

Manual

Note for Guidance to Foreign Citizens Who are Intending to Get Married in French Polynesia

What should you do first?

- *Overseas visitors intending to get married in French Polynesia are required to select the date of the ceremony (it is advisable to choose several dates to make sure of the commune's availability) as well as the commune where they would like their marriage to be celebrated.*

Marriage cannot be celebrated on Sundays and holidays (during the year 2009 : November 1st & 11th - December 25th / during the year 2010 : January 1st , March 5th, April 2nd, 4th & 5th, May 1st, 8th, 13th 23rd & 24th, June 29th, July 14th, August 15th, November 1st & 11th, December 25th).

What are the conditions to get married in French Polynesia?

- Both spouses must be at least 18 years old
- Not be already married in France or overseas
- Not be of the same sex
- The spouses must not have a relationship in direct lineage (i.e. marriages between ascendants, descendants and allies in the same lineage, between brother and sister in the collateral lineage and between uncle and niece or aunt and nephew are prohibited).
- Not be of French nationality
- Not having resident status in France or its territories
- Both spouses must be physically present during the marriage ceremony to give their consent
- The bride and the groom should each choose witnesses □ at least one each, but no more than two, who are 18 years of age and over.
- A translator/interpreter is present at the ceremony.

What documents are required?

The future married couple must submit an application file at least one month before the publication of the banns (official marriage notice made by the commune) in the commune chosen for the marriage ceremony.

- A letter signed and dated by both future spouses, addressed to the mayor of the commune chosen for the marriage ceremony (model form enclosed).
- The « *Marriage of foreign citizens in French Polynesia* » Form, duly filled, (model form enclosed).
- Proof of identity of both of the future spouses: copy of the passport.

- Full copy of the Birth Certificate of both future spouses: the certificates must have been issued less than 6 months prior to the date of the marriage. If issued by a foreign authority, the certificate must be translated and authenticated in conformity with the applicable provisions of the country of origin.
- If applicable, Death Certificate of the former spouse for widows or widowers: the Certificate must be translated and authenticated in conformity with the provisions applicable in the spouses' country of origin.
- If applicable, customary, celibacy or capacity to be legally married certificate: the Certificate must be translated and authenticated in conformity with the provisions applicable in the spouses' country of origin.
- Proof of residence for both of the future spouses (electricity or telephone invoice) / these documents provide evidence that the future spouses do not reside in France or its territories.
- If applicable, Marriage contract or Notary Certificate, if the spouses have drawn up a marriage contract. Translated and authenticated if drawn up overseas.
- If applicable, Certificate of publication and non opposition to marriage, issued by a French Consulate or a Foreign Authority [The French general instruction on civil status rules (§ 539-1) includes a chart which indicates the countries in which publication of the banns is mandatory].
- If the above mentioned documents provided as required by French law, do not allow for the Mayor to verify that all the required conditions are met (for example, in some countries there is no mention in the margin of the Birth Certificate that indicates the existence of a previous marriage), he may request any additional document for that purpose or a customary certificate issued by the authorities of the country of origin.

What are the delays?

The duly completed file including the above mentioned documents must be sent to the chosen commune at least one month and 10 days prior to the date of the marriage ceremony.

What is the procedure?

Upon receipt of the file and provided that it is duly completed, the commune will be able to confirm to the future spouses the date and precise time of the marriage ceremony.

If the Mayor requires it further to the examination of the file, he may request that the future spouses be interviewed, either jointly or separately. In such event, the spouses will be convened to an interview by the French Embassy or the French consulate of their country of residence. The French Civil Code allows for such formality to be waived if the Officer of civil status, further to examining the file, sees no reason to doubt the reality of the identity, the essential qualities (nationality, sex, age, celibacy, absence of lineage or relationship between the spouses) and consent of the spouses. The documents provided must normally enable the Officer of civil status

to verify that all the required conditions are met. As a result of which, subject to limited cases, the principle of the absence of interview of the future spouses is the rule. In any case, when applicable, the interview may be undertaken before the civil status department of the French consulate of the spouses' country of residence prior to their departure.

How will the ceremony take place?

Once the file is complete and handed over, the banns will be called and notice of the forthcoming marriage will be posted at the commune, at least 10 days prior to the ceremony. The marriage ceremony can take place from the 11th day – that is to say one month and ten days after submitting the application file in the chosen commune.

The day of the marriage, the future spouses, their parents, guests and the witnesses will proceed into the *Mairie* (town hall) at the time they were confirmed.

The Mayor (or its representative) will carry out the ceremony, in the presence of at least two witnesses, and if required, in the presence of a translator/interpreter convened by the Mayor prior to the ceremony. The ceremony will be held in public, the doors of the town hall remaining open at all time.

After a welcoming speech, the Mayor (or its representative) will read the articles of the Civil Code which state the duties of each spouse. He will however indicate that the applicable matrimonial regime will be the one of the country of origin of the spouses. The Mayor will then ask if the future spouses have drawn up a marriage contract, after which he will ask for the consent of the spouses to the marriage. The bride and the groom will then each answer «oui» to the question whether they would take each other as husband and wife (and «yes» in response to the English version of the question). The rings will then be exchanged, should the future spouses wish to, and the register will be signed by the spouses.

After the marriage ceremony, a French Family Record Book (*Livret de Famille*) will be delivered by the Mayor to the spouses. Such Record Book will allow the spouses to prove that a marriage ceremony was held.

What are the costs?

Certain communes apply a charge for the delivery of the Family Record Book, as a result of which it is important to verify in advance with the relevant commune if a charge applies or not.

The cost relating to the fees and expenses of the translator/interpreter must also be taken into account

What to do after once you are back in your country of residence?

The spouses are responsible for contacting their national authorities to enquire as to how a French marriage must be recorded under their country's laws and regulations.