

99133002026000, 99133002026000

# Maternity recognition

Heruntergeladen am 10.06.2025

<https://fimportal.de/xzufi-services/215072001/L100038>

Modul	Sachverhalt
Leistungsschlüssel	99133002026000, 99133002026000
Leistungsbezeichnung I	Maternity recognition
Leistungsbezeichnung II	Maternity recognition
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Thüringen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
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	Vor der Geburt (1010100), Nach der Geburt (1010200)

Modul	Sachverhalt
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	09.10.2020
Fachlich freigegeben durch	Senator for the Interior, Department 23 - Personal Status Law, of the State of Bremen
Handlungsgrundlage	<ul style="list-style-type: none"> <li>• Art. 19 Para. 1 Sentence 1 EGBGB</li> <li>• § Section 27 PStG</li> <li>• § Section 44 Personal Status Act (PStG)</li> <li>• §§ Sections 1591 to 1599 BGB</li> </ul>
Teaser	<ul style="list-style-type: none"> <li>• If you wish to make a declaration recognizing maternity to your child, to the extent required by your home country law or the law of the country in which the child is habitually resident.</li> </ul>
Volltext	<p>A declaration by which maternity to a child is recognized can be notarized in 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 born to parents who are not married to each other is governed by the law of the country in which the child has its habitual residence or, alternatively, by the mother's home country law.</p> <p>If the foreign law of the mother's or father's home country requires a maternity acknowledgment, this will be publicly authenticated. The same regulations apply as for the acknowledgement of paternity.</p>
Erforderliche Unterlagen	Proof of identity (e.g. identity card, passport, Id card)
Voraussetzungen	<ul style="list-style-type: none"> <li>• The recognition must be publicly certified.</li> <li>• The acknowledgement of maternity can be submitted to any city office, youth welfare office or notary public.</li> <li>• Recognition and consent are not subject to receipt and do not require receipt by a particular registry office or other authority in order to be effective.</li> <li>• Recognition of maternity is only applicable in cases where the parentage of a child born to parents who are not married to each other is governed by the law of the country in which the child has its habitual</li> </ul>

## Modul

## Sachverhalt

residence or, alternatively, by the mother's home country law.

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

- Recognition under condition or time provision is ineffective.
- The recognition also requires the child's consent if the mother is not entitled to parental care in this respect.
- A person with limited legal capacity can only acknowledge himself or herself, but requires the consent of the legal representative. If the legal representative is a guardian, the approval of the guardianship court is required.
- For an incapable child, or a child who is not yet 14 years old, only the legal representative can consent to the recognition.
- Acknowledgements or consents cannot be declared by an authorized person.

## Kosten

The recognition of maternity is free of charge.

If applicable, fees for the affirmation in lieu of an oath as well as for an interpreter

## Verfahrensablauf

The recognition of maternity can be submitted to any city office, youth welfare office or notary public.

- The recognizing woman declares to be the mother of the child.
- The registrar must check the declaration of recognition in order to prevent ineffective recognitions if possible.
- Specifically checked:
  - The identity of the recognizer, the mother and the child.
  - The legal capacity of the parties involved
  - Any previous status determinations
  - The registrar explains the legal consequences of the

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	<p>name.</p> <ul style="list-style-type: none"> <li>• The recognition is publicly certified</li> </ul>
Bearbeitungsdauer	<ul style="list-style-type: none"> <li>• Case-by-case</li> </ul>
Frist	<ul style="list-style-type: none"> <li>• The declaration of recognition can be made for an unlimited period of time, even before the birth of the child (prenatal recognition), after the death of the child (post-mortem recognition), as well as for stillborn children.</li> </ul>
weiterführende Informationen	
Hinweise	
Rechtsbehelf	<ul style="list-style-type: none"> <li>• Objection</li> <li>• Contestation</li> <li>• Declaratory proceedings</li> </ul>
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"> <li>• Recognition of maternity only applies if the parentage of a child born to parents who are not married to each other 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 country law. (cf. Art. 19 (1) sentence 1 of the Introductory Act to the German Civil Code.</li> <li>• The recognition of maternity is notarized in public form.</li> <li>• Every registry office, all youth welfare offices and notaries are responsible.</li> </ul>
Ansprechpunkt	<ul style="list-style-type: none"> <li>• Youth welfare offices</li> <li>• Notaries</li> <li>• Registry offices</li> </ul>
Zuständige Stelle	<ul style="list-style-type: none"> <li>• Youth welfare offices</li> </ul>

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	<ul style="list-style-type: none"> <li>• Notaries</li> <li>• Registry offices</li> </ul>
Formulare	at the registry office
Ursprungsportal	Maternity recognition, Mutterschaftsanerkennung