

**EMBASSY  
OF THE REPUBLIC OF ARMENIA  
TO THE RUSSIAN FEDERATION**

**CONSULAR SECTION**

2301/10/0936n

The Embassy of the Republic of Armenia to the Russian Federation presents its compliments to the Embassy of the Republic of the Philippines to the Russian Federation and, with the reference to the Note of the Embassy No.56-18 as of February 21, 2018, has the honor to transmit copies of legislative acts of the Republic of Armenia, which regulate marriage and divorce procedures.

The Embassy of the Republic of Armenia avails itself of the opportunity to renew to the Embassy of the Republic of the Philippines to the Russian Federation the assurances of its highest consideration.

Enclosure: 50 pages.

Moscow, August 3, 2018

EMBASSY OF THE REPUBLIC OF THE PHILIPPINES TO THE RUSSIAN FEDERATION  
Moscow

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Office of Legal Affairs

22 FEB 2019

  
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Signing Officer

OKSANA ZAITSEVA  
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ПОСОЛЬСТВО  
РЕСПУБЛИКИ АРМЕНИЯ  
В РОССИЙСКОЙ ФЕДЕРАЦИИ

КОНСУЛЬСКИЙ ОТДЕЛ

2301/10/0936н

Посольство Республики Армения в Российской Федерации свидетельствует свое уважение Посольству Республики Филиппины в Российской Федерации и в ответ на ноту N 56-18 от 21.02.2018г. высылает копии законодательных актов Республики Армения, регулирующих процессы регистрации и расторжения брака.

Посольство Республики Армения пользуется случаем, чтобы возобновить Посольству Республики Филиппины в Российской Федерации уверения в своем высоком уважении.


Приложение: 50 листов.



Москва, 03 августа 2018 г.

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ПОСОЛЬСТВО РЕСПУБЛИКИ ФИЛИППИНЫ В РОССИЙСКОЙ ФЕДЕРАЦИИ  
г. Москва

**Family Code of the Republic of Armenia (extract)**

**Article 9. Procedure for conclusion of marriage**

1. Marriage shall be concluded at the bodies carrying out state registration of civil status acts, as prescribed by the legislation of the Republic of Armenia, in the obligatory presence of persons entering into marriage.
2. The rights and responsibilities of spouses shall arise upon state registration of marriage at the bodies carrying out state registration of civil status acts.

**Article 10. Conditions for conclusion of marriage**

1. Voluntary mutual consent of a man and woman entering into marriage, as well as their attainment of the age of eighteen are required for concluding a marriage, except for the cases provided for by paragraph 2 of this part.

A person may also get married at the age of seventeen, where the consent of his or her parents, adopters or a curator exists. A person may also get married at the age of sixteen, where the consent of his or her parents, adopters or a curator exists, and the other person entering into marriage is at least eighteen years of age.

2. Conclusion of marriage shall be prohibited in case circumstances provided for by Article 11 of this Code exist.

**Article 11. Impediments to conclusion of marriage**

It shall be prohibited to conclude a marriage:

- (a) between the persons, at least either of which is in another marriage registered as prescribed by law;

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- (b) between next of kin (relatives in the direct ascending and descending line, i.e. parents and children, grandfather, grandmother and grandchildren, as well as siblings, half-blood brothers and sisters, maternal, paternal cousins);
- (c) between adopters and adoptees;
- (d) between the persons, at least either of which the court has declared as having no active legal capacity.

**Article 12. Medical examination of persons entering into marriage**

1. The medical examination of persons entering into marriage, as well as the consultation on medical genetics and family planning issues shall be conducted by healthcare organisations within the scope of annual target healthcare programmes guaranteed by the state, at the wish of persons entering into marriage.
2. The results of the examination of a person entering into marriage shall be considered as medical secret. Those results may, upon the consent of the person having undergone an examination, be communicated to the person, whom he or she intends to marry.
3. Where a married person, upon state registration of marriage, concealed from his or her spouse the fact of existence of a sexually transmitted disease (in particular, human immunodeficiency virus), as well as mental illness and drug addiction, toxic addiction, the other spouse shall have the right to apply to court to invalidate the marriage.

**Article 13. Grounds for termination of marriage**

1. Marriage shall terminate by reason of death of one of the spouses, or in case he or she is declared by the court as dead.

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2. Marriage may terminate through dissolution of marriage, based on the application of the spouses or one of the spouses, as well as on the application of the guardian of the spouse declared by the court as having no active legal capacity.
3. The husband shall not have the right to submit, without the consent of his wife, an application for dissolution of marriage during the pregnancy of his wife.

**Article 14. Procedure for dissolution of marriage**

Dissolution of marriage shall be granted at the bodies carrying out state registration of civil status acts in the cases provided for by this Code and as prescribed by legislation, as well as through judicial procedure.

**Article 15. Dissolution of marriage at the bodies carrying out state registration of civil status acts**

1. In case there is mutual consent between spouses regarding dissolution of marriage, it shall be granted at the bodies carrying out state registration of civil status acts.
2. Upon the application of one of the spouses, dissolution of marriage shall be granted at the bodies carrying out state registration of civil status acts, where the other spouse:
  - (a) has been declared by the court as missing;
  - (b) has been declared by the court as having no active legal capacity;
  - (c) has been convicted to imprisonment for a term of no less than three years.
3. Disputes on the division of common property of spouses, on the provision of means of subsistence for incapacitated vulnerable spouse, as well as disputes

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arising between spouses because of children shall be considered through judicial procedure as prescribed by Article 17 of this Code, regardless of dissolution of marriage at the bodies carrying out state registration of civil status acts.

**Article 16. Dissolution of marriage through judicial procedure**

1. Dissolution of marriage shall be granted through judicial procedure, where:
  - (a) the consent of one of the spouses regarding the dissolution of marriage is absent;
  - (b) one of the spouses, despite the absence of objection, avoids getting dissolution of marriage at the bodies carrying out state registration of civil status acts;
  - (c) spouses wish, by mutual consent, to dissolve the marriage through judicial procedure.
2. When considering cases of dissolution of marriage upon the application of one of the spouses, the court shall have the right to undertake measures for reconciling the spouses and shall have the right to adjourn consideration of the case, providing the spouses up to a three-month period for reconciliation. The court shall also have the right to propose to the parties to resolve the case of dissolution of marriage, as well as the case involving disputes arising between spouses when dissolving the marriage, through mediation, clarifying the essence thereof, as well as have the right to take steps for reconciling the spouses.

In this case, the dissolution of marriage shall be granted where the spouses (one of them) insist(s) on dissolving the marriage.

3. In case of existence of mutual consent of spouses regarding the dissolution of marriage, the court shall dissolve the marriage no later than within a one-month period from the day of filing by spouses the application for dissolution of marriage.

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**Article 17. Procedure for consideration of disputes arising between spouses when dissolving marriage**

1. When dissolving a marriage through judicial procedure, as well as dissolving a marriage at the bodies carrying out state registration of civil status acts, spouses may file an agreement with the court as to which of them the children are going to live with, on the procedure for provision of means of subsistence for children and/or incapacitated vulnerable spouse, on the amounts of those means, or on the division of common property of spouses.
2. In case of absence of an agreement between spouses, the court shall be obliged to:
  - (a) decide which of the parents the children must live with after dissolution of marriage;
  - (b) decide from which parent and in what amount the alimony (maintenance payment) should be levied;
  - (c) carry out, upon request of the spouses (one of the spouses), the division of the property deemed to be their common ownership;
  - (d) decide the amount of those means upon request of the spouse having the right to receive such means of subsistence from the other spouse.
3. Where the division of property affects the interests of third parties, the court may separate the claim on the division of property in separate proceedings.
4. Where the division of common property of spouses does not affect the interests of third parties, the spouses may, upon mutual consent, refer the dispute concerning the division of common property to the resolution of arbitration tribunal, in accordance with the requirements of the Civil Procedure Code of the Republic of Armenia and the Law of the Republic of Armenia "On commercial arbitration." The arbitration agreement shall not restrict the right to refer the dispute related to the division of property of a spouse to a court, except for the case when the arbitration agreement was concluded after the dispute arose, and the parties unconditionally agreed to refer the dispute to the arbitration tribunal.

