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Naming after marriage

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Modul	Sachverhalt
Leistungsschlüssel	99083001011002
Leistungsbezeichnung I	Naming after marriage
Leistungsbezeichnung II	Naming after 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	

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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

You have got married and have not yet decided on a married name. Now you want to change your name and choose a joint surname.

Volltext

Determining the married name in accordance with § 1355 Bürgerliches Gesetzbuch

You have got married and have not yet decided on a married name. Now you want to change your name and choose a joint surname.

The spouses can keep their existing surnames (separate names) or choose a joint surname (married name) at the time of the 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 the 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.

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You should therefore seek advice from the Standesamt (registry office) in these cases in particular.

Contact point

The Standesamt that keeps the marriage register is responsible.

If the marriage is not notarised in a German marriage register:

- The Standesamt in whose jurisdiction one of the declaring parties has or last had their place of residence or habitual abode.

If this does not result in jurisdiction:

→ Standesamt I in Berlin Amt24-Informationen

Erforderliche Unterlagen

If the determination of the married name does not take place at the same time as the marriage, you must bring the following documents with you:

- Valid identification document (e.g. identity card or passport)
- marriage certificate
- if applicable, in the case of a previous marriage: final divorce decree
- if married abroad: marriage certificate with translation, legalisation or apostille if necessary

Further documents may be required.

Note (for marriages abroad):

For documents from another EU member state:

- no further legalisation is required
- For certain documents (e.g. birth, marriage and death certificates, registration certificates), it is possible to obtain a multilingual form (translation aid) from the issuing authority. A translation by an interpreter in Germany is then generally no longer necessary.

Tip: The translation aid is issued together with the civil

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	status certificate, so it should be applied for at the same time.
Voraussetzungen	You got married and have not yet chosen a married name.
Kosten	<ul style="list-style-type: none"> • Notarisation of name declarations after marriage: EUR 35.00 • Certification of a change of name: EUR 15.00
Verfahrensablauf	<ul style="list-style-type: none"> • To determine your married name, you must appear in person at the Standesamt once again. • You must declare the change of your married name in writing. This declaration must be notarised or authenticated by a notary's office or Standesamt. <p>The Standesamt where the marriage is registered is responsible for accepting the declaration.</p>
Bearbeitungsdauer	
Frist	none
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 add his/her maiden name or any surname previously used to the married name (companion name). He/she thus 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"> • If no name declaration is made at the time of the marriage, each spouse retains their previous name, i.e.

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Mrs Müller and Mr Schmidt remain the same.

- 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" (birth names of the spouses) or "Müller" (name from the wife'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 of the spouses already has a double name and this double name is chosen as the married name, the other spouse may no longer add his/her maiden name or the name used at the time of the marriage to the married name.

Rechtsbehelf

Kurztext

Ansprechpunkt

Zuständige Stelle

Formulare

Ursprungsportal