

INFORMATION GUIDE FOR CITIZENS REGARDING PROCEDURES ESTABLISHED BY THE CIVIL UNION LAW



MINISTRY OF INTERIOR

2016

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1. General

The Civil Union Law of 2015 (184(I)/2015) entered into force with the publication of the law in the Official Government Gazette on 09/12/2015.

The law introduces the institution of the Civil Union in the legal system of Cyprus. The main responsibility in regards to contracting of Civil Unions is attributed to the Registrar who is the District Officer.

2. Purpose of the Guide

The purpose of this Guide is to provide information to the public in relation to the content of the legislation and the requirements and procedures it introduces.

3. Basic Terms of the Law

"Civil Union" means the partnership recognised under the law.

"Deputy Registrar General" means the Director of the Civil Registry and Migration Department (CRMD).

"Special Civil Union Register" means the register kept in the CRMD from the Assistant Registrar General.

"Form of Civil Union" means the form submitted to the Registrar from the persons concerned in order to contract a Civil Union.

"Registrar" means the District Officers and includes other officer authorised from the Registrar.

"Register" means the register kept by the Registrar.

"Certificate of Civil Union" means the certificate issued under Article 7 and given to the Civil Partners.

"Civil Partners" means the parties contracting a Civil Union under the present Law.

4. Contracting a Civil Union and its Legal Effect

With the exclusion of the Adoption Law, contracting a Civil Union has respective effects and consequences as if a marriage was solemnised under the provisions of the Marriage Law and any reference included in any legislation of the Republic of Cyprus to "spouse" shall be interpreted as a reference to the Civil Partners of a Civil Union. The law does not determine the sex of the persons intending to contract a Civil Union.

5. Place and Time of Contracting a Civil Union

The contracting of a Civil Union takes place before the District Officer acting in his capacity as a Registrar.

The proceedings take place exclusively by prior appointment at the district of residence of one of the persons concerned or, in case the persons concerned do not permanently reside in Cyprus, at the district of their free choice.

The presence of other friends and relatives of the persons concerned during the proceedings can be permitted upon agreement of the competent authority. However, the procedure does not take any excessively celebratory character, in order not to hamper the functioning of the public service.

- For verifying the place of residence, persons concerned may present one of the following documents (the list is not exhaustive):
 - a confirmation from the community chief councillor
 - utility bills (water, telephone, electricity, garbage etc.)
 - any other public document showing place of residence
- EU Citizens and third country nationals can present their residence title/permit in case it states the place of their residence.
- tourists have a free choice of district

 **The procedure of contracting a Civil Union takes place only at the District's Administration main offices and exclusively upon appointment.**

6. Requirements – Free Consent and Legal Capacity

Contracting a Civil Union requires the free consent of the persons concerned, as provided in Article 5 of the Law. Failure to comply with this condition may result to a void or annulable Civil Union within the meaning of the Law.

7. Procedures to Contract a Civil Union – Documents to Submit

Once before the Registrar, the persons concerned submit a completed and signed form titled  Form of Civil Union. Along with this form, each person has to submit the following documents:

- a) A valid identity card or passport or other equivalent travel document,
- b) An  Affidavit (Declaration under Oath) stating that the person concerned -
 - i. has not contracted any other marriage or Civil Union currently in force,
 - ii. is not aware of any legal impediment or obstacle to contracting a Civil Union,
 - iii. has secured all necessary consents required or that no such consent is required.
- (c) a duly certified original or a copy of a Non-Impediment Certificate (NIC) or any other duly certified original equivalent certificate issued by the competent authorities of the country of origin of each person wishing to contract a Civil Union.

 **An Affidavit is accepted if the declaration is given during the month prior the date of its first submission.**

A Non-Impediment Certificate is accepted if the date of issue is within the three-month period prior the date of its submission.

8. Non-Impediment Certificate (NIC)

A Non-Impediment Certificate issued by the Director of the Civil Registry and Migration Department (CRMD) acting in his capacity as the Marriage Registrar, is a confirmation that no marriage currently in force has been contracted in the Republic of Cyprus pursuant to the Marriage Law, that no religious marriage currently in force has been registered and that no other Civil Union has been contracted pursuant to the Civil Union Law.  [See Template here.](#)

- **Cypriot Citizens** should submit a NIC issued by the CRMD
- **Non-Cypriot** residing in the Republic of Cyprus on the basis of a residence permit, any other than the short-term touristic stay, should submit a NIC from the country of their citizenship, as well as a NIC issued by the CRMD.
- **Non-Cypriot Tourists** residing on the basis of a short-term touristic visa, should submit a NIC only from the country of their citizenship.