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**Article 18. Moment of termination of marriage in case of dissolution of marriage**

1. The marriage which is dissolved at the body carrying out state registration of civil status acts shall be considered as terminated upon state registration of dissolution of marriage.
2. The marriage which is dissolved through judicial procedure shall be considered as terminated upon the entry into legal force of the civil judgment of the court.

The court shall be obliged to — within three days after the entry into legal force of the civil judgment of the court on dissolution of marriage — forward the excerpt of that civil judgment to the body carrying out state registration of civil status acts of the place of state registration of marriage.

Dissolution of marriage granted through judicial procedure shall be subject to state registration as prescribed by the legislation of the Republic of Armenia.

3. State registration of a new marriage of spouses having dissolved their marriage shall not be carried out, where there is no certificate of dissolution of marriage.

**Article 19. Restoration of marriage in case of appearance of the spouse having been declared as dead or missing**

In case of appearance of the spouse having been declared by the court as dead or missing and of revision of the relevant civil judgment of the court, the body carrying out state registration of civil acts may, upon the joint application of the spouses, restore the marriage, except for the cases when the other spouse had concluded a new marriage through a prescribed procedure.

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**Article 20. Declaring marriage as invalid**

1. Marriage shall be declared as invalid by the court.
2. Marriage concluded with impediments to the marriage provided for by Articles 10, 11 and part 3 of Article 12 of this Code, as well as the marriage, where the spouses or one of them registered the marriage without an intention to create a family (sham marriage) shall be declared as invalid.
3. The court shall be obliged to — within three days after the entry into legal force of the civil judgment of the court on invalidating the marriage — forward the excerpt of that civil judgment to the body carrying out state registration of civil status acts of the place of state registration of the marriage.
4. Marriage shall be declared as invalid upon state registration thereof.


**Article 21. Persons having the right to file a claim for declaring marriage as invalid**

The following persons shall have the right to file a claim for declaring marriage as invalid:

- (a) minor spouse, his or her parents (legal representatives), the guardianship and curatorship body, where the marriage has been concluded with a person not having attained a marriageable age. Only the minor spouse shall have the right to file a claim for invalidating the marriage after he or she attains the age of eighteen;
- (b) the spouse, whose rights have been violated by the conclusion of marriage, where the marriage took place in the absence of voluntary consent of one of the spouses as a result of coercion, deceit, confusion or impossibility to realise his or her actions and manage them upon state registration of marriage;

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- (c) the spouse, who was unaware of the existence of impediments to conclusion of the marriage, the guardian of the spouse having been declared by the court as having no active legal capacity, the spouse in the previous marriage that is not dissolved, other persons, the rights whereof were violated by the marriage concluded in violation of the requirements of Article 11 of this Code, as well as the guardianship and curatorship body;
- (d) the spouse unaware of the fact that the marriage is sham;
- (e) the spouse, whose rights were violated because of existence of circumstances provided for by part 3 of Article 12 of this Code.

**Article 22. Circumstances excluding invalidity of marriage**

1. The court may declare the marriage as valid, where at the moment of considering the case on declaring the marriage as invalid the impediments to conclusion thereof were removed.
2. In case of pregnancy of a woman or birth of a child, or where this is required by the interests of a minor spouse, as well as in the absence of the consent of the minor spouse on declaring the marriage as invalid, the court may deny the claim on declaring the marriage concluded with the person entering into marriage as invalid.
3. The court may not declare a marriage as sham, where the persons having registered such a marriage have actually formed a family prior to consideration of the case by the court.
4. After termination of marriage, it may not be declared as invalid, except for the existence of kinship between the spouses prohibited by law, or in cases when upon state registration of marriage one of the spouses is in another undissolved marriage.

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**Article 23. Effects of declaring marriage as invalid**

1. Marriage declared by the court as invalid shall not give rise to the rights and responsibilities provided by this Code for spouses, except for the cases envisaged by parts 4 and 5 of this Article.
2. The norms of civil legislation on shared ownership shall apply to the property jointly acquired by persons, whose marriage was declared as invalid.
3. The marriage contract concluded by persons whose marriage was declared as invalid shall, as a rule, be declared as invalid.
4. Declaring a marriage as invalid shall not affect the rights of children born in that marriage, or the rights of children born within three hundred days after declaring the marriage as invalid.
5. When rendering a civil judgment on declaring marriage as invalid, the court may recognise the right of a spouse (the conscientious spouse) — whose rights have been violated by the conclusion of such a marriage — to receive from the other spouse means of subsistence, whereas when dividing the property jointly acquired before the moment of declaring the marriage as invalid, it shall have the right to apply the norms of Article 26 of this Code, as well as declare the marriage contract as fully or partially valid.

The conscientious spouse shall have the right to demand compensation for the property damage caused to him or her, as prescribed by the civil legislation.

6. In case of declaring the marriage as invalid, the conscientious spouse shall have the right to retain the surname he or she has chosen during state registration of marriage.

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**Article 24. Legal equality of spouses in a family**

1. Each of the spouses shall be free to choose a job, occupation, profession, place of residence.
2. Matters relating to maternity, paternity, upbringing and education of children, as well as other matters of family life shall be resolved by the spouses jointly, given the principle of legal equality between spouses.
3. In the family, spouses shall be obliged to build their relationships based on mutual help and respect, contribute to the strengthening of the family, ensure the well-being and development of their children.

**Article 25. Right of spouses to choose surname**

1. When entering into marriage, the spouses may, at their wish, choose the surname of one of the spouses as a joint surname or retain the premarital surname.

The joint surname of spouses may be the surname of one of the spouses or a surname, which comprises both surnames of the spouses. The joint surname may not comprise more than two surnames.

2. The change in the surname of one of the spouses shall not give rise to a change in the surname of the other spouse.
3. When dissolving the marriage, the spouses shall have the right to retain their joint surname or restore their premarital surname.

**Article 26. Common joint ownership of spouses**

Relations pertaining to common joint ownership of spouses shall be regulated by the Civil Code, as well as by the marital contract concluded between spouses.

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**Article 27. Marriage contract**

A marriage contract is an agreement between the people entering into marriage or that of the spouses, which defines the property rights and responsibilities of spouses during the marriage and/or the dissolution thereof.

**Article 28. Conclusion of marriage contract**

1. The marriage contract may be concluded both before state registration of marriage and at any time during the marriage.

The marriage contract concluded before state registration of marriage shall enter into force upon state registration of marriage.

2. The marriage contract shall be concluded in writing and be subject to certification by a notary.

**Article 29. Contents of marriage contract**

1. The spouses may, by the marriage contract, change the scope of common ownership, establish common, shared or individual ownership in respect of the whole property of the spouses, the separate types thereof or the property of each of the spouses.


The marriage contract may be concluded both in respect of the existing property or the property to be acquired in the future.

