**Notes for completion of the Foreign Divorce Questionnaire**

**The information you provide allows National Records of Scotland (NRS) to determine whether a divorce granted outside the United Kingdom is recognised under the Family Law Act 1986.**

If both parties to the marriage or civil partnership have been divorced a questionnaire should be completed separately for each party. **Original or official extract copies of divorce documents should accompany the questionnaire.**

Please submit to the registrar your divorce documents and a translation in to English, if necessary, along with your marriage/civil partnership notice form.

**There is no need to complete this questionnaire if your divorce proceedings took place in an**

**European Economic Area(EEA) Member state (excluding the countries listed in the second bullet point below) on or after 1 March 2001.**

**Please complete this form if you were divorced:**

* in an EEA Member State prior to 1 March 2001
* in Denmark, Switzerland, Iceland, Norway and Lichtenstein. (These countries are not included in the Regulation on jurisdiction and the recognition of judgements in matrimonial matters that came in to effect on 1 March 2001).
* in any other country outside the EEA or the UK
* if your marriage was annulled or voided outside the UK

**1. Personal details**

Please provide the name and address you are using when submitting your marriage/civil partnership notice form.

If you, are currently using a different name, to that shown on your divorce document, please notify the registrar who will advise you how to proceed.

**2. Previous marriage**

If you have had more than one previous marriage you must provide information relating to the most recent divorce.

**3. Nationality**

Please provide details of your nationality at the time of divorce proceedings. If you and your former spouse had dual or multiple nationality at the time of divorce please provide all nationalities for both you and your former spouse.

**4. Residence**

Your country of residence at the start and completion of proceedings must be provided for both you and your former spouse. Any period of residency in the UK that took place during the divorce proceedings must be provided.

**5. Form of proceedings**

Please tick only one box and complete the answers to the relevant section only.

**FOREIGN DIVORCE QUESTIONNAIRE**

**To be completed by the divorced person who is proposing to marry or register a civil partnership in Scotland.**

If both parties to the marriage or civil partnership have been divorced a questionnaire should be completed separately for each party.

***Incorrect or incomplete information may result in a delay in a decision being made regarding whether or not your divorce can be recognised.***

**1. PERSONAL DETAILS**

|  |
| --- |
| Full Name**:**  |
| Address**:**  |

**2. PREVIOUS MARRIAGE AND DIVORCE**

|  |
| --- |
| Date of previous marriage: |
| Place and country of marriage:  |
| Date divorce proceedings started: |
| Date divorce was finalised:  |

**3. NATIONALITY AT DATE DIVORCE PROCEEDINGS STARTED**

|  |
| --- |
| Your nationality(ies):  |
| Your former spouse’s nationality(ies):  |
|  |

**4. COUNTRY OF RESIDENCE DURING DIVORCE PROCEEDINGS**

|  |
| --- |
| Your country of residence at start of divorce proceedings: |
| Your country of residence when divorce was finalised:  |
| Former spouse’s country of residence at start of divorce proceedings: |
| Former spouse’s country of residence when divorce was finalised:  |
| If you were resident in the UK at or before the time of divorce proceedings, on what date did you become habitually resident in the UK:  |
| If your former spouse was resident in the UK at or before the time of divorce proceedings, on what date did they become habitually resident in the UK:  |

**5. FORM OF DIVORCE PROCEEDINGS**

What form did proceedings take: (tick one box only) :

  Court proceedings  Registrar/Notary/Other  Religious divorce

(go to question 6) (go to question 7) (go to question 8)

 **6. COURT DIVORCE**

Country where divorce proceedings were conducted: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Did the parties make a personal appearance in court: **You: Y/N** **Former spouse: Y/N**

Were the parties represented in court: **You: Y/N** **Former spouse: Y/N**

Were reasonable steps taken to notify the defender that proceedings were being taken against them **Y/N**

**7. REGISTRAR, NOTARY OR OTHER DIVORCE**

Where was the divorce granted (tick one box only) :

 Registrar’s Office  Notary Public’s Office  Other\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Country where divorce proceedings were conducted:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Country where divorce was registered if different from above:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Did the parties make a personal appearance: **You: Y/N** **Former spouse: Y/N**

Did the parties have representation: **You: Y/N** **Former spouse: Y/N**

Were reasonable steps taken to notify the defender that proceedings were being taken against them **Y/N**

**7. RELIGIOUS DIVORCE**

Country where divorce proceedings were conducted:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**For Talaq:**

In which country was talaq pronounced:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Who pronounced the talaq: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date of pronouncement of talaq: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

If talaq was pronounced by a third party, did they have special Power of Attorney to do so on behalf of the party pronouncing talaq**. Y/N**

(If yes, please provide a copy of the special Power of Attorney)

**For Khula:**

In which country was khula pronounced:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Did the parties make a personal appearance: **You: Y/N Former spouse: Y/N**

Did the parties have representation: **You: Y/N** **Former spouse: Y/N**

Were reasonable steps taken to notify the defender that proceedings were being taken against them: **Y/N**

**Please remember to include your proof of divorce and translation if not in English or a multilingual format when you submit this questionnaire to the registrar.**