

99083005001001, 99083005001001

Submit a declaration of names of spouses without a domestic marriage or marriage entry

Heruntergeladen am 20.06.2025

<https://fimportal.de/xzufi-services/393996157/L100008>

| Modul | Sachverhalt |
|---------------------------|----------------------------------------------------------------------------------------|
| Leistungsschlüssel | 99083005001001, 99083005001001 |
| Leistungsbezeichnung I | Submit a declaration of names of spouses without a domestic marriage or marriage entry |
| Leistungsbezeichnung II | |
| Typisierung | 2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug |
| Quellredaktion | Sachsen-Anhalt |
| Freigabestatus Katalog | unbestimmter Freigabestatus |
| Freigabestatus Bibliothek | unbestimmter Freigabestatus |
| Begriffe im Kontext | |
| Leistungstyp | Leistungsobjekt mit Verrichtung |
| Leistungsgruppierung | Namen (083) |
| Verrichtungskennung | Erteilung (001) |
| SDG-Informationsbereich | Leben in einer binationalen Partnerschaft, auch einer |

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| | gleichgeschlechtlichen Partnerschaft (Eheschließung, zivile/eingetragene Partnerschaft, Trennung, Scheidung, Güterrecht, Rechte von Lebenspartnern) |
| Lagen Portalverbund | Urkunden und Bescheinigungen (1070200), Eheschließung (1020300) |
| Einheitlicher Ansprechpartner | Nein |
| Fachlich freigegeben am | 13.04.2021 |
| Fachlich freigegeben durch | Unit 23 Civil Status Law – Senator for the Interior Bremen |
| Handlungsgrundlage | https://www.gesetze-im-internet.de/pstg/_41.html https://www.gesetze-im-internet.de/pstv/_5.html https://www.gesetze-im-internet.de/pstv/_46.html https://www.gesetze-im-internet.de/bgb/_1355.html https://www.gesetze-im-internet.de/bgb/_1617c.html https://www.gesetze-im-internet.de/bgbeg/BJNR006049896.html https://www.gesetze-im-internet.de/pstg/_41.html https://www.gesetze-im-internet.de/pstv/_5.html https://www.gesetze-im-internet.de/pstv/_46.html https://www.gesetze-im-internet.de/bgb/_1355.html https://www.gesetze-im-internet.de/bgb/_1617c.html https://www.gesetze-im-internet.de/bgbeg/BJNR006049896.html |
| Teaser | <p>Under certain circumstances, married persons can also use their names after the marriage abroad by declaring them to a German registry office.</p> <p>The registry office issues a certificate of this</p> |
| Volltext | <p>Spouses can design their own name.</p> <p>The following declarations of name are possible, provided that german personal regulations apply to the spouses:</p> <ul style="list-style-type: none"> • Determination of the married name (also after the marriage) • Acceptance of an accompanying name (prefix or addition) • Re-acceptance of the birth name <p>The corresponding declaration must be made to the registry office The declaration is personal.</p> |

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Furthermore, the declaring person must have legal capacity, the regulations according to § 106 BGB apply to limited legal capacity, for supervised persons §§ 119ff BGB.

Declarations made after the marriage always require public certification.

In Germany, the notaries and every registrar appointed in Germany are responsible for certification. In the case of declarations abroad, the certification and certification authority of the German consular officers must be observed.

Declarations of names are declarations of intent requiring receipt of office and are only effective after receipt by the responsible German registry office.

If there is no German marriage or marriage entry for the marriage, the registry office in whose jurisdiction one of the declarants has his domicile or last had his or her habitual residence is responsible for receiving a declaration of name in the marriage. If such a domestic reference exists, this jurisdiction comes into play if the marriage was concluded abroad and has not yet been subsequently certified in a German marriage register. If such a domestic reference does not exist, in the form of a domicile or habitual residence in Germany, the registry office I in Berlin is responsible.

Erforderliche Unterlagen

- Identity document (identity card or passport)
- Marriage certificate or certified extract from the marriage register with translation, apostille and, if necessary, content review. (Determined in detail by the responsible registry office)

Voraussetzungen

- The declarants must be married to each other.
- The corresponding declaration must be made to the registry office.
- Declarations under marriage name law must be made in person.
- The declaration can only be made by persons with legal capacity.
- The declaration must be publicly notarized.

Kosten

There may be costs for the names.
Please contact your registry office.

Verfahrensablauf

- The declaration of the name in the marriage is made

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| | <p>personally, by the married to each other, at the responsible registry office.</p> <p>Only after the examination of the registrar of the underlying facts and the result that a name declaration is possible, the name of the spouses can be chosen</p> <ul style="list-style-type: none"> • under the law of a State to which one of the spouses belongs, or • according to German law, if one of you has his habitual residence in Germany. |
| Bearbeitungsdauer | Depending on the individual case |
| Frist | No deadlines |
| weiterführende Informationen | |
| Hinweise | |
| Rechtsbehelf | If the registry office rejects your application for a certificate, you can submit an application to the competent court to instruct the registry office to issue you with the certificate |
| Kurztext | Under certain circumstances, spouses can also shape the name in the marriage after the marriage abroad by means of a declaration at a German registry office. |
| Ansprechpunkt | Please contact the responsible registry office. |
| Zuständige Stelle | |
| Formulare | |
| Ursprungsportal | Submit a declaration of names of spouses without a domestic marriage or marriage entry, Namenserkklärung von Ehegatten ohne inländischen Ehe- oder Heiratseintrag abgeben |