

99604002261000, 99604002261000

Declare change of gender entry and first names

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<https://fimportal.de/xzufi-services/411042145/L100008>

Modul	Sachverhalt
Leistungsschlüssel	99604002261000, 99604002261000
Leistungsbezeichnung I	Declare change of gender entry and first names
Leistungsbezeichnung II	Declare change of gender entry and first names
Typisierung	3 - Bundesaufsichtsverwaltung: Regelung
Quellredaktion	Sachsen-Anhalt
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	fachlich freigegeben (gold)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Certificates (individuell, 395404606)
Verrichtungskennung	Entgegennahme (261)
SDG-Informationsbereich	Leben in einer binationalen Partnerschaft, auch einer gleichgeschlechtlichen Partnerschaft (Eheschließung, zivile/eingetragene Partnerschaft, Trennung, Scheidung, Güterrecht, Rechte von Lebenspartnern)
Lagen Portalverbund	Urkunden und Bescheinigungen (1070200)

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Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	01.10.2024
Fachlich freigegeben durch	Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ)
Handlungsgrundlage	https://www.recht.bund.de/bgbl/1/2024/206/VO.html https://www.gesetze-im-internet.de/pstg/_45b.html https://www.recht.bund.de/bgbl/1/2024/206/VO.html https://www.gesetze-im-internet.de/pstg/_45b.html https://www.gesetze-im-internet.de/pstg/_22.html#:~:text=(3)%20Kann%20das%20Kind%20weder,in%20das%20Geburtenregister%20eingetragen%20werden. https://www.gesetze-im-internet.de/pstg/_22.html#:~:text=(3)%20Kann%20das%20Kind%20weder,in%20das%20Geburtenregister%20eingetragen%20werden.
Teaser	If your gender identity differs from your officially registered gender entry, you can have your gender and first name details changed. To do this, you must submit a declaration to the registry office.
Volltext	<p>With a declaration, you specify the details of your gender and your first names that best correspond to your gender identity. The self-declaration is sufficient. You do not have to give reasons for the change.</p> <p>**Gender details**</p> <p>You can choose between the following gender details:</p> <ul style="list-style-type: none"> • Gender entry "female" • Gender entry "male" • Gender entry "diverse" • No gender entry <p>In your declaration, you must confirm that</p> <ul style="list-style-type: none"> • the chosen gender entry or the deletion of the gender entry best corresponds to your gender identity and

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- you are aware of the consequences of the declaration.

****Details of the first name****

In your declaration, you specify one or more first names that correspond to your chosen gender entry.

For the gender entry "male", you can choose male first names or first names that can be assigned to both genders.

For gender entry "female", you can select female first names or first names that can be assigned to both genders.

If you do not choose a gender entry or select the gender entry "diverse", you are free to choose your first name.

You can continue to use your previous first names if they correspond to the chosen gender entry.

You can also dispense with existing first names or add further first names.

****Registration and submission of the declaration****

You must register the declaration informally in advance at a German registry office, either verbally, in writing or, in some cases, online.

You must submit the declaration verbally for recording at the earliest 3 and at the latest 6 months after registration at the same registry office.

You can only make your declaration yourself. Representation is not possible.

The registry office keeping the civil status register is generally responsible for the subsequent entry in the register.

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If your birth was not recorded in a German birth register, the following order of responsibility applies:

- Registry office where the marriage register or civil partnership register is kept
- Registry office at your current place of residence or habitual abode
- Registry office I in Berlin

If there is no entry in the register, the change becomes effective upon receipt of the declaration by the registry office responsible for accepting it. This office will enter the declaration in a register.

If you register and submit the declaration at another registry office in Germany, your declaration will be forwarded to the registry office responsible.

If you usually reside abroad and have German citizenship, you can register at a German registry office and have your declaration notarized by a German diplomatic mission abroad.

****The following applies to minors with limited legal capacity from the age of 14:****

- If you are at least 14 years old, you can make your declaration yourself at the registry office.
- Your legal representatives, i.e. your custodial parents or a guardian, agree to the declaration in person at the registry office. The consent can also be replaced by a family court.
- In your declaration, you also confirm that you have been advised, i.e. that you are fully informed. You do not have to provide proof of this. Counseling is voluntary. Counseling is offered, for example, by
 - Persons with a professional qualification in psychology, child and adolescent psychotherapy or child and adolescent psychiatry
 - public or independent child and youth welfare organizations
 - peer counseling centers

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****The following applies to minors under the age of 14 with limited legal capacity or minors who are legally incompetent:****

- Only the legal representatives, i.e. the custodial parents or a guardian, can make the declaration at the registry office.
- A family court must approve the submission of the declaration by a guardian.
- Minors aged 5 and over must give their consent to the declaration.
- The legal representatives also declare that they have received advice, i.e. that they are fully informed. They do not have to provide proof of consultation.

****The following applies to legally incompetent adults:****

- Only a person designated for this matter can make the declaration on your behalf.
- The matter and the person making the declaration must be approved by a guardianship court.

****The following applies to adults with legal capacity for whom legal guardianship exists:****

You make the declaration yourself, unless there is a reservation of consent ordered for this matter.

