

99133001026000

# Acknowledgement of paternity

Heruntergeladen am 29.07.2025

<https://fimportal.de/xzufi-services/8665768/L100040>

Modul	Sachverhalt
Leistungsschlüssel	99133001026000
Leistungsbezeichnung I	Acknowledgement of paternity
Leistungsbezeichnung II	Acknowledgement of paternity
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Niedersachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Anerkennung Vater-/Mutterschaft (133)
Verrichtungskennung	Beurkundung (026)
SDG-Informationsbereich	
Lagen Portalverbund	Nach der Geburt (1010200), Vor der Geburt (1010100)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	23.11.2020

Modul	Sachverhalt
Fachlich freigegeben durch	Lower Saxony Ministry of the Interior and Sport
Handlungsgrundlage	<ul style="list-style-type: none"> <li>• § 44 Civil Status Act (PStG)</li> <li>• §1594 to §1598 BGB , § 1599 BGB</li> </ul>
Teaser	<ul style="list-style-type: none"> <li>• If you wish to make a declaration acknowledging paternity of a child and a declaration of consent by the mother, this can be publicly certified by registrars in any registry office, at youth welfare offices and before notaries.</li> </ul>
Volltext	<p>A declaration by which paternity to a child is acknowledged, as well as the mother's declaration of consent, can be notarised in any registry office, at youth welfare offices and before notaries. An effective acknowledgement of paternity can be made if there is no paternity of another man to this child. The acknowledgement of paternity and the mother's declaration of consent are notarised in public form.</p> <p>Acknowledgment of paternity is possible even before the child is born.</p> <p>Under German law, the woman who gave birth to the child is the child's mother. Acknowledgment of maternity is generally not required. If an acknowledgement of maternity or a declaration of consent by a legal representative is required, these must also be notarised by a registry office, by the youth welfare office, or by notaries.</p> <p>If the foreign law of the mother's or father's home country prescribes a recognition of maternity, it can also be publicly notarised. The same regulations apply as for the acknowledgement of paternity.</p>
Erforderliche Unterlagen	<ul style="list-style-type: none"> <li>• Proof of identity (e.g. identity card, passport, ID card)</li> </ul>
Voraussetzungen	<ul style="list-style-type: none"> <li>• The acknowledgement and consent must be publicly certified.</li> <li>• Acknowledgement of paternity can be made at any city office, youth welfare office or notary public.</li> <li>• The acknowledgement is not subject to receipt and does not require receipt by a particular registry office or other authority in order to be effective.</li> </ul>

## Modul

## Sachverhalt

- The prohibition of abusive acknowledgement of paternity in accordance with § 1597a applies. BGB
- An acknowledgement of paternity to a child is not effective as long as the paternity of another man exists (blocking effect).
- An acknowledgment under condition or time provision is ineffective.
- There must be no effective revocation by the recognising party.
- The recognition requires the consent of the mother.
- Recognition also requires the consent of the child if the mother is not entitled to parental care in this respect.
- The effectiveness of the declaration on the acknowledgement of paternity is not dependent on the actual parentage relationships; (legal) paternity comes into existence solely through the effective submission of the declarations of acknowledgement and all necessary declarations of consent. Acknowledgement of paternity can also be made before the birth of the child.
- A person with limited legal capacity can only acknowledge paternity himself or herself, but requires the consent of the legal representative. For those who are incapacitated, 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.
- The same rules apply to the mother's consent.
- For an incapacitated child, or a child who is under 14 years of age, only the legal representative may consent to the recognition.
- Acknowledgements or consents cannot be declared by an authorised person.

## Kosten

Gebühr: Es fallen keine Kosten an  
Recognition of paternity and declarations of consent at the registry office

## Verfahrensablauf

The acknowledgement of paternity and also the declarations of consent can be submitted to any city office, youth welfare offices and notaries.

- The acknowledging man declares to be the father of the child.

Modul	Sachverhalt
	<ul style="list-style-type: none"> <li>• The registrar must check the declaration of acknowledgement in order to prevent ineffective acknowledgements as far as possible.</li> <li>• Specifically checked: <ul style="list-style-type: none"> <li>• The identity of the recognizer, the mother and the child.</li> <li>• The legal capacity of the parties involved</li> <li>• Any previous status determinations</li> <li>• The registrar explains the legal consequences of the name.</li> <li>• The recognition is publicly certified</li> </ul> </li> </ul>
Bearbeitungsdauer	• Case-by-case
Frist	• The declaration of recognition can be submitted for an unlimited period of time, even before the birth of the child (prenatal recognition), and after the death of the child (post-mortem recognition), as well as for stillborn children.
weiterführende Informationen	
Hinweise	
Rechtsbehelf	<ul style="list-style-type: none"> <li>• Opposition</li> <li>• Contestation</li> <li>• Declaratory proceedings</li> </ul>
Kurztext	<ul style="list-style-type: none"> <li>• The acknowledgement of paternity is notarised in public form.</li> <li>• Responsible is any registry office, youth welfare offices and notaries.</li> <li>• An effective acknowledgement of paternity can be made if there is no paternity of another man to the child.</li> <li>• Acknowledgment of paternity is possible even before the birth of the child.</li> </ul>
Ansprechpunkt	
Zuständige Stelle	The responsibility lies with the municipality, the Joint Community and the city.
Formulare	at the registry office

Modul	Sachverhalt
Ursprungsportal	Vaterschaftsanerkennung, Acknowledgement of paternity