The spouses shall have the right to define by the marriage contract their mutual rights and responsibilities to provide means of subsistence for each other, ways of participating in each other's income, procedure for making family expenses by each of them, the property to be handed over to each of them when dissolving the marriage, as well as have the right to provide in the marriage contract for

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- any other norms related to their property relations. The spouses may, by the marriage contract, provide for the opportunity to resolve a dispute related to the division of common property through commercial arbitration.
2. The rights and responsibilities provided for by the marriage contract may be restricted for a certain period of time or be made conditional on the occurrence or non-occurrence of certain conditions.
  3. The marriage contract may not restrict the passive legal capacity or active legal capacity of the spouses, their right to apply to court for the protection of their rights, regulate the personal non-property relations between the spouses, the rights and responsibilities of the spouses towards their children, provide for a norm restricting the right of an incapacitated vulnerable spouse to demand means of subsistence, include other conditions which put one of the spouses in an unfavourable situation or contradict the main principles of the family legislation.

**Article 30. Amendment to and rescission of marriage contract**

1. The marriage contract may be amended or rescinded any time upon the consent of the spouses. The marriage contract shall be amended and rescinded as prescribed by the procedure for concluding a marriage contract.

Unilateral repudiation of the marriage contract shall not be allowed.

2. Upon request of one of the spouses, the marriage contract may be amended or rescinded under judicial procedure, on the grounds and under the procedure prescribed by the civil legislation for amending and rescinding contracts.
3. The effect of a marriage contract shall cease upon termination of marriage, except for the obligations which are provided for by the marriage contract for the period after termination of the marriage.

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**Article 31. Declaring a marriage contract as invalid**

1. The court may declare the marriage contract as fully or partially invalid on the grounds prescribed by the Civil Code regarding the invalidity of transactions.
2. The court may also declare the marriage contract as fully or partially invalid upon request of one of the spouses, where the conditions of that contract put the given spouse in an extremely unfavourable situation. The conditions of the marriage contract violating the other requirements of part 3 of Article 29 of this Code shall be null and void.

...

**Article 141. Conclusion of marriage in the territory of the Republic of Armenia**

The marriage of foreign citizens and persons not holding citizenship in the territory of the Republic of Armenia shall be concluded as prescribed by the legislation of the Republic of Armenia.

**Article 142. Conclusion of marriage in consular offices**

1. The marriage of citizens of the Republic of Armenia residing outside the territory of the Republic of Armenia shall be concluded in the consular offices of the Republic of Armenia.
2. The marriage of foreign citizens concluded in the consular offices of foreign states, in the territory of the Republic of Armenia shall be valid in the Republic of Armenia under reciprocity conditions.

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**Article 143. Recognition of marriages concluded outside the territory of the Republic of Armenia**

1. The marriages between citizens of the Republic of Armenia and the marriages between the citizens of the Republic of Armenia and foreign citizens or persons not holding citizenship, which were concluded outside the territory of the Republic of Armenia in observance of the legislation of the state in the territory whereof they were concluded, shall be valid in the Republic of Armenia, in case there is a consular legalisation.
2. The marriages concluded between foreign citizens outside the territory of the Republic of Armenia, in observance of the legislation of the state in the territory whereof they were concluded, shall be valid in the Republic of Armenia, in case there is a consular legalisation.

**Article 144. Invalidity of marriages concluded in the territory of the Republic of Armenia or outside the territory of the Republic of Armenia**

The invalidity of marriages concluded in the territory of the Republic of Armenia or outside the territory of the Republic of Armenia shall be determined by the legislation, which was applied when concluding the marriage.

**Article 145. Dissolution of marriage**

1. Dissolution of marriage between citizens of the Republic of Armenia and foreign citizens or persons not holding citizenship, as well as dissolution of marriages between foreign citizens shall be granted in the Republic of Armenia, as prescribed by the legislation of the Republic of Armenia.

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2. Dissolution of marriage between citizens of the Republic of Armenia or between citizens of the Republic of Armenia and foreign citizens or persons not holding citizenship, which was granted outside the territory of the Republic of Armenia in observance of the legislation of the state in the territory whereof they were concluded, shall be valid in the Republic of Armenia, in case there is a consular legalisation.
3. Dissolution of marriage between foreign citizens, which was granted outside the territory of the Republic of Armenia in observance of the legislation of the state in the territory whereof they were concluded, shall be valid in the Republic of Armenia, in case there is a consular legalisation.

...

**Article 151. Clarification of the contents of norms of foreign family law**

1. When applying norms of foreign family law, the court or the bodies carrying out state registration of civil status acts and other bodies shall clarify the contents of those norms in accordance with their official interpretation and practice of application in the respective foreign state.

For the purpose of clarifying the contents of the norms of foreign family law, the court, bodies carrying out state registration of civil status acts and other bodies may apply, as prescribed, to the competent bodies of the Republic of Armenia or foreign competent bodies for receiving a relevant clarification, or involve experts.

Interested persons shall have the right to submit documents proving the contents of the norms of foreign family law, which they take as a basis in substantiating their claims and objections, or otherwise assist the court, bodies carrying out state registration of civil status acts and other bodies for clarifying the contents of the norms of foreign family law.

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2. Where the contents of the norms of foreign family law is not clarified within a reasonable period of time through the measures undertaken in accordance with part 1 of this Article, the legislation of the Republic of Armenia shall apply.

**Article 152. Restriction of application of norms of foreign family law**

The norms of foreign family law shall not apply in case where such an application contradicts the legal system (public order) of the Republic of Armenia. In that case, the legislation of the Republic of Armenia shall apply.

**Law of the Republic of Armenia  
“On civil status acts” (extract)**

...

**CHAPTER 3.**

**STATE REGISTRATION OF MARRIAGE**

**Article 24. Ground for state registration of marriage**

The joint application of persons entering into marriage shall serve as a ground for state registration of marriage.

**Article 25. Place of state registration of marriage**

State registration of marriage shall be carried out by the body of civil status acts registration of the place of residence of one of those entering into marriage.

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**Article 26. Application for marriage**

1. Persons entering into marriage shall submit a joint written application for marriage to the body of civil status acts registration.
2. Mutual voluntary consent to marriage and attainment of a marriageable age, except for the cases provided for by law, the fact of absence of impediments to marriage, prescribed by the Family Code of the Republic of Armenia, must be attested by the joint application.
3. The following information must be indicated in the joint written application for marriage:
  - (a) name, father's name, surname, ethnic origin, place and date of birth, nationality, place of residence, education, workplace and occupation of each of the persons entering into marriage;
  - (b) the surname chosen by persons entering into marriage after state registration of marriage;
  - (c) family status;
  - (d) data of identification documents of persons entering into marriage;
  - (e) other necessary information.
4. Persons entering into marriage shall sign the joint application for marriage and indicate the time of submission thereof.
5. It shall be necessary to submit, together with the joint application for marriage, the following documents:
  - (a) identification documents of persons entering into marriage;
  - (b) where the person has been previously married, also the document on the termination of the previous marriage;

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- (c) where the person entering into marriage is sixteen or seventeen, the written consent of parents, adopters or a curator of the person entering into marriage, certified by a notary or issued by the body of civil status acts registration.
6. Applications on registration of marriage in the Republic of Armenia of foreign citizens, persons not holding citizenship, citizens of the Republic of Armenia permanently residing in a foreign state, with each other and with citizens of the Republic of Armenia shall be submitted to, and a permit for registration of marriage shall be received from the Ministry of Justice of the Republic of Armenia.
7. Where one of the persons entering into marriage is not able to appear at the body of civil status acts registration to submit the joint application provided for by part 1 of this Article, expression of will of the persons entering into marriage may be formulated in separate statements. Signatures of the persons making such statements must be certified as prescribed by law.

