

Declaration on the Subsequent Choice of Law and Determination of the Name in the Marriage

(Art. 10(2) Introductory Act to the German Civil Code (EGBGB), Sections 1355, 1355a, 1355b German Civil Code (BGB), Art. 48 EGBGB)

Notice about Jurisdiction

If the marriage is not recorded in a German marriage register, the registrar's office having jurisdiction over the place where one of the spouses resides, last resided, or has a habitual residence is responsible for the effective receipt of the name declaration.

Registrar's Office I in Berlin has jurisdiction in the absence of a marriage registration in Germany only if neither spouse has ever been resident in Germany. Even if the residence in Germany dates back a long time (including as a child), the registrar's office of the former place of residence remains responsible.

Husband/Person 1

(Surname, surname at birth, all first and middle names, date of birth (DD.MM.YYYY), mailing address, citizenship(s), email)

Email:

Have you previously resided in Germany?

☐ no, I have never resided in Germany (not even as a child)

☐ yes: (last) address in Germany:

Wife/Person 2

(Surname, surname at birth, all first and middle names, date of birth (DD.MM.YYYY), mailing address, citizenship(s), email)

Email:

Have you previously resided in Germany?

☐ no, I have never resided in Germany (not even as a child)

☐ yes: (last) address in Germany:

Marriage	We were married on _____ date (DD.MM.YYYY)
	in _____ place (city, country)
	and did not make any declaration regarding the choice of law or name at that time that would be effective under German law.

Choice of Law	We choose the following legal basis for our name declaration:
	☐ German law
	☐ _____ law
(Choose either German law, the law of the foreign home country of one spouse, <u>or</u> the law of the country of habitual residence of one of the spouses.)	

We choose the following names (please complete the boxes below):

Name Declaration Husband/Person 1	Surname: _____ (for a double surname, please indicate whether it is to be used with or without a hyphen) First names, if applicable: _____ Further names, if applicable: _____
Name Declaration Wife/Person 2	Surname: _____ (for a double surname, please indicate whether it is to be used with or without a hyphen) First names, if applicable: _____ Further names, if applicable: _____

We are aware that when a shared double surname is selected under German law, the order of the constituent names and the spelling must be the same for both spouses.

Notice regarding the names of joint children	
The selection of a shared surname (married name) may extend to joint children whose name is governed by German law. If the children have not yet reached the age of five or have not yet acquired a surname under German law, the shared surname extends to them by operation of law. Older children must adopt the change by a separate declaration.	
<u>Joint children</u> (Surname, first and middle names, place of residence, date (DD.MM.YYYY) place (city, country) of birth , citizenship(s))	

I/We am/are aware that the married name can only be proven by certification which is subject to a fee.

I/We request the issuance of _____ (no.)
fee-based certificate(s) confirming the effectiveness of the name declaration.

☐ I/We request to pay the fee by e-payment, if possible, otherwise by wire transfer

☐ I/We request to pay the fee by wire transfer

Please observe the applicable fee regulations of the respective German federal state.

I/We am/are aware that this declaration regarding the determination of the married name is irrevocable as long as the marriage exists.

We/I agree that the registrar's office may exchange personal data with us/me and third parties, including by email, for the performance of its statutory duties and for processing our/my declaration.

Applicant Signatures
and Certification by the German Mission Abroad

_____ (Husband/Person 1)

_____ (Wife/Person 2)

I certify the above signatures as executed before me.

The declaring parties have been identified by

_____, No.
(Identity document)
issued on _____ (Husband/Person 1)

_____, No.
(Identity document)
issued on _____ (Wife/Person 2)

place, date:

_____, the

(Seal)

(Consular officer)

Please attach forms with multiple pages securely together.

Alternatively: Signature notarization by a Notary Public

I hereby certify that **the above signatures** were made in my presence by:

1.

2.

(First, middle and last names)

who identified themselves by valid identification.

(Place and date, Notary Public's signature and seal)