



January 2013

Equal status for spouses under naming and citizenship laws – the Federal Council has implemented the corresponding amendment to the Civil Code, which will take effect on 1 January 2013.

The amendment to the Civil Code adopted by Parliament on 30 September 2011 grants spouses equal status in surname and citizenship. Marriage will essentially no longer have an impact on the name and citizenship of future spouses. Husband and wife will each keep their surname and citizenship but can declare when they get married that they want to use the bride's or the groom's unmarried surname as a common family surname. Same-sex couples who register their partnership will also have the same opportunity in future.

The children of married couples will be given either the common family surname or – if the couple uses different surnames – the surname that the couple decides on for their children upon marriage. If the parents are not married, the children will be given their mother's unmarried name. In cases of joint parental custody, the parents can declare that their children will have their father's unmarried surname.

The transitional law provides that spouses who change their surname upon marriage before these amendments enter into force will be able to declare at any time to the registry office that they wish to use their unmarried surname again. If such a declaration is made, the parents will have until 31 December 2013 to declare that their children will have the unmarried surname of the parent who has made this declaration. Unmarried parents with joint parental custody will have one year in which to declare that their children will have their father's unmarried surname. Children who have reached their twelfth birthday must consent to any change of name. Same-sex couples who register their partnership before these provisions enter into force will have one year in which to declare that they wish to use the surname of one of the partners as a common surname.

For further information, please visit the website of the Federal Office of Justice

<http://www.bj.admin.ch/content/dam/data/gesellschaft/gesetzgebung/namensrecht/for-m-namensfuehrung.pdf>

or contact the Embassy/Consulate General in the consular district where you are registered.