9. Non-Impediment Certificate (NIC) issued by the CRMD

General Guidelines

- The CRMD issues a Non-Impediment Certificate upon  [application](#) and a payment of a fee of €34,17, along with a series of documents.
- The application is submitted by each person separately and in person.
- Cypriots residing abroad can submit a relevant application at the competent consular services of the Republic of Cyprus.
- The accompanying documents shall be presented in original, along with a copy.
- The public documents issued by other states authorities, should be duly translated from the Post and Information Office (PIO) of Cyprus in greek or English and should be duly certified, either with an **APOSTILLE** seal for countries - member states of the Convention of the Hague of 1961, or with a

seal of the Ministry of Foreign Affairs of the Country of origin of the document and the consular service of Cyprus in that country.

- In case of a non-member country of the Apostille Convention, and if no consular authority of Cyprus is established in that country, documents shall be certified with
- a seal from the Ministry of Foreign Affairs of country of origin, a seal from the consular service of that country accredited in the Republic of Cyprus and a seal the Ministry of Foreign Affairs of Cyprus, or
 - from the Ministry of Foreign Affairs of country of origin and a seal from the closest consular service in that country of a different country also accredited in the Republic of Cyprus.

 **The CRMD issues a NIC to applicants and accompanies this document with copies of the affidavit and any foreign NIC submitted with the application, to be used while contracting the Civil Union.**

Cypriots citizens submit the following documents:

- i. a duly completed application titled  [Application for a Non-Impediment Certificate.](#)
- ii. a valid Passport or Identity Card.
- iii. an  [Affidavit](#) before a Court Registrar that the applicant has not contracted any other marriage or religious marriage or a Civil Union currently in force, that he is not aware of any legal impediment or obstacle to contracting a Civil Union, and that he has secured all necessary consents required or that no such consent is required.
- iv. in case of a divorce of a previous marriage, including a religious marriage, widowhood, or dissolve of a Civil Union, a respective duly translated and certified written evidence.

EU Citizens submit the following documents:

- i. a duly completed application titled  [Application for a Non-Impediment Certificate](#).
- ii. a valid Passport or Identity Card.
- iii. a Registration Certificate (Yellow Slip).
- iv. an  [Affidavit](#) before a Court Registrar that the applicant has not contracted any other marriage or religious marriage or a Civil Union currently in force, that he is not aware of any legal impediment or obstacle to contracting a Civil Union, and that he has secured all necessary consents required or that no such consent is required.
- v. a duly translated in greek or English and certified Non-Impediment Certificate from the country of the citizenship of the applicant.
- vi. in case of a divorce of a previous marriage, including a religious marriage, widowhood, or dissolve of a Civil Union, a respective duly translated and certified written evidence.

 **UK citizens and citizens from Slovakia are exempted from the obligation to submit a NIC from their countries in case they have completed three years of continuous residence in Cyprus.**

Third country nationals submit the following documents:

- i. a duly completed application titled  [Application for a Non-Impediment Certificate](#).
- ii. a valid Passport.
- iii. a valid Temporary Residence Permit. In case of expiry within a month, a receipt for a renewal application should be submitted.

- iv. an  [Affidavit](#) before a Court Registrar that the applicant has not contracted any other marriage or religious marriage or a Civil Union currently in force, that he is not aware of any legal impediment or obstacle to contracting a Civil Union, and that he has secured all necessary consents required or that no such consent is required.
- v. a duly translated in greek or English and certified Non-Impediment Certificate from the country of the citizenship of the applicant.
- vi. in case of a divorce of a previous marriage, including a religious marriage, widowhood, or dissolve of a Civil Union, a respective duly translated and certified written evidence.

10. Legalisation of Documents

Non-Impediment Certificates, or any other documents issued by other countries competent authorities, should be duly certified and officially translated in greek or english. In particular,

- Documents from member countries of the Convention of the Hague of 1961 (*Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents*), bear the Hague stamp, known as the **Apostille**¹ stamp.
- In case of a non-member country of the Apostille Convention, documents should be certified from the Ministry of Foreign Affairs of the country of origin of the document and the Cypriot consular service. In case no consular authority of Cyprus is established in that country, documents shall be certified with
 - a seal from the Ministry of Foreign Affairs of country of origin, a seal from the consular service of that country accredited in the Republic of Cyprus and a seal the Ministry of Foreign Affairs of Cyprus, or

¹[http://www.mjpo.gov.cy/mjpo/mjpo.nsf/All/D52D653E1636E95FC22579B4003CF110/\\$file/ABCs%20Apostilles%20E%20sec.pdf](http://www.mjpo.gov.cy/mjpo/mjpo.nsf/All/D52D653E1636E95FC22579B4003CF110/$file/ABCs%20Apostilles%20E%20sec.pdf)

- from the Ministry of Foreign Affairs of country of origin and a seal from the closest consular service in that country of a different country also accredited in the Republic of Cyprus.

