

99059002010001

# Certificate of no impediment to marriage for foreigners, exemption from providing a certificate

Heruntergeladen am 17.06.2025

<https://fimportal.de/xzufi-services/6000995/L100009>

Modul	Sachverhalt
Leistungsschlüssel	99059002010001
Leistungsbezeichnung I	Certificate of no impediment to marriage for foreigners, exemption from providing a certificate
Leistungsbezeichnung II	Certificate of no impediment to marriage for foreigners, exemption from providing a certificate
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	

Modul	Sachverhalt
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	<ul style="list-style-type: none"> <li>• §§ 1309 Abs. 2 und 1306 ff.</li> <li>• § 4 Abs.</li> <li>• Gesetz über Kosten in Angelegenheiten der Justizverwaltung (Justizverwaltungskostengesetz – JVKostG), Kostenverzeichnis – Anlage (zu § 4 Abs. 1) Kostenverzeichnis, Nr. 1330</li> <li>• § 12 Absatz 3</li> </ul>
Teaser	<p>If you are a foreign national and wish to marry in Germany, the requirements for marriage are determined by the law that applies in your home country.</p>
Volltext	<p>If you are a foreign national and wish to marry in Germany, the requirements for marriage are determined by the law that applies in your home country.</p> <p>This regulation is intended to prevent the marriage from being recognised in Germany but not in your home country ("limping marriage"). It is particularly important for future children that a marriage entered into in Germany is also recognised in the country of origin of the foreign parent.</p> <p>Therefore, you must always submit a certificate of no impediment to marriage from your home country in which the domestic authority of your home country confirms that there are no obstacles to the intended marriage under the law of your home country.</p> <p>If you have more than one nationality, the law of the country with which you are most closely connected will apply. If you are also German, the German nationality takes precedence.</p> <p>Certificates of no impediment to marriage are issued, for example, by Albania, Bulgaria, Denmark, Finland, Greece, Great Britain, Ireland, Italy, Japan, Cape Verde,</p>

## Modul

## Sachverhalt

Kenya, Croatia, Cuba, Liechtenstein, Luxembourg, Mozambique, New Zealand, Netherlands, Norway, Austria, Poland, Portugal, Samoa, Sweden, Switzerland, Slovakia, Spain, Tanzania, Czech Republic, Turkey (non-binding list).

If it is not possible to issue a certificate of no impediment to marriage, you can be exempted from this obligation in individual cases by the President of the Higher Regional Court in whose district the marriage was registered.

As a rule, this exemption is possible for

- Nationals of countries whose authorities do not issue certificates of no impediment to marriage.
- Nationals of countries that issue certificates of no impediment to marriage but where it is objectively impossible for them to authorise such certificates. This applies, among other things, to situations in which foreign law refuses to authorise marriage for reasons that are incompatible with the constitutionally guaranteed freedom to marry (for example, if it is forbidden under foreign law to remarry after a divorce)

Recognised persons entitled to asylum, foreign refugees, homeless foreigners and stateless persons with permanent residence in Germany do not require a certificate of no impediment to marriage or an exemption. Their legal status must be proven by an appropriate travel document.

In the case of an exemption, the President of the Higher Regional Court checks instead of the foreign authority whether there is an obstacle to marriage under the home country law or whether a marriage requirement is missing. There must also be no impediment to marriage under German law. In this context, it may be necessary to check whether any previous marriages have been effectively dissolved. Despite a favourable decision by the Higher Regional Court, the registrar may deviate and refuse the marriage if he or she considers an impediment to marriage to exist. The registrar as registrar must be convinced that the conditions for marriage are met.

## Erforderliche Unterlagen

- The application must always be accompanied by proof of identity, nationality and parentage, marital status and, if applicable, the dissolution of previous marriage(s). All documents must be submitted in the

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	<p>original. The registry office will provide information on the form in which the documents can be used (e.g. with an apostille or legalisation).</p> <ul style="list-style-type: none"> <li>• In order to calculate the processing fee (for the court decision), proof of income for both fiancées is required, showing the monthly net income.</li> </ul>
Voraussetzungen	<ul style="list-style-type: none"> <li>• The application for exemption from providing a certificate of no impediment to marriage always requires the registration of a marriage at a registry office.</li> <li>• The application for exemption can only be submitted via the registry office. Preliminary and status enquiries must also be addressed exclusively to the registry office and not to the Higher Regional Court.</li> </ul>
Kosten	<p>for the Higher Regional Court:</p> <ul style="list-style-type: none"> <li>• for exemption from providing the certificate of no impediment to marriage: EUR 15.00 to EUR 305.00</li> <li>• if the application is rejected or withdrawn: half of the fee for granting the exemption, but at least EUR 15.00 for the registry office:</li> <li>• for the preliminary examination for submission of the application to the Higher Regional Court: EUR 30.00</li> </ul>
Verfahrensablauf	<ul style="list-style-type: none"> <li>• Register your marriage at the registry office responsible for you.</li> <li>• Apply there for exemption from providing the certificate of no impediment to marriage (application form).</li> <li>• The registrar will prepare the application and advise you on the documents still required in individual cases.</li> <li>• The application will be forwarded to the Dresden Higher Regional Court together with the complete documents and evidence.</li> </ul>
Bearbeitungsdauer	<ul style="list-style-type: none"> <li>• Depends on the individual case. As the examination of the documents by the German and, if applicable, foreign authorities can take some time, it is important that the certificate of no impediment to marriage is applied for in good time.</li> </ul>
Frist	The exemption is only valid for a period of six months.
weiterführende Informationen	

Modul	Sachverhalt
Hinweise	Be sure to plan the possible duration of the procedure for exemption from providing a certificate of no impediment to marriage and the validity of the exemption (six months) into your wedding preparations.
Rechtsbehelf	
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	