Erforderliche Unterlagen

When registering the declaration, you will need

- Identity card or passport (original or copy)

When submitting the declaration, you will need

- Identity card or passport, passport for non-EU nationals (original)

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	<ul style="list-style-type: none"> • If you are not a German citizen, you will need <ul style="list-style-type: none"> • a publicly notarized declaration of your choice of German law, which you can have notarized at any registry office - also when submitting your declaration of change of gender entry - and additionally either <ul style="list-style-type: none"> • an unlimited right of residence (settlement permit) or <ul style="list-style-type: none"> • a renewable residence permit with legal residence in Germany or <ul style="list-style-type: none"> • an EU Blue Card (Blue Card EU) • if born in Germany: birth certificate or certified extract from the register of births • if born abroad: officially certified translation of the birth certificate • if applicable, marriage certificate or civil partnership certificate • for divorced persons: printout from the marriage or civil partnership register with a note of dissolution
Voraussetzungen	<ul style="list-style-type: none"> • You have German citizenship or • You have a foreign nationality and <ul style="list-style-type: none"> • Your habitual residence is in Germany and • You have declared and notarized your choice regarding the application of German law and • You are in possession of <ul style="list-style-type: none"> • an EU Blue Card (Blue Card EU) or • an unlimited right of residence (settlement permit) or <ul style="list-style-type: none"> • a renewable residence permit and are legally resident in Germany.
Kosten	<p>There are no costs.</p> <p>The following applies to Saxony-Anhalt:</p> <p>40 euros for notarization in the civil status register</p> <p>10 euros for the issue of a civil status certificate</p>
Verfahrensablauf	<p>The procedure for changing the gender entry and first names is multi-stage.</p> <ul style="list-style-type: none"> • You register the submission of the declaration of change of gender entry and first names at a German registry office of your choice, either informally or in

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writing. In some cases, it is also possible to register online. To simplify the procedure, it is recommended that you register and submit the declaration at the registry office that is responsible for receiving the declaration.

- You make an appointment to submit the declaration at the same registry office.
- You submit the declaration of the chosen or to be deleted gender entry and the first names to be determined with the required documents.
- On request, the registry office can issue you with a certificate of receipt of the declaration.

Further procedural steps:

- The registry office will check your declaration details.
- The registry office forwards your declaration to the registry office maintaining the civil status register, unless it is responsible for the registration itself.
- The competent registry office enters the details of the gender entry and first names in the civil status register.
- If there is no German birth, marriage or civil partnership register entry, the declaration is entered in a register.
- The change to the gender entry and first names becomes effective upon entry in the register. If there is no entry in the register, the change becomes effective upon receipt of the declaration by the registry office responsible for accepting it.
- You can agree with the registry office that you will be notified as soon as your chosen gender and first name details have been entered.

Bearbeitungsdauer

Frist

You must submit the declaration 3 months after and up to 6 months from the date of registration. If you do not submit a declaration, the registration will expire. A new declaration regarding the change of gender entry and first names is generally possible at the earliest 12 months after the last declaration.

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weiterführende Informationen

<https://www.bmfsfj.de/bmfsfj/service/gesetze/gesetz-ueber-die-selbstbestimmung-in-bezug-auf-den-geschlechtseintrag-sbgg--224546>
<https://www.bmfsfj.de/bmfsfj/themen/gleichstellung/quueerpolitik-und-geschlechtliche-vielfalt/gesetz-ueber-die-selbstbestimmung-in-bezug-auf-den-geschlechtseintrag-sbgg--199332>
<https://www.bmfsfj.de/bmfsfj/service/gesetze/gesetz-ueber-die-selbstbestimmung-in-bezug-auf-den-geschlechtseintrag-sbgg--224546>
<https://www.bmfsfj.de/bmfsfj/themen/gleichstellung/quueerpolitik-und-geschlechtliche-vielfalt/gesetz-ueber-die-selbstbestimmung-in-bezug-auf-den-geschlechtseintrag-sbgg--199332>

Hinweise

The following information applies:

- Once the change has been entered in the registers, the passport or ID card becomes invalid. As part of the general obligation to hold a valid identity card, you must therefore apply for a new identity card or passport.
- A change of first name without changing the gender entry is not possible under this procedure.
- The change of gender entry and first names is only effective under German civil status law. The following are possible:
 - Entries in the register of births
 - Entries in the marriage register or civil partnership register or
 - Entry of the declaration received in an official register
 - Documents or register entries issued by foreign authorities cannot be changed by German registry offices.
 - If necessary, you can involve an interpreter in the procedure at your own expense.
 - If you usually reside abroad and have German citizenship, proceed as follows:
 - You can register the submission of a declaration informally in writing or partially online at a German registry office, preferably at the registry office keeping the register or the competent registry office.
 - You will receive a confirmation of registration in

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writing or by e-mail.

- You can have your declaration notarized at a German embassy, a German consulate or honorary consul and send it to the registry office responsible for entering the change in the register or issuing the certificate of submission of the declaration.