11. Affidavit - Declaration under Oath

An  Affidavit of a Declaration under oath according to (b) in paragraph 7 above is given at the Court Registrar.

A Declaration accompanying the application for a NIC at the CRMD can be used in copy to complete the procedure of contracting a Civil Union.

12. The Registrar accepts the Contract of a Civil Union

In case the Registrar considers satisfactory the documents submitted accompanying the «Form of Civil Union», the Registrar

- i. invites the persons concerned to declare their agreement to the contracting of a Civil Union,
- ii. reads out the text called  Statement of the Civil Partners of a Civil Union,
- iii. duly completes and signs the  Form of Civil Union.

Afterwards, the *Form of Civil Union* is signed by two witnesses who α) completed 18 years of age and b) they are of sound mind.

 **The witnesses shall present their passport or ID card or any other valid personal document that can be used as an identification document for personal details and age**

13. Fees

The fees foreseen in the law have been determined by a Ministerial Order (469/2015) on 23/12/2015.

- Fee to contract a Civil Union 90 EURO
- Fee for an extra Certificate of Civil Union 15 EURO

Also,

- Fee for a Non-Impediment Certificate (CRDM) 34,17 EURO

 **The 90-Euro fee includes the issue of the copies of the Certificates of Civil Union given to the Civil Partners. A 15-Euro fee is paid only for an extra copy of the Certificate, i.e. in case of future loss.**

14. Issuing Certificates of a Civil Union

After the prescribed fee has been paid, the Registrar supplies both Civil Partners with a duly stamped and signed «Certificate of Civil Union», bearing as a registration date the date the Civil Union has been contracted before the Registrar.

 [Template of Certificate of Civil Union.](#)

 **The Civil Union enters into force on the date of registration shown on the Certificate.**

15. Issuing an extra certified Copy of a Certificate of Civil Union

Civil Partners, together or separately, upon request with a letter and provided they pay a fee of 15 EURO, can obtain an extra copy of the Certificate of Civil Union from the Director of the Civil Registry and Migration Department in his capacity as the Deputy Registrar General.

16. Dissolving a Civil Union – General

Article 17 of the Civil Union Law provides for the process of dissolving a Civil Union. A Civil Union can be dissolved as follows:

- i. with a written Common Statement,
- ii. with a Court Order of the Court of the District where it was contracted,
- iii. automatically, in case the two Civil Partners contract a marriage · or
- iv. with the death of one or both of the Civil Partners.

17. Dissolving a Civil Union with a Common Statement

A written Common Statement of the Civil Partners to dissolve the Civil Union shall be given in person before the Registrar of the district where the Civil Union was contracted and in the presence of two witnesses who completed 18 years of age and are of sound mind.

The Common Statement shall be given in a template named [!\[\]\(23d9fc146e83b5c3013cfa32c784f8d5_img.jpg\) Common Statement](#) to dissolve a Civil Union.

After the Registrar registers the Common Statement, both Civil Partners are provided with a [!\[\]\(c694a3ff3b077d76910920a6a1593ab4_img.jpg\) Confirmation of Submitting a Common Statement](#), which is duly completed and signed by the Registrar or the authorised Officer.

The act of dissolving the Civil Union enters into force 60 days after the registration of the Common Statement, unless the Civil Partners withdraw the Common Statement with a new written Common Statement which is given following the same procedure as in the case of the Common Statement to dissolve a Civil Union.

18. Opening of the Procedure

Servicing the public will start on 18 January 2016.

19. Forms and Documents

- i.  [FORM OF CIVIL UNION](#)
- ii.  [STATEMENT OF THE CIVIL PARTNERS OF A CIVIL UNION](#)
- iii.  [TEMPLATE OF CERTIFICATE OF CIVIL UNION GR-EN](#)
- iv.  [TEMPLATE COMMON STATEMENT TO DISSOLVE A CIVIL UNION GR-EN](#)
- v.  [TEMPLATE OF CONFIRMATION OF SUBMITTING A COMMON STATEMENT GR-EN](#)
- vi.  [APPLICATION FOR A NON-IMPEDIMENT CERTIFICATE GR-EN](#)
- vii.  [TEMPLATE NON-IMPEDIMENT CERTIFICATE GR-EN](#)
- viii.  [TEMPLATE AFFIDAVIT GR-EN](#)

20. Contact Details

For information and appointments, see below the contact details:

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- **For legislation and administrative issues**

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