

99133001026000

Recognition of paternity, notarisation by the registry office

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<https://fimportal.de/xzufi-services/6001127-99133001026000/L100009>

Modul	Sachverhalt
Leistungsschlüssel	99133001026000
Leistungsbezeichnung I	Recognition of paternity, notarisation by the registry office
Leistungsbezeichnung II	Recognition of paternity, notarisation by the registry office
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	

Modul	Sachverhalt
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	<ul style="list-style-type: none"> • § 1592 Bürgerliches Gesetzbuch (BGB) – Vaterschaft • §§ 1594 bis 1598, 1599 Abs. 2 BGB – Anerkennung der Vaterschaft • § 44 Personenstandsgesetz (PStG) – Erklärung zur Anerkennung der Vaterschaft und der Mutterschaft • § 59 Sozialgesetzbuch - Achtes Buch (SGB VIII) – Beurkundung und Beglaubigung • § 67 Beurkundungsgesetz (BeurkG) – Zuständigkeit der Amtsgerichte • Gesetz über Kosten der freiwilligen Gerichtsbarkeit für Gerichte und Notare (Gerichts- und Notarkostengesetz – GNotKG), Anlage 1 (zu § 3 Abs. 2) Kostenverzeichnis • Sächsisches Kostenverzeichnis (SächsKVZ), Lfd. Nr. 75 Tarifstelle 6.5 – Personenstandsrecht
Teaser	<p>As the father of a child born out of wedlock, you have the option of officially recognising paternity. This is of great importance for the child, as it is only through this that it acquires maintenance, inheritance and pension rights. Recognition of paternity must therefore be officially notarised.</p>
Volltext	<p>Recognition of paternity according to §§ 1594 ff. German Civil Code (BGB)</p> <p>As the father of a child born out of wedlock, you have the option of officially recognising paternity. This is of great importance for the child, as it is only through this that it acquires maintenance, inheritance and pension rights. Recognition of paternity must therefore be officially notarised.</p> <p>As long as the (legal) paternity of another man exists, the acknowledgement of paternity is not effective.</p>

Modul	Sachverhalt
	<p>Contact point</p> <p>The acknowledgement of paternity can also be notarised by the local youth welfare office, a notary or any local court - at the youth welfare office alone or by the notary together with the declaration of custody if necessary.</p>
Erforderliche Unterlagen	<p>For the father's declaration of recognition:</p> <ul style="list-style-type: none"> • Identity card or passport and your own birth certificate • before the birth: proof of the child's expected date of birth (e.g. maternity passport) • after the birth: the child's birth certificate <p>For the mother's declaration of consent:</p> <ul style="list-style-type: none"> • Identity card or passport • in the case of a separate declaration: certified copy of the father's declaration of recognition • before the birth: proof of the expected date of birth of the child (e.g. maternity passport) • after the birth: birth certificate of the child <p>For further declarations of consent (e.g. legal representative of underage parents):</p> <ul style="list-style-type: none"> • Identity card or passport • notarised copy of the declaration to which consent is given • possibly proof of status as legal representative <p>Note: Further documents may be required in individual cases. Please enquire about this at the relevant office.</p>
Voraussetzungen	<p>The child</p> <ul style="list-style-type: none"> • has no legal father or • is born after a divorce petition is pending and the acknowledgement of paternity is declared within one year of the divorce becoming final (so-called divorce-dependent acknowledgement of paternity). <p>For the acknowledgement of paternity to be effective:</p>

Modul

Sachverhalt

the publicly notarised declarations

- of the man recognising paternity,
- the mother of the child,
- if applicable, the man who was still married to the child's mother at the time of the birth (in the case of divorce-dependent acknowledgement of paternity),
- if applicable, the legal representatives of underage parents (e.g. their parents or guardians).

Note: If the mother is not entitled to parental custody (for example, because the child is already of legal age or she has been deprived of custody of the minor child), the child itself must also give its consent - in the case of children under the age of 14, their legal representatives (e.g. guardian or supplementary carer).

Kosten

- none
- for declaration before the registry office: EUR 30.00
- for declaration before the notary or the local court: expenses (depending on costs)

Verfahrensablauf

You, the mother of the child, her husband if applicable, and the legal representatives if applicable, visit one of the competent authorities together or individually.

- The notary will accept your declarations and notarise them.
- You will receive a copy of the certificate as proof.

The competent office will send certified copies to the registry office at the child's place of birth. If all declarations have been made, the declaration of paternity is valid and the registry office will issue a new birth certificate for the child.

Recognition of paternity before the birth

Recognition of paternity and the necessary consent can be declared before the child is born. The father's name is then entered on the birth certificate from the outset.

Bearbeitungsdauer

Frist

Declaration of acknowledgement of paternity • generally possible at any time, even before the birth of

Modul

Sachverhalt

the child • in the case of divorce-dependent acknowledgement of paternity, no later than one year after the divorce becomes final Revocation • up to one year after the acknowledgement of paternity has been notarised if the acknowledgement of paternity has not yet taken effect (example: lack of consent from the mother) Note: Legal consequences of the acknowledgement (e.g. maintenance claims, nationality of the child) can only be asserted if the acknowledgement is effective, i.e. all necessary declarations of consent have been notarised.

weiterführende Informationen

Hinweise

Rechtsbehelf non applicable

Kurztext

Ansprechpunkt

Zuständige Stelle

Formulare

Ursprungsportal