**WHY ARE MARRIAGE NOTIFICATION AND DIVORCE NOTIFICATION NECESSARY?**

1. **The Marriage notification**

**Marriage notification** is defined as a procedure of recording in Household Registration book on marriage status between Vietnamese citizens with each other or between a Vietnamese citizen with a foreigner which was performed in a competent authority of a foreign country.

**Why is it necessary to have a marriage notification in Vietnam?**

For marriage, each party must comply with the law of their own country and the spouse's country on marriage conditions and registration. The competent authority of Vietnam does not automatically know for note of the marriage registration in foreign country. When a matter happens, citizens can face some certain difficulties in administrative procedures and handling.

For example: Mrs. A is a Vietnamese citizen who married a British citizen at a competent authority in the UK. Due to her unhappy life, Mrs. A returned to Vietnam. When getting married in the UK, she did not carry out the procedure of notifying the marriage at the competent authority of Vietnam. Therefore, when Mrs. A wants a divorce in Vietnam, the Vietnamese Court has no basis to handle her divorce case.

Therefore, when registering a marriage abroad, the Vietnamese citizen needs to perform the notification procedure of their marriage in Vietnam.

**An marriage notification dossier** includes:

1. Declaration according to the prescribed form;
2. Copy of the marriage certificate issued by a foreign competent authority;
3. Passport/ID card

**Settlement competence**: Head of Judicial Division shall record in the book and report to the Chairman of the district-level People's Committee to sign and issue the original extract of Household Registration book to the requester.

**Settlement Period:** 05 working days upon the date that Judicial Division received the dossier. In case of further verification, the settlement period shall not exceed 10 working days.

1. **Divorce Notification**

**Divorce notification** is defined as a procedure of recording in Household Registration book on the divorce, marriage annulment status performed in the foreign country.

**Why is the divorce notification necesssary in Viet Nam?**

Similar to the marriage, the divorce notification is necessary for claritfication and convenience in marital status confirmations or in other procedures.

Example 1: A Vietnamese citizen who got divorced in the foreign country and had a divorce notification in Vietnam, registers a new marriage later, can confirm his or her marital status to get married.

Example 2: Mrs. A divorced Mr. B in a competent court of the USA. However, Mrs. A then returned to Vietnam and if she wants to request the Vietnamese court to divide the common property of the spouse, she must perform the procedure of divorce notification so that the Vietnamese court can have a basis to handle the case of the property division dispute between Mrs. A and Mr. B after their divorce.

**Divorce** **notification records** includes:

1. Declaration according to the prescribed form;
2. Copy of the divorce certificate issued by law;

**Settlement competence**: Head of Judicial Division records in the book and reports to the Chairman of the district-level People's Committee to sign and issue the original extract of Household Registration book to the requester.

**Settlement Period:** 05 working days upon the date that Judicial Division received the dossier. In case of further verification, the settlement period shall not exceed 10 working days.

***Ho Thi Tram – Nguyen Dung Khoi Nguyen***

***ADK & Co Vietnam Lawyers***