**Article 27. Procedure for state registration of marriage**

1. State registration of marriage shall be carried out on the day indicated in the joint application submitted by persons entering into marriage to the body of civil status acts registration, but no earlier than the tenth day following the day of submission of the application and no later than three months. Based on the joint application of persons entering into marriage, the 10-day period of the state registration of marriage may be shortened in case there are valid reasons. Valid reasons serving as a ground for shortening the period of state registration of marriage shall be the following:
- (1) existence of a child (children) in common of the persons entering into marriage;

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- (2) pregnancy of a woman entering into marriage (of at least 12 weeks);
- (3) drafting of a person entering into marriage into fixed-term military service;
- (4) a person entering into marriage serving in the Armed Forces of the Republic of Armenia, or being in fixed-term military service;
- (5) long-term departure (absence) of persons entering into marriage or of one of them from the territory of the Republic of Armenia, in case of marriage in the Republic of Armenia of foreign citizens, persons not holding citizenship, citizens of the Republic of Armenia permanently residing in a foreign state, with each other or with foreign citizens, persons not holding citizenship, citizens of the Republic of Armenia;
- (6) serious illness of a person entering into marriage.

1.1. The valid reasons referred to in part 1 of this Article must be attested by relevant documents (for example, a medical reference regarding the pregnancy of a woman, a birth certificate of a child and a certificate of establishment of paternity, a reference from the place of military service, a document attesting the departure from the territory of the Republic of Armenia).

1.2. Based on particular circumstances, the period of state registration of marriage may also be shortened with the permission of the Head of the Civil Status Acts Registration Agency of the Ministry of Justice of the Republic of Armenia.

2. *(part repealed by HO-64-N of 23 May 2006)*

3. State registration of marriage shall be carried out in the obligatory presence of persons entering into marriage.

4. Where persons entering into marriage so wish, state registration of marriage may be carried out in a solemn atmosphere.

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5. Where the persons entering into marriage (one of the persons entering into marriage) are (is) not able to appear at the body of civil status acts registration due to a serious illness or other valid reasons provided for by the legislation of the Republic of Armenia, state registration of marriage may be carried out at home, in a medical or other institution in the presence of the persons entering into marriage.
6. State registration of marriage with persons in detention or serving the punishment in places of imprisonment shall be carried out by the head of the body of civil status acts registration in the place chosen upon the consent of the head of the relevant penitentiary institution.
7. In case of evidence attesting the existence of impediments to marriage, provided for by the Family Code of the Republic of Armenia, the head of the body of civil status acts registration shall be obliged to reject the state registration of marriage.
8. For registering marriage outside the territory of the Republic of Armenia, a person shall submit a statement of information on family status, issued by the Ministry of Justice of the Republic of Armenia. The procedure and conditions for issuing a statement of information on family status shall be prescribed by the Government of the Republic of Armenia.

**Article 28. Procedure for recording surnames of spouses during state registration of marriage**

During state registration of marriage, the surname of spouses shall be filled in the record of marriage act at their wish (a joint surname or retaining of a premarital surname).

Where spouses have chosen a joint surname, it may be filled in with a surname of one of the spouses or with such a surname which comprises the surnames of both the wife and the husband. The joint surname may not contain more than two surnames and is

hyphenated.

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**Article 29. Contents of the record of marriage act**

The following information shall be filled in the record of marriage act:

- (a) surname (before and after the marriage), name, father's name, ethnic origin, place and date of birth, nationality, place of residence, education, workplace and occupation, family status (widow (widower), divorced, not married) of each of the persons entering into marriage;
- (b) data of identification documents of persons entering into marriage and signatures;
- (c) date, number of the record of marriage act and place of state registration of marriage (name of the body of civil status acts registration);
- (d) names, surnames of persons certifying the marriage and the signatures thereof;
- (e) serial number and number of the marriage certificate issued;
- (f) other necessary information.

**Article 30. Marriage certificate**


Marriage certificate shall contain the following information:

- (a) name, father's name, surname (before and after the marriage), ethnic origin in accordance with the record of marriage act, place and date of birth and nationality of each of the persons entering into marriage;
- (b) date and number of the record of marriage act;
- (c) place of state registration of marriage (name of the body of civil status acts registration);
- (d) date of issue of the marriage certificate.

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**CHAPTER 4.**

**STATE REGISTRATION OF DISSOLUTION OF MARRIAGE**

**Article 31. Grounds for state registration of dissolution of marriage**

Grounds for state registration of dissolution of marriage shall be the following:

- (a) joint application of spouses for granting dissolution of marriage at the bodies of civil status acts registration upon mutual consent of spouses;
- (b) application of one of the spouses, where the other has been declared by the court as missing or as having no active legal capacity, or having been convicted to imprisonment for a term of no less than three years;
- (c) civil judgment of the court, having entered into legal force, in cases of granting dissolution of marriage through judicial procedure (when the consent of one of the spouses regarding the dissolution of marriage is absent, when one of the spouses, despite the absence of objection, avoids getting dissolution of marriage at the bodies of civil status acts registration, or when spouses wish to dissolve the marriage through judicial procedure upon mutual consent).

**Article 32. Place of state registration of dissolution of marriage**

State registration of dissolution of marriage shall be carried out by the body of civil status acts registration of the place of residence of spouses (one of the spouses) or the place of state registration of the marriage.

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**Article 33. Procedure for state registration of dissolution of marriage upon mutual consent of spouses**

1. The mutual consent of spouses with regard to dissolution of marriage must be approved in the joint application for dissolution of marriage, and the following information must also be indicated therein:
  - (a) name, father's name and surname, ethnic origin (at the wish of each of the spouses), place and date of birth, nationality, place of residence, education, workplace and occupation of each of the spouses;
  - (b) data of the record of marriage act;
  - (c) surnames that are chosen by each of the spouses after dissolution of marriage;
  - (d) data of the identification documents of the spouses;
  - (e) other necessary information.
2. The spouses wishing to dissolve the marriage shall sign the application for dissolution of marriage and indicate the date of submission thereof.
3. Where one of the spouses does not have the opportunity to appear in the body of civil status acts registration in person to submit the joint application for dissolution of marriage, the expression of will of the spouses may be formulated in separate statements on dissolution of marriage. The signature of a spouse making such a statement must be certified as prescribed by law.
4. State registration of dissolution of marriage shall be carried out upon expiry of one month following the day of submitting the application for dissolution of marriage, but no later than three months, in the presence of the two spouses or in the mandatory presence of one of them and upon the consent of the other certified in the prescribed manner.

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In case the spouses formulate the applications for dissolution of marriage in separate statements, the calculation of one-month period provided for by this part shall start from the day of submitting the second statement on dissolution of marriage to the body of civil status acts registration.


**Article 34. Procedure for state registration of dissolution of marriage on the basis of application of one of the spouses**

1. During state registration of dissolution of marriage on the basis of the application of one of the spouses or of a person authorised by him or her, the following information must be indicated in the application:
  - (a) name, father's name, surname, ethnic origin (at his or her wish), place and date of birth, nationality, place of residence, education, workplace and occupation of the spouse wishing to dissolve the marriage;
  - (b) data of the record of marriage act;
  - (c) surname that the spouse wishing to dissolve the marriage chooses after dissolution of marriage;
  - (d) data of the identification document of the spouse wishing to dissolve the marriage;
  - (e) grounds for dissolution of marriage;
  - (f) name, surname, father's name, place and date of birth, nationality, the last known place of residence of the other spouse;
  - (g) place of residence of the trust manager of the property of the spouse having been declared as missing or as having no active legal capacity, or the location of the penitentiary institution where the convicted spouse is serving his or her punishment;

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(h) other necessary information.

The copy (extract) of the civil judgement of court — having entered into legal force — on declaring one of the spouses as missing or as having no active legal capacity, or the copy (extract) of the civil judgement of court — having entered into legal force — on convicting the other spouse to imprisonment for a term of no less than three years shall be submitted together with the application for dissolution of marriage.

