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# Naming upon marriage

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<https://fimportal.de/xzufi-services/6000104-99083001011003/L100009>

Modul	Sachverhalt
Leistungsschlüssel	99083001011003
Leistungsbezeichnung I	Naming upon marriage
Leistungsbezeichnung II	Naming upon marriage
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Sachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	

**Modul**
**Sachverhalt**
**Fachlich freigegeben durch**
**Handlungsgrundlage**

- § 1355 Bürgerliches Gesetzbuch (BGB) (Ehenamen)
- Art. 10 Einführungsgesetz zum Bürgerlichen Gesetzbuch (EGBGB)
- § 41 Personenstandsgesetz (PStG) (Erklärung zur Namensführung von Ehegatten)
- Sächsisches Kostenverzeichnis (SächsKVZ), Lfd. Nr. 75 Personenstandsrecht, öffentliches Namensrecht

**Teaser**

The spouses can keep their previous surnames (separate names) or choose a joint surname (married name) at the time of marriage or at a later date (there is no deadline for this). The birth names or the surnames borne by the spouses at the time of the determination of the married name can be considered for a married name.

**Volltext**

Determination of the married name in accordance with § 1355 Bürgerliches Gesetzbuch

The spouses can keep their previous surnames (separate names) or choose a joint surname (married name) at the time of marriage or at a later date (there is no deadline for this). The birth names or the surnames borne by the spouses at the time of the determination of the married name can be considered for a married name.

The determination of a married name is irrevocable.

Foreign spouses are generally subject to the name law of their home country. If at least one of the future spouses has his or her habitual residence in Germany, there is a right to choose between the law of the country to which he or she belongs and German naming law.

Tip: There are many options when it comes to choosing a name. In some cases, however, there are special features to consider, for example

- for the naming of foreign spouses or
- if there are joint children born before the marriage.

Modul	Sachverhalt
	In these cases in particular, seek advice from the Standesamt (registry office).
Erforderliche Unterlagen	Valid identification document (e.g. ID or passport)  Note: Further documents may be required.
Voraussetzungen	
Kosten	<ul style="list-style-type: none"> <li>• Determining the married name on marriage: free of charge</li> <li>• Keeping the previous name: free of charge</li> <li>• Certificate of change of name: EUR 15.00</li> </ul>
Verfahrensablauf	When you get married, you make a declaration to the registrar as to which name you and your spouse wish to use in the future.
Bearbeitungsdauer	
Frist	upon marriage
weiterführende Informationen	
Hinweise	<p>Double name</p> <p>The spouse whose maiden name has not become the married name may, by means of a publicly notarised declaration, prefix or append their maiden name or any surname previously used to the married name (companion name). This means that he or she has a double name in the marriage.</p> <p>A later cancellation is possible.</p> <p>Example:</p> <p>Mrs Meier marries and takes the name of her husband, Müller. This marriage is later divorced. In a second marriage, Mrs Müller (née Meier) now marries Mr Schmidt.</p> <ul style="list-style-type: none"> <li>• If no name declaration is made at the time of the marriage, each spouse retains their previous name, i.e. Mrs Müller and Mr Schmidt remain the same.</li> </ul>

## Modul

## Sachverhalt

• If the couple later wish to have a joint surname, a married name can still be determined later at the registry office. This declaration must be publicly notarised.

The married name can be "Meier" or "Schmidt" (the couple's maiden name) or "Müller" (the name of the woman's previous marriage).

For example, if the couple decides in favour of the joint surname "Schmidt", the wife could choose from the following combinations if she wishes to have a double name:

- Schmidt-Müller
- Schmidt-Meier
- Müller-Schmidt
- Meier-Schmidt

If the wife's maiden name is chosen as the married name or the name that the wife had at the time of the declaration (i.e. Meier or Müller), the husband can be given a corresponding double name.

Note: If one spouse already has a double name and this double name is chosen as the married name, the other spouse may no longer prefix or append their maiden name or the name used at the time of the marriage to the married name.

## Rechtsbehelf

## Kurztext

## Ansprechpunkt

## Zuständige Stelle

## Formulare

## Ursprungsportal