

99083005001001, 99083005001001

Declaration on the use of the name - Declaration on the use of the name of spouses without a domestic marriage or marriage entry

Heruntergeladen am 20.06.2025

<https://fimportal.de/xzufi-services/418040643/L100040>

Modul	Sachverhalt
Leistungsschlüssel	99083005001001, 99083005001001
Leistungsbezeichnung I	Declaration on the use of the name - Declaration on the use of the name of spouses without a domestic marriage or marriage entry
Leistungsbezeichnung II	Declaration on the use of the name - Declaration on the use of the name of spouses without a domestic marriage or marriage entry
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Niedersachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (silber)

Modul	Sachverhalt
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Namen (083)
Verrichtungskennung	Erteilung (001)
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), Eheschließung (1020300)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	23.11.2020
Fachlich freigegeben durch	Lower Saxony Ministry of the Interior and Sport
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
Teaser	<p>Persons who are married to each other may, under certain circumstances, be able to change their name after marrying abroad by making a declaration to a German registry office.</p> <p>The registry office will issue a certificate to this effect.</p>
Volltext	<p>Spouses can choose their own name.</p> <p>The following name declarations can be considered if the spouses are subject to the German personal statute:</p> <ul style="list-style-type: none"> • Determination of a married name (also after the marriage) • Adoption of a companion name (prefix or addition) • Reassumption of the birth name <p>The relevant declaration must be made to the registry office The declaration is personal.</p>

Modul
Sachverhalt

Furthermore, the person making the declaration must have legal capacity; for persons with limited legal capacity, the provisions of § 106 BGB apply; for persons under guardianship, §§ 119ff BGB apply. Declarations made after the marriage must always be officially notarized.

In Germany, notaries and any registrar appointed in Germany are responsible for notarization. In the case of declarations made abroad, the certification and authentication powers of German consular officials must be observed.

Declarations of name are declarations of intent requiring official receipt and only become effective after receipt by the competent German registry office. If there is no German marriage or marriage entry for the marriage, the registry office in whose jurisdiction one of the declaring parties has or last had his or her domicile or habitual residence is responsible for accepting a declaration on the use of names in the marriage. If there is such a domestic connection, this jurisdiction applies if the marriage was concluded abroad and has not yet been subsequently notarized in a German marriage register. If there is no such domestic connection 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, verification of content. (To be determined in detail by the competent registry office).

Voraussetzungen

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

Kosten

Gebühr: 10€
 Issue of a certificate of name declarations

Modul	Sachverhalt
	The first copy of a certificate shall be free of charge if it is issued in connection with the receipt of a declaration relating to the right to a name.
Verfahrensablauf	<ul style="list-style-type: none"> • The declaration on the use of the name in marriage is made personally by the married couple at the competent registry office. <p>Only after the registrar has examined the underlying facts and concluded that a name declaration is possible, can the spouses choose to use their names</p> <ul style="list-style-type: none"> • according to the law of a state to which one of the spouses belongs, or • according to German law, if one of you has his or her habitual residence in Germany.
Bearbeitungsdauer	Case-by-case
Frist	No deadlines
weiterführende Informationen	
Hinweise	
Rechtsbehelf	If the registrar's office refuses your request for a certificate, you can apply to the relevant court to order the registrar's office to issue the certificate to you.
Kurztext	Under certain circumstances, spouses can arrange the use of their name in the marriage, even after the marriage abroad, by making a declaration at a German registry office.
Ansprechpunkt	
Zuständige Stelle	The registry office in whose jurisdiction one of the declarants has or last had his domicile or habitual residence
Formulare	
Ursprungsportal	Erklärung zur Namensführung abgeben - Erklärung zur Namensführung von Ehegatten ohne inländischem Ehe- oder Heiratseintrag, Declaration on the use of the name - Declaration on the use of the name of spouses without a domestic marriage or marriage entry