2. The spouse wishing to dissolve the marriage shall sign the application for dissolution of marriage and indicate the date of submission thereof.
3. State registration of dissolution of marriage shall be carried out in the presence of one of the spouses wishing to dissolve the marriage or the person authorised by him or her.
4. The body of civil status acts registration accepting the application for dissolution of marriage shall, within a three-day period, inform the spouse serving the punishment, the trust manager or the guardian of the property of the spouse having been declared as missing or as having no active legal capacity, and in case of absence thereof, the guardianship and curatorship body about the receipt of the application for dissolution of marriage, the date of state registration of dissolution of marriage and the surname chosen after dissolution of marriage.

**Article 35. Procedure for state registration of dissolution of marriage on the basis of civil judgement of the court, having entered into legal force**

1. For state registration of dissolution of marriage on the basis on the civil judgement of the court, having entered into legal force, together with the application of the spouses or the application of the guardian of the spouse having been declared as having no active legal capacity, the copy (extract) of the civil

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judgement of the court, having entered into legal force, and the identification documents of the spouses (one of the spouses) or the guardian of the spouse having been declared as having no active legal capacity shall be submitted.

2. Spouses (one of the spouses) or the guardian of the spouse having been declared as having no active legal capacity may authorise, in writing, other persons to submit an application for state registration of dissolution of marriage.
3. ***(part repealed by HO-64-N of 23 May 2006)***

**Article 36. Retaining or changing surnames by spouses after dissolution of marriage**

The spouse having changed his or her surname during state registration of marriage shall have the right to maintain that surname after dissolution of marriage or receive, at his or her wish, his or her premarital surname after state registration of dissolution of marriage.


**Article 37. Contents of the record of the act of dissolution of marriage**

The following information shall be filled in the dissolution of marriage act record:

- (a) name, father's name, surname (before and after dissolution of marriage), ethnic origin, place and date of birth, nationality, place of residence, education and workplace, occupation and the number of marriages of each of the persons dissolving the marriage;
- (b) data of the document considered as a ground for state registration of dissolution of marriage, the number of children in common under the age of 18;
- (c) data of the identification documents of the spouses dissolving the marriage and their signatures;

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- (d) place, date and number of the record of marriage act;
- (e) date, number of the record of the act of dissolution of marriage and place of state registration of dissolution of marriage (name of the body of civil status acts);
- (f) serial number and number of certificate of dissolution of marriage issued;
- (g) other necessary information.

**Article 38. Certificate of dissolution of marriage**

1. The certificate of dissolution of marriage shall contain the following information:
  - (a) name, father's name, surname (before and after dissolution of marriage), place and date of birth, nationality of each of the persons dissolving the marriage in accordance with the record of the act of dissolution of marriage;
  - (b) date of termination of marriage;
  - (c) date and number of the record of the act of dissolution of marriage;
  - (d) place of state registration of dissolution of marriage (name of the body of civil status acts registration);
  - (e) name, father's name and surname of the person to whom the certificate of dissolution of marriage is issued;
  - (f) date of issuance of the certificate of dissolution of marriage.
2. The body of civil status acts registration shall issue the certificate of dissolution of marriage to each of the persons dissolving the marriage.

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**Order of the Minister of Justice of the Republic of Armenia**  
**No 97-N of 14 May 2007 "On approving the directive instructions**  
**regarding civil status acts registrations" (extract)**

**DIRECTIVE INSTRUCTIONS REGARDING**  
**REGISTRATION OF MARRIAGE**

1. Joint application for marriage shall be submitted to the territorial body of civil status acts registration (hereinafter referred to as "the body of civil status acts registration"), in the place of residence of one of them, upon the choice of the persons entering into marriage.

Attached to the joint application for marriage, the identification documents of the persons entering into marriage must also be submitted (the copies, together with the application, shall be retained in the body of civil status acts registration).

2. When accepting the application, the head of the body of civil status acts registration shall introduce the terms and procedure for registration of marriage to the persons entering into marriage and clarify the rights and responsibilities thereof as future spouses and parents.

The persons entering into marriage shall be mandatorily warned about being subject to liability for concealing impediments to marriage and for providing false information to the bodies of civil status acts registration.


In case when persons with children in common enter into marriage, the body of civil status acts registration may explain the procedure for establishment of paternity.

3. Registration of marriage of citizens residing without permanent registration shall be carried out by the body of civil status acts registration in the place of temporary residence of the citizen entering into marriage. In this case, the citizen must submit a statement of information from the place of temporary residence issued by competent bodies.

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4. Persons being in a previously registered marriage shall submit to the body of civil status acts registration the document attesting the fact of termination of the previous marriage (certificate of dissolution of marriage, certificate of a spouse's death, or a civil judgement of the court — having entered into legal force — on declaring the marriage as invalid, a civil judgement— having entered into legal force — on dissolution of marriage rendered by a court of a foreign state, etc.).
5. Upon the consent of persons wishing to marry, the body of civil status acts registration shall appoint the date of registration of marriage, with regard to which a note shall be made in the application, as well as in the registration log for applications.
6. When registering marriage in the Republic of Armenia, foreign citizens, citizens of the Republic of Armenia residing in foreign states and persons not having citizenship shall submit a passport and a document attesting family status issued by the competent bodies of the given state or the embassy (consulate) (statement of information, permission, statement, etc.), certified by diplomatic or consular bodies of the Ministry of Foreign Affairs of the Republic of Armenia, unless otherwise provided for by the international treaties of the Republic of Armenia.
  - 6.1 In case of emergency situation or martial law or war in the country of nationality, foreign citizens permanently residing in the Republic of Armenia shall, for state registration of marriage in the Republic of Armenia, submit a statement on absence of registration of marriage in the foreign state, attached to the passport.
  - 6.2 Foreign citizens permanently residing in the Republic of Armenia, who are not able to submit a relevant document on family status issued by the country of nationality, shall, for state registration of marriage in the Republic of Armenia, submit a statement on absence of registration of marriage in the foreign state and information substantiating the absence of the document set forth in this point, attached to the passport.

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7. The document(s) issued by the competent bodies of the foreign state and the identification document of the citizen or the person not having citizenship shall be translated into Armenian as prescribed by law.
8. Marriage of foreign citizens, persons not having citizenship in the Republic of Armenia and citizens of the Republic of Armenia permanently residing in foreign states with each other and with citizens of the Republic of Armenia shall be registered at the territorial body of civil status acts registration, with the permission by the head of the Civil Status Acts Registration Agency of the Ministry of Justice of the Republic of Armenia.
9. Where an application for marriage is submitted by a military servant wishing to marry, as per the place of service, the place of location of the relevant military unit or an establishment shall be considered as the place of residence of the military servant. The military servant shall submit a statement of information from the place of military service.
10. The date of submitting the application for marriage to the bodies of civil status acts registration shall be registered in the special registration log for applications where the surname, name and father's name of the persons entering into marriage, the dates fixed for acceptance of the application and for registration of marriage, and in the future — also the number and the date of registration shall be indicated.

In case when submitting the application the presence of the persons entering into marriage at the territorial body of civil status acts registration is not possible for any reason (the persons live far from each other, serious illness, being in military service, etc.), the application signed by the person entering into marriage may be submitted to the territorial body of civil status acts registration by one of them. In this case, the signature of the absent person in the joint application must be notary certified, or certified by the consular bodies of the Republic of Armenia located in foreign states.

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The application certified in the above-mentioned procedure shall be forwarded to the body of civil status acts registration of the place of registration of marriage. The date of acceptance of the application shall be calculated from the date of submitting the application to the body of civil status acts registration.

