

Please return to:



DR. JENS HEINIG  
NOTAR

Poststraße 6 · 40789 Monheim on the Rhine · TEL 02173 / 399591-0 · FAX 02173 / 399591-11 · info@notar-heinig.de

## DATA FOR THE PREPARATION OF A MARRIAGE CONTRACT

Further information also under [www.notar-heinig.de/ehevertraege/](http://www.notar-heinig.de/ehevertraege/)

### I. Details of the spouses

#### 1. Spouse

Name:	
First name:	
Birth name:	
Date of birth:	
Street/No.:	
ZIP Code/Place:	
Phone no.:	
E-Mail:	
Nationality:	

#### 2. Spouse

Name:	
First name:	
Birth name:	
Date of birth:	
Street/No.:	
ZIP Code/Place:	
Phone no.:	
E-Mail:	
Nationality:	

German language skills:  Yes  No, translation

English language skills:  Yes  No

Family status:  unmarried  married

divorced  widowed

Yes  No, translation

Yes  No

unmarried  married

divorced  widowed

only if married:  Community of accrued gains

Matrimonial regime:  Separation of property

Community of property

Foreign regime (→ S. 2)

Community of accrued gains

Separation of property

Community of property

Foreign regime (→ S. 2)

Have you already concluded a prenuptial agreement?

Yes  No

**Please submit all existing marriage contracts to us!**

#### **If spouses are already married:**

*This information is important so that we can determine whether foreign marriage law applies. This may provide for special features that we must take into account when drafting the marriage contract so that you can conclude a legally secure marriage contract!*

Please tell us in each case in which country your habitual residence (center of life) and what nationality you had/will have:

Date of marriage:

*(Always fill in all details for both spouses!)*

Name	<input type="text"/>	<input type="text"/>
Habitual residence at the time of marriage	<input type="text"/>	<input type="text"/>
Habitual residence now	<input type="text"/>	<input type="text"/>
Nationality at the time of marriage	<input type="text"/>	<input type="text"/>
Nationality now	<input type="text"/>	<input type="text"/>

## II. Details of the children

### 1. Common child

Name:

First name:

Birth name:

Date of birth:

Street/No.:

ZIP Code/Place:

### 2. Common child

Name:

First name:

Birth name:

Date of birth:

Street/No.:

ZIP Code/Place:

### 1. Additional child from first spouse

Name:

First name:

Birth name:

Date of birth:

Street/No.:

ZIP Code/Place:

### 2. Additional child from first spouse

Name:

First name:

Birth name:

Date of birth:

Street/No.:

ZIP Code/Place:

### 1. Additional child from second spouse

Name:

First name:

Birth name:

Date of birth:

Street/No.:

ZIP Code/Place:

### 2. Additional child from second spouse

Name:

First name:

Birth name:

Date of birth:

Street/No.:

ZIP Code/Place:

## III. Agreements

The statutory matrimonial property regime in Germany is the community of accrued gains. If the community of accrued gains is dissolved, there is a claim against the respective spouse who has accrued a higher gain. During and after the marriage, each spouse owns their own assets.

1. How should this **equalization of accrued gains** be regulated?

- No agreement on the matrimonial property regime
- Agreement on the separation of property (there is **no equalization of gains in the event of divorce.**)
- generally not recommended: Agreement on community of property (both partners are **equal owners of the joint assets**, regardless of whose name the assets are registered in or when they were acquired)
- often recommended: Modification of the community of accrued gains (**exclusion of equalization of gains in case of divorce or with or without compensation**) If compensation: Some for each year of marriage: EUR
- Other modifications:


According to German family law, pension equalization is the equalization of pension entitlements acquired by the spouses during the marriage due to old age or reduced earning capacity.

2. How should **pension equalization** be regulated?

- Pension equalization **in accordance with the statutory provisions**
- Complete waiver** of pension equalization
- Partial waiver** of pension equalization with the **exception of childcare periods**
- Partial waiver** of pension equalization **for certain pension rights:**


Considerations:


Other:


3. How should **post-marital maintenance** be regulated?

- Post-marital maintenance **in accordance with the statutory provisions**
- Complete waiver** of post-marital maintenance
- Partial waiver** of post-marital maintenance with the **exception of maintenance due to childcare and/or illness and/or age**
- Partial waiver** of post-marital maintenance **for individual maintenance items:**


Agreement on the duration of the maintenance obligation and the amount of maintenance:


Other:


4. Are there any waivers of inheritance and/or compulsory portions?

No

Yes, waiver of compulsory portion of 

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Yes, renunciation of inheritance of 

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**Possible special features:**


Draft fees confirmed

*The preparation of a draft by the notary is of course subject to a fee. If the notarization is not carried out, the notary is legally obliged to charge statutory fees. I am aware of this and hereby confirm it.*

