

**Translation: This form is solely intended as a translation or completion aid.
Please only fill out the original form in German.**

**Declaration on the subsequent choice of law and the use of a
surname in marriage**

(Article 10 (2) of the Introductory Act to the German Civil Code (EGBGB), Articles 1355, 1355 a and 1355 b of the German Civil Code (BGB), Article 48 EGBGB)

Important information on the jurisdiction of registry offices

If a marriage has not been registered in Germany, the registry office in whose district one of the spouses resides or last resided or is habitually resident shall be responsible for receiving the declaration on the use of a surname.

If there is no entry in a register, Registry Office I in Berlin is only responsible for processing if neither of the spouses have ever been resident in Germany. The registry office located in the jurisdiction of an earlier residency will still be responsible for processing even if the residency in Germany occurred a long time ago (even when the spouse was a child).

Husband/first person

(Surname, surname at birth, all first names; date of birth, postal address, nationalities, email)

Email:

Have you even been resident in Germany?

☐ No, I have never been resident in Germany (not even as a child)

☐ Yes: (most recent) address in Germany:

Wife/second person

(Surname, surname at birth, all first names; date of birth, postal address, nationalities, email)

Email:

Have you even been resident in Germany?

☐ No, I have never been resident in Germany (not even as a child)

☐ Yes: (most recent) address in Germany:

Marriage
We were married on _____ (date)
in _____ (place)
and have not made a declaration stating our choice of law and the use of a surname that is recognised under German law.

Choice of law
For the use of a surname in marriage, we choose
☐ **German law**
☐ _____ **law**
to apply to the declaration.
(Either German law or the law of the country of citizenship/residence of one of the spouses has to be chosen.)

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**We choose the following surnames:
(please state)**

Declaration on a sur- name Husband/first person	Surname: _____ (in the case of compound surnames, with or without hyphen) First name(s) where applicable: _____ Other components where applicable: _____
Declaration on a name Wife/second person	Surname: _____ (in the case of compound surnames, with or without hyphen) First name(s) where applicable: _____ Other components where applicable: _____

We are aware that if we choose a joint compound surname under German law, the order of the elements of the name and the spellings must be the same for both spouses.

Alternatively, it is possible under German law to choose a joint surname and for the person whose surname has not become the common surname in marriage to add an additional name. However, under no circumstances may the surname consist of more than two elements.

Note on name usage for joint children
The choice of a joint family name (married surname) can be extended to joint children whose name usage is determined by German law. If the children have not yet reached the age of five years or if they have not yet acquired family names under German law, the joint family name will automatically apply to the children. Older children have to agree to the change in a separate declaration.
<u>Joint children</u> (family name, first name(s), place of residence, date and place of birth, nationality)

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I am/We are aware that name usage in the marriage can only be proven with a certificate for which a fee is payable.

I/We would like to have _____ (number) certificate(s) confirming the validity of this declaration on the use of a surname. A fee is payable for this/these certificate(s).

☐ I/We would like to pay the fees by ePayment if possible, otherwise by bank transfer.

☐ I/We would like to pay the fees by bank transfer.

With regard to the fees payable to the registry office, please refer to the rules applicable in the relevant federal state.

I am/We are aware that this declaration on the use of a surname in marriage is irrevocable for the duration of the marriage.

I/We consent to the registry office exchanging emails with me/us and third parties, using my/our personal data, in order to perform its legal duties and to process my/our declaration.

_____ (Husband/first person)

_____ (Wife/second person)

I hereby authenticate the signatures above, having in person witnessed their execution.

The persons making this declaration have proved their identity through

_____, no.
(identity document)
Issued on _____ (Husband/first person)

_____, no.
(identity document)
issued on _____ (Wife/second person)

Place, date:

(seal)

(Consular officer)

Please ensure that all pages of a form are well attached to each other.

Please print out and sign the completed form and post it in the original to the responsible registry office. Simple copies or documents transmitted electronically are unfortunately not suitable for registry office purposes.