Upon receipt of the application for marriage, the body of civil status acts registration shall verify the identification documents of the applicants, the completeness and accuracy of documents attached to the application.

11. State registration of marriage shall take place at the body of civil status acts registration no later than three months following the day of submitting the joint application of spouses.

The one-month period for state registration of marriage shall start from the day of submitting the application for marriage to the body of civil status acts registration and shall expire on the corresponding day of the next month, and where there is no corresponding day in that month, the time period shall expire on the last day of that month. Where the day of expiry of the time period coincides with a non-working day, the day of expiry of the time period shall be considered as the following working day.

Based on the joint application of persons entering into marriage, the time period for state registration of marriage may be shortened in case there are valid reasons.

The following shall be considered as valid reasons serving as a ground for shortening the time limit for state registration of a marriage:

- existence of a child (children) in common of the persons entering into marriage with;
- pregnancy of a woman entering into marriage (of at least 12 weeks);
- drafting of a person entering into marriage into fixed-term military service;
- a person entering into marriage being in fixed-term military service.

The valid reasons referred to in this point must be attested by relevant documents (a medical reference, a birth certificate and a certificate of establishment of paternity of the child, etc.).

In case of registering marriage in the Republic of Armenia of foreign citizens, persons not having citizenship in the Republic of Armenia, citizens of the Republic of Armenia permanently residing in a foreign state with each other and with citizens of the Republic of Armenia, the time period for registration of marriage may also be shortened in case of long-term departure (absence) of persons entering into marriage or of one of them from the territory of the Republic of Armenia.

Due to certain circumstances, the time period for state registration of marriage may also be shortened with the permission of the head of the Civil Status Acts Registration Agency of the Ministry of Justice of the Republic of Armenia.

12. Where persons wishing to marry are not able to appear in the body of civil status acts registration for valid reasons, the time period for registration of marriage shall be changed upon their request. A note with this regard shall be made in the application for marriage.

Where the applicants have not appeared in the body of civil status acts registration within a three month period following the day of submitting an application for marriage, the applicants shall fill in a new joint application.


13. Marriage shall be registered only in the presence of the persons entering into marriage. Registration of marriage through a letter of authorisation or a representative, i.e. *durante absentia*, shall not be permitted.
14. In certain cases, state registration of marriage may be carried out in a hospital, at home or other places, in the presence of the persons entering into marriage.

The fact of registration of marriage in the above-mentioned places shall be noted in the column "Other necessary information".

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15. During the state registration of marriage, the surname of the spouses shall be filled in the record of marriage act at their will (a joint surname or keeping a premarital surname).

Where the spouses have chosen a joint surname, it may be filled in with a surname of one of the spouses or with such a surname which contains the surnames of both the wife and the husband. The joint surname may not contain more than two surnames and shall be hyphenated (for example, husband — Poghosyan, wife — Asatryan, a joint surname: husband — Poghosyan-Asatryan, wife — Poghosyan-Asatryan). Where one of the persons entering into marriage already has a double surname, the body of civil status acts registration shall reject the request of the spouses.

The employee of the body of civil status acts registration registering the marriage shall inform the persons entering into marriage about the consequences that would emerge as a result of change of their surname.


The will of the persons entering into marriage to bear a joint surname shall be expressed in the joint application for marriage.

16. The bodies of civil status acts registration shall make relevant notes on registration of marriage in the identification documents of citizens of the Republic of Armenia — the surname, name and father's name, the date of birth of the other spouse, the number, place and date of registration of the marriage shall be indicated.
17. In case when the citizens of the Republic of Armenia wishing to marry or one of them change (changes) the surname during the state registration of marriage, the head of the body of civil status acts registration shall make a note in their (his or her) identification document "The passport is subject to exchange" and indicate a deadline — up to 15 days.
18. In case of changing the surname of a conscript or draftee on the occasion of marriage, pursuant to the Law of the Republic of Armenia "On conscription", the

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body of civil status acts registration shall, within a one-week period, report thereon to the military commissariat where the conscript or draftee has military registration.

19. In case of violating the terms of marriage prescribed by the Family Code of the Republic of Armenia, as well as in case of registering a marriage (sham marriage) without an intention to create a family, the marriage may be declared as invalid through judicial procedure.

Upon receipt of the civil judgment of the court (extract) — having entered into legal force — on declaring the marriage as invalid, the body of civil status acts registration shall, within a one-day period, annul the state registration of marriage, indicating in the upper part of the face side of the act the words "Registration is annulled", which shall be approved by the seal of the body of civil status acts registration and the signature of the head.

With regard to annulment of the registration of marriage, a note where, when and by which court the civil judgement on declaring the marriage as invalid was rendered shall be made in the column "Notes". This shall be reported to the Republican Archive of the Civil Status Acts Registration Agency of the Ministry of Justice of the Republic of Armenia, which shall consider the second copy of registration as annulled through the same procedure.

In case the court declares the marriage as invalid, the duplicate of a marriage certificate shall not be issued. Where necessary, on the basis of inquiries of the court and other competent bodies, the copy of the record of the act having been declared as invalid shall be forwarded to them, indicating that the marriage has been declared as invalid.

20. The photocopies of the originals of the documents submitted by the applicants, kept at the body of civil status acts registration, shall be certified by the seal of the body of civil status acts registration and the signature of the head.

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**DIRECTIVE INSTRUCTIONS REGARDING  
REGISTRATION OF DISSOLUTION OF MARRIAGE**

**I. REGISTRATION OF DISSOLUTION OF MARRIAGE  
UPON MUTUAL CONSENT OF SPOUSES**

1. Cohabiting spouses shall register dissolution of marriage at the territorial body of civil status acts registration (hereinafter referred to as "the body of civil status acts registration") of their place of residence or place of state registration of marriage.

Dissolution of marriage of spouses residing separately shall be registered by the body of civil status acts registration of the place of residence of any one of them.


2. Dissolution of marriage shall be registered by the body of civil status acts registration on the basis of a joint application of the spouses.

Where one of the spouses does not have the opportunity to appear in the body of civil status acts registration to submit a joint application for dissolution of marriage, expression of will of the spouses may be formulated in separate statements on dissolution of marriage. The signature of a spouse submitting such a statement must be certified as prescribed by law.

3. The data of the record of marriage act, the data of the identification document of a spouse wishing to dissolve the marriage and other information provided for by law must be indicated in the application for dissolution of marriage. The marriage certificate must also be submitted together with the application. Where the spouses fail to submit a marriage certificate to the body of civil status acts registration due to loss thereof, a new certificate shall be required from

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them only in the cases when the registration of marriage is carried out by another body of civil status acts registration.

Spouses shall have the right to withdraw their application for dissolution of marriage at any moment prior to registration of dissolution of marriage.

4. Registration of dissolution of marriage and issuance to each of the spouses of certificates of dissolution of marriage shall be carried out by the body of civil status acts registration within one month, but no later than three months after the spouses submit an application for dissolution of marriage, in the presence of the two spouses or in the obligatory presence of one of the spouses and upon the consent of the other certified in the prescribed manner.


In case the spouses formulate the applications for dissolution of marriage in separate statements, the calculation of one-month period provided for by this point shall start from the day of submitting the second statement on dissolution of marriage to the body of civil status acts registration and shall expire on the corresponding day of the next month, and where there is no corresponding day in the particular month, the time period shall expire on the last day of that month. Where the day of expiry of the time period coincides with a non-working day, the day of expiry of the time period shall be considered as the following working day.

