



Name declaration for a child

The name of a German national is governed by German law, even if his or her name is shown differently on a foreign birth certificate.

1. If parents were married when the child was born

A child whose parents are **married** at the time of the child's birth and **who bear a married name** (Ehename) will obtain the parents' married name as birth name. No name declaration is needed. If the parents got married outside of Germany and made a name declaration abroad please email us in advance to check if this married name might be recognized.

In cases where the parents **are married, but do not have a married name**, the parents will have to make a name declaration in order for the child to obtain a birth name, even if the child has already been registered abroad under a certain name. If the parents have already made a name declaration for the first child, choosing German law and the father's or mother's name for their child, **all future children will automatically receive this name**. No further name declaration is needed. When applying for a passport, please provide the name certificate for the first child.

2. If parents were not married when the child was born

A child whose parents are **unmarried** at the time of the child's birth will usually have the mother's surname as birth name. Therefore, if you want the child to have the mother's name, a name declaration is not necessary.

3. Name declarations for the name as in the British or other European birth certificate

As of 29 January 2013, a new statutory provision applies (Article 48 of the Introductory Act to the Civil Code, EGBGB) under which **family names** which have been acquired **during a habitual residence** in any **EU country** and have been **registered there in a register of births** can be recognised. Therefore, parents have the option to declare the name of their child as entered in the British birth certificate (including double names). If the parents make such a name declaration for their child according to Art. 48 EGBGB, the name declaration will be **valid only for this child**.

4. Name declarations opting for the law of one parent's nationality

In cases where one parent has another nationality, it may be possible to opt for this law to become applicable to the child's name. The name will then be governed by the law of that parent's nationality, so a double name may be possible if that law permits it (or indeed any other combination). However, you should bring documents showing that the name you would like to declare for your child is accepted by the foreign law. If the parents chose foreign law for the name of their child, the name declaration will be **only valid for this child**.

In order to make a name declaration for your child, please book an **appointment** for a name declaration on our website. **Please read the general information about naming law and the procedure on our website before booking an appointment.**

Both parents and children of 14 years or older must be present since their signatures on the name declaration form must be certified. **If you are of age** and do not bear a name according to German law yet, you can make the name declaration on your own. The parents do not need to be present in this case. However the documents listed below are necessary for your application. There is a special **form for adults** on our website which need to be used for children of age.

If you would like to submit your name declaration with one of our **Honorary Consuls** or in **cases involving surrogacy** , please email us at ne@lond.diplo.de (if you live in England south of Scarborough), Wales or Northern Ireland) or info@edin.diplo.de (if you live in Scotland or Northern England).

At the appointment, the following documents are required as originals and one photocopy each:

- Completed name declaration form (please only fill out the first page of the form in German and do not sign the declaration yet) which can be downloaded on our website
- Valid passports for both parents (or German identity card/*Personalausweis*)
- Birth certificates of both parents
- Child's birth certificate ("full" version – stating the parents)
- Child's passport if applicable
- If you wish to make a name declaration by choosing the foreign law of one parent (see above nr. 4), proof that the child bears the intended name under the law of the respective country (passport or birth certificate issued by the authorities of that country)
- If you are married: your marriage certificate
- Divorce decree absolute for divorcees
- Naturalisation certificate for naturalised German nationals or „*Staatsangehörigkeitsausweis*“ if you have one
- Proof of residence in the UK (for example council tax bill or utility bill)
- German deregistration certificate (*Abmeldebescheinigung*) from your last German place of residence or current registration certificate (*Meldebescheinigung*) from your most recent address in Germany
- Translations of foreign documents (usually not required for English or "international" documents, for example international birth certificates)
- Birth certificates ("full" version – stating the parents) of all other children of the parents including older siblings
- Name certificates of other children of the parents if applicable

Depending on the case more documents can become necessary or may subsequently be requested by the relevant registry office (Standesamt) in Germany. Some register offices will also ask for German translations of documents in English or Apostilles on foreign documents. You will be informed by email later on in the process if this will be necessary in your case.

This leaflet provides information for most routine cases presented to the German Missions in the United Kingdom. Due to the complexity of the German name law and the multitude of conceivable case scenarios each individual case may have to be treated differently. This leaflet is therefore meant only as an orientation and neither substitutes legal advice based on a detailed case nor does it foreclose the decision of the registrar, which remains reserved in all cases. Should your case not be covered, contact us by email.