

非婚生子女 認 領 同 意 書
姓氏及權利義務行使負擔約定

(Consent to Acknowledgement and Agreement on Surname and Rights and Obligations of Child Born Out of Wedlock)

民國_____年_____月_____日出生之男(女)_____，確
係本人_____與其生母_____所生，茲：
(On _____(Year, Month, Day), the child, _____, was born to me,
_____, and the natural mother, _____, and):

依民法第 1065 條第 1 項規定，由生父_____認領，
出生別為_____男(女)。
(Is acknowledged by the natural father, _____, in accordance with
Paragraph 1 of Article 1065 of the Civil Code, in _____ (birth order- son/daughter.)

依民法第 1059 條之 1 規定，約定 變更為父姓 維持母
姓，被認領後姓名：_____。
(The child's surname is changed to the father's surname or the mother's
surname in accordance with Article 1059-1 of the Civil Code, with the name after
acknowledgement as _____.)

依民法第 1069 條之 1 規定，協議其權利義務之行使負擔由
父 母 父母共同擔任。
(The child's rights and obligations are borne by the father the mother the
parents in accordance with Article 1059-1 of the Civil Code.)

特立此書約，並據以申請戶籍登記。
(The Undersigned hereby execute this consent for the application for household
registration.)

此致 (To)

_____戶政事務所 (Household Registration Office)

立書人 (Signed by)

生父 (Signature of natural father) : _____ (簽章)

國民身分證統一編號 (National ID Card No.) :

電話 (Telephone No.) :

生父法定代理人 (Signature of natural father's statutory agent) : (簽章)

國民身分證統一編號 (National ID Card No.) :

電話 (Telephone No.) :

生母 (Signature of natural mother) : (簽章)

國民身分證統一編號 (National ID Card No.) :

電話 (Telephone No.) :

生母法定代理人 (Signature of natural mother's statutory agent) : (簽章)

國民身分證統一編號 (National ID Card No.) :

電話 (Telephone No.) :

中 華 民 國 年 月 日
(Year, Month, Day)

說明 (Note) :

- 一、約定事項請於 中打「V」(Select the matters to be agreed on (V).)
- 二、民法第 1065 條第 1 項規定：非婚生子女經生父認領者，視為婚生子女。其經生父撫育者，視為認領。(In accordance with Paragraph 1, Article 1065 of the Civil Code, a child born out of wedlock who has been acknowledge by the natural father is deemed to be legitimate; where he has been maintained by the natural father, acknowledgment is deemed to have been established.)
- 三、民法第 1059 條之 1 規定 (Article 1059-1 of the Civil Code stipulates the following) :
非婚生子女從母姓。經生父認領者，適用前條第 2 項至第 4 項之規定。(A child born out of wedlock shall assume mother's surname. Paragraph two through four of the preceding Article should be applicable to a child born out of wedlock who is acknowledged by the biological father.)
非婚生子女經生父認領，而有下列各款情形之一，法院得依父母之一方或子女之請求，為子女之利益，宣告變更子女之姓氏為父姓或母姓 (Where a child born out of wedlock who is acknowledged by the biological father meets one of the following conditions, one of the parents or the child may petition in the interest of the child for a judicial declaration to change the child's surname to either the father's and mother's surname) :
 - 一、父母之一方或雙方死亡者。(1)Where one or both of parents are deceased;
 - 二、父母之一方或雙方生死不明滿三年者。(2)Where one or both of parents' lives have been uncertain for three years;
 - 三、子女之姓氏與任權利義務行使或負擔之父或母不一致者。(3)Where the child's surname is not the same as the parent who performs the rights and

duties of the child; or)

四、父母之一方顯有未盡保護或教養義務之情事者。(4) One of parents has obviously not fulfilled his/her obligation of care-giving.)

四、民法第 1069 條之 1 規定：非婚生子女經認領者，關於未成年子女權利義務之行使或負擔，準用第 1055 條、第 1055 條之 1 及第 1055 條之 2 之規定。
(In accordance with Article 1069-1 of the Civil Code, where a child born out of wedlock has been claimed by acknowledgement from his natural father, the provisions in Article 1055, Article 1055-1, and Article 1055-2 shall be applicable mutatis mutandis to the rights and duties of the minor child.)