5. Where the spouses are not able to appear in the body of civil status acts registration on the day fixed for registration of dissolution of marriage, the time period for registration shall, upon their request, be changed. In case of failure to register dissolution of marriage within the specified time period, the persons dissolving the marriage may again submit an application for dissolution of marriage to the body of civil status acts registration, in case of which one-month period shall be fixed again for registration of dissolution of marriage.
6. Where one of the spouses does not have the opportunity to appear in the body of civil status acts registration to register dissolution of marriage, expression of will

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of the spouses may be formulated in separate statements on dissolution of marriage. The signature of a spouse submitting such a statement must be certified as prescribed by law.

Where one of the spouses is not able to appear in the body of civil status acts registration to either submit a joint application for dissolution of marriage or to register the dissolution of marriage for a valid reason, he or she must indicate thereon in the application for dissolution of marriage and give his or her written consent for registering the dissolution of marriage without his or her presence, whereas the person through a letter of authorisation issued by him or her in the prescribed manner may apply to the body of civil status acts registration to obtain his or her certificate.

In such cases, the signature of the absent spouse must be certified as prescribed by point 2 of these Directive Instructions.


When registering dissolution of marriage, the spouse who is absent and wishes to bear after the dissolution of marriage his or her premarital surname must indicate thereon in the application for dissolution of marriage.

## II. REGISTRATION OF DISSOLUTION OF MARRIAGE ON THE BASIS OF APPLICATION OF ONE OF THE SPOUSES

7. Dissolution of marriage on the basis of the application of one of the spouses at the bodies of civil status acts registration shall be granted in the cases when one of the spouses:
  - has been declared by the court as missing;
  - has been declared by the court as having no active legal capacity;
  - has been convicted to imprisonment for a term of no less than three years.

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8. The guardian of the spouse having been declared as having no active legal capacity shall also have the right to submit to the body of civil status acts registration an application for dissolution of marriage of the spouse, where one of the spouses has, as prescribed by law, been declared as missing, as having no active legal capacity, or as having been convicted to imprisonment for a term of no less than three years.
9. Dissolution of marriage for persons who have been convicted, for commission of a crime, to imprisonment for a term of no less than three years shall be granted at the bodies of civil status acts registration, where the convict is serving the punishment at a penitentiary institution.
10. The copy (extract) of the civil judgment of the court — having entered into legal force — on declaring one of the spouses as missing or as having no active legal capacity, the copy (extract) of the criminal judgment — having entered into legal force — on convicting one of the spouses to imprisonment for a term of no less than three years, as well as the marriage certificate shall be attached to the application for dissolution of marriage. In case of absence of such a certificate, the rules provided for by point 3 of these Directive Instructions shall apply. It shall be impermissible to accept the applications to which medical references are attached instead of the civil judgment of the court — having entered into legal force — on declaring a person as having no active legal capacity.

In the application, the applicant (where he or she is aware of that) must indicate the place of residence of the convicted spouse or of the guardian of the spouse having no active legal capacity, as well as the place of residence of the appointed guardian of the property of the spouse having been declared as missing in accordance with the legislation of the Republic of Armenia.

11. The body of civil status acts registration accepting the application shall inform the spouse being at the institution executing criminal punishment or the guardian

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of the spouse having been declared as having no active legal capacity, as well as the appointed guardian of the property of the spouse having been declared as missing, or the trust manager of the property, and in case of absence thereof — the guardianship and curatorship bodies about the application received in accordance with the legislation of the Republic of Armenia.

The guardianship and curatorship body shall be kept informed about the application received for dissolution of marriage, the time of state registration of dissolution of marriage and the surname selected after the dissolution of marriage.

The body of civil status acts registration shall inform the applicant about forwarding a relevant notification, as well as about the time period fixed for receiving a response to the notification. Taking into account the time period fixed for receiving a response, the applicant is offered to appear in the body of civil status acts registration to register dissolution of marriage.

Where no response is received from a convict or the guardian of the spouse having no active legal capacity (guardianship and curatorship body), the appointed guardian of the property of the spouse having been declared as missing, within the time period fixed in the letter of notification, the body of civil status acts registration shall register dissolution of marriage in the presence of the applicant.

12. Where the body of civil status acts registration has received an application for dissolution of marriage with a spouse convicted to imprisonment for a term of no less than three years, the body of civil status acts registration must, along with forwarding the notification to the convict on the receipt of application, ask the administration of the penitentiary institution to confirm, within the specified time period, the fact that the convict is actually at the institution executing criminal punishment at the moment of receipt of the notification, as well as the fact that

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the notification of the body of civil status acts registration on the received application for dissolution of marriage has been delivered to him or her.

Where the response with regard to the convict's being at the institution executing criminal punishment is not received within the specified time period, the registration of dissolution of marriage shall be postponed, and a reminder shall be forwarded to the administration of the institution executing criminal punishment.


Together with the notification forwarded to the administration of the penitentiary institution, the body of civil status acts registration shall also forward the copy of the application for dissolution of marriage. Where in case of receipt of the notification and application for dissolution of marriage the convict expresses his or her wish to register the dissolution of marriage, he or she shall, by expressing his or her will in the application for dissolution of marriage, sign the latter, which is approved by the seal of the penitentiary institution and the signature of the head of the penitentiary institution.

13. Where the body of civil status acts registration receives information on the release of the spouse from an institution executing criminal punishment before the registration of dissolution of marriage, it shall inform the applicant about it, with regard to which a note shall be made on the application. In such case, dissolution of marriage shall be granted under a general procedure, which is explained to the applicant.
14. The body of civil status acts registration shall explain to the persons dissolving the marriage that the husband may not submit an application for dissolution of marriage without the consent of the wife during her pregnancy.
15. When registering the dissolution of marriage, a premarital surname shall be given to the spouse at his or her wish (and for a spouse having no active legal capacity — at the wish of his or her guardian).

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Where the convicted spouse informs that he or she wishes to obtain, after dissolution of marriage, a certificate of dissolution of marriage for concluding a new marriage, the body of civil status acts registration shall, after registering the dissolution of marriage in the prescribed manner, forward the certificate of dissolution of marriage of the convict to the administration of the relevant penitentiary institution to be delivered to the convict.

16. Where the territorial body of civil status acts registration has registered dissolution of marriage with a spouse having been declared as missing, in case he or she appears and in case the civil judgment of the court — having entered into legal force — on declaring him or her as missing is reversed, that spouse may apply to the territorial body of civil status acts registration with the request to obtain a certificate of dissolution of marriage.

**III. REGISTRATION OF DISSOLUTION OF MARRIAGE  
ON THE BASIS OF CIVIL JUDGMENT OF THE COURT  
HAVING ENTERED INTO LEGAL FORCE**

17. Before entry into legal force of the Family Code of the Republic of Armenia and the Law of the Republic of Armenia "On civil status acts" (19 April 2005), marriage shall terminate upon making in the book of registration of civil status acts an entry on dissolution of marriage, that is to say, the time for termination of marriage shall be considered not the time of publication of the civil judgment of the court on dissolution of marriage, but the time of registration of dissolution of marriage by at least one of the spouses at the body of civil status acts registration.
18. Dissolution of marriage may be registered, irrespective of the time period having elapsed after the entry into legal force of the civil judgment of the court on dissolution of marriage.

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19. The registration of dissolution of marriage on the basis of the civil judgment of the court, having entered into legal force, shall be granted by the body of civil status acts registration both in accordance with the applications of the two spouses and of one of the spouses, at the body of civil status acts registration of the place of residence of any one of them, selected by the spouses.

The body of civil status acts registration shall not have the right to refuse the registration of dissolution of marriage, where the spouse has applied for registration of dissolution of marriage not to the body of civil status acts registration of his or her place of residence, but to that of the place of residence of the other spouse.