Rechtsbehelf

- If you would like to take action against a negative decision by the registry office, you have the option of filing an application with the local court with the aim of instructing the registry office.
- If your application is rejected by the local court, you can then lodge an appeal with a higher regional court and, if necessary, a legal complaint with the Federal Court of Justice after the higher regional court has granted leave to appeal.

Kurztext

- Declaration on the change of gender entry and first names Acceptance
 - Gender entry and first names, which are decisive for civil status law, can be changed if they do not correspond to gender identity
 - Self-declaration is sufficient
 - Information on gender:
 - Gender entry "female"
 - Gender entry "male"
 - Gender entry "diverse"
 - No gender entry
 - Information on first names:
 - can be changed, deleted or added according to the selected gender entry.
 - for gender entry "male", male first names or first names that can be assigned to both genders can be selected
 - for the gender entry "female", female first names or first names that can be assigned to both genders can be selected
 - if the gender entry is "diverse" or the gender entry is deleted, the choice of first name is free
 - Previous first names can be retained if they correspond to the chosen gender entry
 - the declaring person confirms with the declaration:
 - the chosen gender entry or its deletion best corresponds to their gender identity
 - they are aware of the consequences of the

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declaration

- Registration can be made informally at any registry office in Germany, either verbally, in writing or, in some cases, online,

- Registration and submission of the declaration must take place at the same registry office; to simplify the procedure, it is recommended that the registration and declaration be made at the registry office that is responsible for receiving the declaration

- Declarations can be made orally and recorded at the earliest 3 and at the latest 6 months after registration

- Declarations can only be made by the person making the declaration themselves; representation is not possible.

- German nationals with habitual residence abroad:

- must register with a German registry office, preferably the registry of births, marriages or civil partnerships,

- Declarations can be notarized by the German embassy or German consulate or honorary consul abroad

- Minors with limited legal capacity from the age of 14:

- make their declaration themselves

- also ensure that they have been advised, i.e. fully informed, proof not required

- their legal representatives, i.e. the custodial parents or a guardian, have given their consent, consent can also be replaced by the family court

- minors with limited legal capacity up to the age of 14 or minors with no legal capacity:

- only legal representatives can make a declaration

- A family court must approve the declaration made by a guardian

- Representatives also declare that they have been advised, i.e. fully informed, proof not required

- Declaration requires additional consent from the child if they are at least 5 years old

- the minors concerned must be present when the declaration is made

- legally incapacitated adults for whom legal guardianship has been appointed in this matter:

- Declaration can be made by the person providing care

- this requires the approval of the guardianship court

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- adults with legal capacity make the declaration themselves, even if legal guardianship exists, unless a reservation of consent has been ordered for this matter
- Required documents:
 - at the time of registration:
 - Identity card or passport (original or copy)
 - when submitting the declaration:
 - Identity card or passport or passport for non-EU nationals
 - Persons without German citizenship:
 - a publicly notarized declaration on the choice of application of German law, this can be notarized by any German registry office - also when submitting the declaration and
 - proof of a permanent right of residence (settlement permit) or
 - a renewable residence permit with legal residence in Germany or
 - an EU Blue Card (Blue Card EU)
 - if born in Germany: birth certificate or certified extract from the register of births
 - if born abroad: officially certified translation of the birth certificate
 - if applicable, marriage certificate or civil partnership certificate
 - for divorced persons: Printout from the marriage or civil partnership register with a note of dissolution
- Requirements:
 - Person has German citizenship or
 - Person has foreign citizenship and
 - has their habitual residence in Germany and
 - has declared and notarized the choice of application of German law and
 - is in possession of
 - an EU Blue Card (Blue Card EU) or
 - an unlimited right of residence (settlement permit) or
 - a renewable residence permit and is legally resident in Germany
- Deadlines:
 - The declaration must be submitted no earlier than 3 and no later than 6 months after registration. Registration expires if no declaration is submitted within this period

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- A new change to the gender entry and first names is possible at the earliest 12 months after the last declaration
- Notes and special features:
 - Once the change has been entered in the registers, the passport or identity card becomes invalid. As part of the general obligation to hold a valid identity card, a new identity card or passport must therefore be applied for
 - Changing the first name without changing the gender entry is not possible via this procedure
 - Changes to the gender entry and first names only have direct effect in German civil status law; entries are possible in
 - register of births;
 - register of marriages or civil partnerships,
 - Register of declarations received, which is kept if no German civil status register entry exists
 - Documents or register entries issued by foreign authorities cannot be changed by German registry offices
 - responsible:
 - for registration: any German registry office, preferably at the registry office responsible for receiving the declaration in order to facilitate the procedure
 - for making the declaration: the registry office where the application was made
 - for entry in the register (receipt): the registry office maintaining the civil status register
 - if the birth was not recorded in a German birth register, the following order of responsibility applies:
 - Registry office where the marriage register or civil partnership register is kept
 - Registry office at the current place of residence or habitual abode
 - Registry office I in Berlin
 - If the declaration is submitted to another registry office, the declaration will be forwarded to the responsible registry office

Ansprechpunkt

Registry office

Zuständige Stelle

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Formulare	
Ursprungsportal	Declare change of gender entry and first names, Änderung des Geschlechtseintrags und der Vornamen erklären