

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
(go to question 6)

Registrar/Notary/Other
(go to question 7)

Religious divorce
(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.