

### **Notification of marriage that was performed by a foreign authority**

A marriage contracted abroad is notified on the basis of the excerpt from the marriage register using an International Form. The spouse, a national of the R. of Serbia, who has changed his family name when contracting marriage will, immediately after notifying marriage, be issued passport to the new surname. The relevant consulate will inform the competent authority in Serbia in charge of registers about the contracted marriage.

Our legal system allows the contracting of marriage between our nationals in diplomatic or consular missions of the R. of Serbia. Marriage between a national of the R. of Serbia and a foreign national can be contracted only before the competent foreign authorities. However, not all diplomatic or consular missions of the R. of Serbia are authorized to that effect.. The reason for this is primarily because certain countries do not recognize marriages contracted in a diplomatic or consular mission, that is, do not recognize the so-called “consular marriage”.

### **Consular marriage**

Diplomatic and consular missions of the Republic of Serbia in which is possible to conclude a marriage: [ [PDF](#) ].

### **Notifying the birth of a child born abroad**

The birth of a child born abroad, whose at least one parent is a national of the R. of Serbia at the time of the child's birth, should be notified to the relevant consulate on the basis of the excerpt from the birth register using an International Form for the purpose. During the procedure the presence of one parent who is a national of the R. of Serbia is necessary. Immediately after notifying the child's birth, the child's name is entered in the passport of one of the parents (in accordance with the parents' choice) or the child issued its own passport.

### **Recognition of paternity**

If a child was born out of wedlock, and the father is known and willing to recognize paternity, he may do so in the relevant consulate if he is a national of the R. of Serbia. A father who is a foreign national will make a statement recognizing fatherhood before the authorities of the country whose citizenship he holds. The presence of both parents is necessary on that occasion while the presence of the child is necessary only if he/she is over 14 years of age.

On the basis of the signed statement on the recognition of fatherhood, the child's birth is notified and, if the child's birth has already been notified before, the child's name is immediately entered in the parents' passports or, if they so wish, a separate passport is issued to the name of the child. In the process, the surname of the child is determined on the basis of the minutes relating to the recognition of paternity in which both parents have jointly agreed whose surname the child will bear in the future. The minutes are forwarded to the registry office of the municipality in which the child's birth has been notified and/or to the registry office to which the application for entering the name of the child in the birth register is being transmitted.

### **Adoption**

Only an underage person may be adopted. Consent of the parents of the adoptee or of his/her guardian is necessary in order that the adoption may be effected. Consent of the parent who has been deprived of parental rights or business capacity by a court decision is not required, nor is such a consent necessary if it is obvious that the parent has deserted the child, and his whereabouts have been unknown for more than six months.

For the adoption of an underage child older than 10 years, the child's consent is necessary

Only a person older more than 18 years than the adoptee is qualified to adopt him/her. It is not possible to adopt a relative in the direct line of descent or brother or sister. The guardian cannot adopt his protegee before being relieved of his duty of the guardian by the competent authorities.

A foreign national may exceptionally become an adopter if there exist special reasons for this. For the adoption of a child by a foreign national, a prior consent of the authority of the R. of Serbia in charge of matters of special protection is necessary.

### **Dissolution of marriage**

Marriage is dissolved before the court on the basis of the court's decision on dissolution. If a marriage has been dissolved before a foreign court, the concerned national of the R. of Serbia will apply to a Serbian court for the recognition of the effective and enforceable foreign judicial decision. Only after the recognition by the Serbian court of the foreign judicial decision can the dissolution of marriage be registered in the registers kept in the R. of Serbia.