

The Marriage (Amending) Law of 2020 issued by publication in the Official Gazette of the Republic of Cyprus in accordance with Section 52 of the Constitution.

Number 117(I) of 2020

LAW AMENDING THE MARRIAGE LAWS OF 2003 TO 2019

The House of Representatives votes as follows:

Short title 1. This Law shall be referred to as the Marriage (Amending) Law of 2020 and shall be read along 104(I) of 2003 with the Marriage Laws of 2003 to 2019 (which shall be hereinafter referred to as "the basic law") and 66(I) of 2009 the basic law and this Law shall be jointly referred to as the Marriage Laws of 2003 to 2020. 95(I) of 2017 115(I) of 2019.

Amendment of section 2 of the basic law 2. Section 2 of the basic law is amended by adding, in the proper alphabetical order, the following new term and the definition thereof:

“Assistant Registrar General” means the Director of the Civil Registry and Migration Department;”.

Amendment of section 3 of the basic law 3. Section 3 of the basic law is amended as follows:

(a) by adding in paragraph (1) thereof, right after the word “solemnized” (second line), the phrase “in the presence of both parties”;

(b) by replacing paragraph (2) thereof with the following paragraph:

“(2) The Mayor or Vice-Mayor or a member of the municipal council or other person duly authorized in writing to this end by the Minister of Interior is a competent Marriage Officer pursuant to this Law.”; and

(c) by adding, immediately after paragraph (2) thereof, the following new paragraph:

“(3) If an infringement of the provisions of this Law is established, the Minister may, by decision thereof, revoke the authorisation in writing provided in paragraph (2).”.

Replacement of section 8 of the basic law 4. Section 8 of the basic law is replaced by the following section:

“Declarations of persons regarding single status and no impediment. 8.-(1) Before setting the date and place of marriage on the certificate issued pursuant to section 6(1), the Marriage Officer requires from the persons intending to contract marriage to present themselves before him/her or before any other person authorised by the Marriage Officer and to make a solemn affirmation in writing that:

- (a) they are not aware of any impediment or legal obstacle to the marriage,
- (b) every necessary consent required for the marriage was obtained, or that no such consent is required,
- (c) each party has not contracted marriage or a civil union with another person which is still in force and that they are free to contract marriage, and
- (d) For the status of their legal residence in the Republic.

(2) The Marriage Officer before whom the affirmations provided in paragraph (2) are made additionally requests to see the certificates or attestations verifying the content of such affirmations and the personal data of the persons intending to contract marriage:

6(l) of 2000
6(l) of 2002
53(l) of 2003
67(l) of 2003
9(l) of 2004
241(l) of 2004
154(l) of 2005
112(l) of 2007
122(l) of 2009
9(l) of 2013
58(l) of 2014
59(l) of 2014
105(l) of 2016
106(l) of 2016
80(l) of 2018
116(l) of 2019.

Subject to the provisions of section 21C of the Refugees Law, for the affirmation provided in paragraph (1)(c) of this section it is required to present an official certificate or attestation issued by the competent authorities of the Republic, as well as a duly authorized official certificate or attestation issued by the competent authorities of the country of origin of the interested parties within a maximum period of three (3) months before submitting the affirmation:

If the Marriage Officer has any doubt regarding the accuracy or the authenticity of the certificate or the attestation or believes that the certificate or attestation was issued in breach of the violations of this Law, they may refuse to solemnize the marriage and will inform the Assistant Registrar General to that effect.

(3) To issue the certificate or the attestation pursuant to the provisions of the first proviso of paragraph (2), the competent authorities of the Republic duly verify the authenticity of the official certificates or attestations presented by the persons intending to contract marriage, as provided in this section:

The competent authorities of the Republic may, for the purposes of verifying the authenticity of the intended marriage, carry out a personal interview and investigation with each of the persons intending to contract marriage.

(4) Regardless of the provisions of the first proviso of paragraph (2), citizens of an EU Member State other than the Republic who intend to contract marriage between them and third country citizens who come to the Republic as tourists to contract marriage between them are exempted from the obligation to present an official certificate or attestation of not having contracted marriage or civil union, issued by the competent authorities of the Republic.

(5) If a previous marriage or a previous civil union had been contracted, every interested party shall present the documents attesting the dissolution of such previous marriage or the documents attesting the dissolution of the civil union, as applicable:

If the former spouse or the former civil partner of the interested party is deceased, such person presents the certificate of death of their former spouse or civil partner, as applicable, for the purpose of attesting the status of a widow(er).

(6) The Marriage Officer shall not issue a certificate of notice pursuant to the provisions of section 6 if the marriage requirements set out in this Law are not satisfied."

Amendment
of section 9
of the basic
law

5. Paragraph (1) of section 9 of the basic law is amended by replacing the phrase "with the parties intending to contract marriage declaring simultaneously" (first and second line) with the phrase "in the presence of both persons intending to contract marriage and by declaring simultaneously";

Amendment of section 12 of the basic law

6. Paragraph (2) of section 12 of the basic law is amended by replacing the word “In” (first line) with the phrase “Subject to the provisions of the Refugees Law, in”.

Amendment of section 19 of the basic law

7. Paragraph (2) of section 19 of the basic law is replaced by the following paragraph:

“(2) For the purposes of this section, “marriage of convenience” has the meaning attributed thereto by the Aliens and Immigration Law.”.

Cap. 105.
2 of 1972
54 of 1976
50 of 1988
197 of 1989
100(I) of 1996
43(I) of 1997
14(I) of 1998
22(I) of 2001
164(I) of 2001
88(I) of 2002
220(I) of 2002
66(I) of 2003
178(I) of 2004
8(I) of 2007
184(I) of 2007
29(I) of 2009
143(I) of 2009
153(I) of 2011
41(I) of 2012
100(I) of 2012
117(I) of 2012
32(I) of 2013
49(I) of 2013
88(I) of 2014
129(I) of 2014
17(I) of 2015
16(I) of 2016
2(I) of 2017
9(I) of 2017
71(I) of 2017
6(I) of 2019
8(I) of 2019
127(I) of 2019
169(I) of 2019
116(I) of 2020.

Amendment of section 23 of the basic law

8. Section 23 of the basic law is amended by deleting paragraph (1) thereof and by deleting the number “(2)” from paragraph (2) thereof.

Replacement of section 35 of the basic law

9. Section 35 of the basic law is replaced by the following section:

“Falsification of a certificate.

35. A person who falsifies any certificate or attestation mentioned in this Law or knowingly uses a falsified document or knowingly accepts or circulates such falsified certificate or attestation is guilty of an offence and, if convicted, is liable to imprisonment of up to seven (7) years or to a monetary penalty not exceeding the amount of twenty thousand Euro (€20,000) or to both such sentences.”.