

99059002010001, 99059002010001

Certificate of no impediment to marriage: apply for exemption from the obligation to present a certificate for foreign nationals

Heruntergeladen am 18.06.2025

<https://fimportal.de/xzufi-services/116185043/L100027>

Modul	Sachverhalt
Leistungsschlüssel	99059002010001, 99059002010001
Leistungsbezeichnung I	Certificate of no impediment to marriage: apply for exemption from the obligation to present a certificate for foreign nationals
Leistungsbezeichnung II	Applying for exemption from presenting a certificate of no impediment to marriage for foreign nationals
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Mecklenburg-Vorpommern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (gold)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung

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Leistungsgruppierung	Heirat (059)
Verrichtungskennung	Befreiung (010)
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	25.10.2021
Fachlich freigegeben durch	Federal Ministry of the Interior, Building and Community
Handlungsgrundlage	https://www.gesetze-im-internet.de/bgbeg/BJNR006049896.html#BJNR006049896BJNG032101123 https://www.gesetze-im-internet.de/bgb/_1306.html https://www.gesetze-im-internet.de/jvkostg/_4.html https://www.gesetze-im-internet.de/jvkostg/anlage.htm https://www.gesetze-im-internet.de/pstg/_12.html https://www.gesetze-im-internet.de/gvgeg/_23.html https://www.asyl.net/recht/gesetzestexte/voelkerrecht/genfer-fluechtlingskonvention-gfk https://www.gesetze-im-internet.de/bgbeg/BJNR006049896.html#BJNR006049896BJNG032101123 https://www.gesetze-im-internet.de/bgb/_1306.html https://www.gesetze-im-internet.de/jvkostg/_4.html https://www.gesetze-im-internet.de/jvkostg/anlage.htm https://www.gesetze-im-internet.de/pstg/_12.html https://www.gesetze-im-internet.de/gvgeg/_23.html https://www.asyl.net/recht/gesetzestexte/voelkerrecht/genfer-fluechtlingskonvention-gfk
Teaser	<p>If you do not have German citizenship and wish to marry in Germany, you will need a certificate of no impediment to marriage from your home country. If you are not issued with one, you can apply for an exemption from presenting a certificate of no impediment to marriage.</p>
Volltext	<p>If you want to get married in Germany as a foreign national, the requirements for marriage are</p>

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determined by the law that applies in your home country.

This regulation is intended to prevent the marriage from being recognized in Germany but not in your home country. It is particularly important for future children that a marriage entered into in Germany is also recognized in the country of origin of the foreign parent.

You must therefore always submit a certificate of no impediment to marriage from your home country. This certificate of no impediment to marriage is issued by the competent authority in your home country and confirms that there is no impediment to marriage under the law of your home country.

If you have more than one nationality, the law of the country with which you are most closely connected will apply. If you also have German nationality, this takes precedence.

In individual cases, you can apply for an exemption from the obligation to present a certificate of no impediment to marriage. This is done at the President of the competent Higher Regional Court in whose district you have registered the marriage.

This is possible for you if you belong to one of the following groups of people:

- 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 this is objectively impossible. This applies, among other things, to situations in which foreign law prohibits marriage for reasons that are incompatible with the constitutionally guaranteed freedom to marry, for example, if the foreign law prohibits remarriage after a divorce.

You do not require a certificate of no impediment to marriage or an exemption if you belong to the following group of people:

- Recognized persons entitled to asylum,
- foreign refugees,
- homeless foreign nationals and
- stateless persons with permanent residence in Germany.

Their status must be proven by a corresponding travel document.

If you apply for an exemption from the certificate of no

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impediment to marriage, the President of the Higher Regional Court will check instead of the foreign authority whether there is an impediment to marriage under the law of your home country or whether a requirement for marriage is missing. There must also be no impediment to marriage under German law. It may therefore be necessary to check whether any previous marriages have been effectively dissolved in this context.

The exemption is valid for a period of 6 months.

Erforderliche Unterlagen

To apply for the exemption, you need:

- Passport,
- identity card or
- suitable identification document
- identity, nationality, parentage and marital status
- If applicable, for the dissolution of previous marriages: Marriage certificate and, for example, death certificate, copy from the marriage register or divorce decree with final judgment
- Original supporting documents, certified copies are generally not sufficient:
- The documents must not be older than 6 months from the time they are issued until they are submitted to the registry office. Your registry office will inform you in which form (e.g. with apostille or legalization) the documents can be used
- Proof of earnings for both fiancées, showing the monthly net income, to calculate the processing fee for the court decision
- current residence certificates from the German registration office with explicit indication of marital status for both fiancées, provided they are resident in the Federal Republic of Germany
- For foreign fiancés who are still living abroad: an original certificate of residence issued by the competent home authority with a translation into German

Voraussetzungen

The following requirements must be met in order to obtain an exemption from submitting or providing proof of a certificate of no impediment to marriage:

- You have registered a marriage at the relevant registry office.
- if one of the persons wishing to enter into the

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marriage is already married to a third person or is in a civil partnership

- if the persons are related to each other in a direct line as well as between siblings of the same parents or siblings who have only one parent in common
- if any previous marriages have not been effectively dissolved
- if one of the persons has previously been adopted by the other person
- There must be no impediment to marriage under German law, for example

Kosten

- For exemption from submission/proof of the certificate of no impediment to marriage: EUR 15.00 to EUR 305.00
- If the application is rejected or withdrawn: half of the fee for granting the exemption, but at least EUR 15.00

Verfahrensablauf

You can only apply for exemption via the registry office. You also do not have to address preliminary and status inquiries to the Higher Regional Court, but only to the registry office.

- Register your marriage at the registry office responsible for you.
- Apply there for exemption from presenting/proving the certificate of no impediment to marriage (application form). It is not possible to apply directly to the Higher Regional Court. The registry office is your sole point of contact for the exemption procedure.
- The registrar prepares the application and advises you on the documents still required in individual cases.
- The registry office will forward your application with the complete documents and evidence to the competent Higher Regional Court.
- The President of the Higher Regional Court will check on behalf of the foreign authority whether there is an obstacle to the marriage under the law of your home country or whether a requirement for marriage is missing.
- You will receive a notice informing you of the decision on your application.
- You will also receive a notice of costs. Pay the fees.

Bearbeitungsdauer

Frist

You do not have to observe any deadlines. However,

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	be sure to plan for the possible duration of the procedure when preparing for your wedding.
weiterführende Informationen	
Hinweise	
Rechtsbehelf	Application for a court decision
Kurztext	<ul style="list-style-type: none"> • Certificate of no impediment to marriage for foreigners • Foreign nationals who wish to marry in Germany require a certificate of no impediment to marriage from their home country • Exemption from presentation or proof of a certificate of no impediment to marriage possible on request • Exemption applies for a period of 6 months <ul style="list-style-type: none"> • For the exemption from the presentation/proof of the certificate of no impediment to marriage: EUR 15.00 to EUR 305.00 • If the application is rejected or withdrawn: half of the fee for granting the exemption, but at least EUR 15.00 • Costs: • Deadlines: none • Competent court: Higher Regional Court
Ansprechpunkt	
Zuständige Stelle	
Formulare	Forms:
Ursprungsportal	Certificate of no impediment to marriage: apply for exemption from the obligation to present a certificate for foreign nationals, Ehefähigkeitszeugnis: Befreiung von der Pflicht zur Vorlage für ausländische Staatsangehörige beantragen