Where the application for dissolution of marriage is submitted according to the place of residence of the other spouse who has not yet registered the dissolution of marriage at the body of civil status acts registration, the applicant must submit a document issued by the competent bodies confirming the place of residence of the other spouse. And where dissolution of marriage has already been registered by one of the spouses at the given body of civil status acts registration, submitting such a document shall not be mandatory.

20. The photocopy of the identification document of the applicant and the copy (extract) of the civil judgment of the court — having entered into legal force — on dissolution of marriage shall be attached to the application for dissolution of marriage.
21. Where the record of the marriage act is in the archives of the body of civil status acts registration not having accepted the application for dissolution of marriage, that body shall, through inquiry, request it for verifying the existence of notes on the dissolution of marriage and on declaring the dissolution of marriage as invalid.

Where the body of civil status acts registration knows that the other spouse has already registered the dissolution of marriage, the received application, together with the copy (extract) of the civil judgment, shall be forwarded by the body of civil status acts registration to the body of civil status acts registration of the

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place of registration of the dissolution of marriage for filling in the information missing therein. The body of civil status acts registration having received such materials shall be obliged to, within a three-day period, make supplements to the record of dissolution of marriage and forward the certificate to the body of civil status acts registration of the place of residence of the applicant for delivery to the applicant.

22. After completion of registration of dissolution of marriage, the body of civil status acts registration shall, within a three-day period, forward a communication thereon to the place of location of the second copy of registration of dissolution of marriage for filling in the corresponding data missing therein.
23. When registering the dissolution of marriage, at the wish of the spouse, a premarital surname shall be given to him or her.
24. Where dissolution of marriage is registered on the basis of the application of one of the spouses, when registering, all the necessary information regarding that particular spouse is filled in the application. With regard to the other spouse only his or her surname — before the dissolution of marriage, name, father's name, date of birth shall be indicated.

#### IV. GENERAL ISSUES REGARDING REGISTRATION OF DISSOLUTION OF MARRIAGE

25. Upon receipt of the application for dissolution of marriage, the body of civil status acts registration shall verify the identification document(s) of the applicant(s), the completeness and accuracy of the documents attached to the application.
26. The application for dissolution of marriage must be registered in the special registration log for applications, where the surname, name, father's name of the applicant(s), the date fixed for acceptance of the application and for registration

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of dissolution of marriage, and in the future — also the date of registration of dissolution of marriage and the number of the record of the act shall be indicated.

27. Where an application for dissolution of marriage is submitted to the body of civil status acts registration of the place of service of a military servant, the place of location of the relevant military unit or an establishment shall be considered as the place of residence of the military servant.
28. Applications for dissolution of marriage of citizens residing without registration or with expired registration shall not be considered, except for the cases provided for by this point.

In cases when no more than one-and-a-half months have elapsed from the moment that one of the persons dissolving the marriage removed registration from the former place of residence, the body of civil status acts registration shall accept the application and register dissolution of marriage in the prescribed manner.

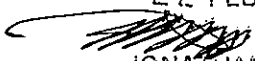
Registration of dissolution of marriage of citizens residing without permanent registration shall be carried out by the body of civil status acts registration in the place of temporary residence of a citizen dissolving the marriage. In such case, the citizen must submit a statement of information from the place of temporary residence issued by competent bodies.

29. Registration of dissolution of marriage on the basis of the application of one of the spouses through a letter of authorisation or a representative, i.e. *durante absentia*, shall not be permitted.
30. Registration of dissolution of marriage through a letter of authorisation or through a representative shall be permitted in cases of registering dissolution of marriage on the basis of the civil judgment of the court — having entered into legal force — on dissolution of marriage having entered into legal force.

Where one of the spouses has already registered the dissolution of marriage at

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the body of civil status acts registration on the basis of the civil judgment of the court, having entered into legal force, the missing information on the other spouse, required to complete the registration of the act concerned, may be in exceptional cases (serious illness, military service, long-term official trip, residing in remote places, etc.), filled in upon the other spouse's letter of authorisation issued as prescribed by law and application approved as prescribed by point 2 of these Directive Instructions regarding the registration of dissolution of marriage.

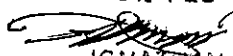
31. Registration of dissolution of marriage must be carried out only by one body of civil status acts registration. For each dissolution of marriage, only a record of one act shall be drawn up. Registration of dissolution of marriage shall be drawn up in full compliance with the documents of the applicant.
32. In case when the spouse wishes to bear his or her premarital surname after the dissolution of marriage, the body of civil status acts registration shall, on the first page of his or her identification document, make a note that the document is to be exchanged due to change of surname, indicating a deadline of 15 days. The note shall be certified by a relevant stamp of the body of civil status acts registration.
33. In case of change of surname of a conscript or draftee due to dissolution of marriage, pursuant to the Law of the Republic of Armenia "On conscription", the body of civil status acts registration must, within a one-week period, report thereon to the military commissariat where the conscript or draftee has military registration.
34. The body of civil status acts registration registering dissolution of marriage must, within a three-day period, forward a notification on the dissolution of marriage to the body of civil status acts registration of the place of registration of marriage.

Upon receipt of such notification, the body of civil status acts registration shall, within a three-day period, make a note on dissolution of marriage in the column

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"Notes" for registration of marriage — when and by which body of civil status acts registration the dissolution of marriage was registered, the number of the record of the act. At the same time, "Marriage has been dissolved" must be noted in the upper part of the first page of registration.

After making such a note, the body of civil status acts registration shall forward a notification on dissolution of marriage to the body of civil status acts registration of the place of location of the second copy of the registration of marriage, and that body of civil status acts registration shall make a note in the second copy through the same procedure.

35. Where there is a note on registration of dissolution of marriage in the marriage registration, the body of civil status acts registration shall not have the right to issue duplicate marriage certificates. If necessary, particularly for the former spouse to confirm the premarital surname, the body of civil status acts registration may, upon request of the applicant, issue a statement of information, which confirms that the given person has been in marriage that has later been dissolved.
36. In case the civil judgment of the court on dissolution of marriage is reversed, where the dissolution of marriage has already been registered by the body of civil status acts registration, registration of dissolution of marriage may be annulled on the ground of the civil judgment of the court, having entered into legal force. A note on annulling registration shall be made in the column "Notes" for registration of dissolution of marriage; moreover, when and by which court the civil judgment of the court was rendered shall be noted.

At the same time, "Registration has been annulled" shall be noted in the upper part of the first page of registration of dissolution of marriage.

The body of civil status acts registration of the place of retention of the first copy shall inform the body of civil status acts registration of the place of retention of the second copy of the record of the act about annulling registration of

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dissolution of marriage, which shall make a note on the record through the same procedure.

In case of annulling registration of dissolution of marriage, notes on annulling registration of dissolution of marriage shall be made both in the first and the second copies of registration of marriage (in the column "Other necessary information") also in the upper part of the first page of registration.

37. Bodies of civil status acts registration shall make relevant notes on registration of dissolution of marriage in the identification documents of citizens of the Republic of Armenia.
38. In case when, during the state registration of marriage, the applicant has changed the surname in the record of marriage act, but to this end the passport has not been changed later, the body of civil status acts registration registering dissolution of marriage shall charge the applicant a state duty for the change of the surname in the manner and in the amount prescribed by law. In the record of the act of dissolution of marriage, the surname of the applicant noted in the column "Surname before dissolution of marriage" shall be noted in accordance with the surname referred to in the column "Surname after marriage" in the record of marriage act. In the column "Surname after dissolution of marriage", the surname of the applicant shall be noted in accordance with the surname referred to in the identification document.
39. The photocopies of the originals of the documents submitted by the applicant(s), kept by the body of civil status acts registration, shall be certified with the seal of the body of civil status acts registration and the signature of the head.

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