforderliche Unterlagen	• Identity card or passport • Acknowledgement of paternity or court order establishing paternity
Voraussetzungen	
Kosten	Certifications by the notary public of the Youth Welfare Office are free of charge.
Verfahrensablauf	The youth welfare office shall advise the father in exercising his rights under section 1747 (1) and (3) of the Civil Code. In proceedings to replace a parent's consent to adoption under section 1748 (2) sentence 1 of the Civil Code, the youth welfare office shall instruct the parent on the possibility of replacing consent.
Bearbeitungsdauer	
Frist	The youth welfare office shall inform the father that the family court may not replace the consent until three months have elapsed after the instruction. The instruction is not required if the parent has changed his or her place of residence without leaving his or her new address and the place of residence could not be determined by the youth welfare office during a period of three months despite reasonable inquiries; in this case, the period begins with the first action of the youth welfare office directed toward the instruction or toward the determination of the place of residence. The time limits shall expire no earlier than five months after the birth of the child.
weiterführende Informationen	
Hinweise	
Rechtsbehelf	
Kurztext	• The waiver is in connection with the adoption of the

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	child by a third party. • The father can attempt to prevent the adoption by applying for the transfer of parental care to himself under section 1747 (3) no. 2 of the Civil Code.
Ansprechpunkt	
Zuständige Stelle	Youth welfare office of the local public youth welfare agency (counties or independent cities)
Formulare	
Ursprungsportal	Verzichtserklärung des Vaters auf Übertragung der Sorge, Waiver by the father of the transfer of custody