LAW No. 1266/1987

ON THE REGISTRY OF CIVIL STATUS

THE CONGRESS OF THE PARAGUAYAN NATION ENACTS AS LAW

ON THE REGISTRY OF CIVIL STATUS

CHAPTER I
General provisions

Article 1.- The Civil Registry is a department of the Ministry of Justice and Labour and shall have the organisation and personnel necessary for its proper functioning, which shall be provided for in the General Budget of the Nation.

Article 2.- The Civil Registry Directorate shall provide the books in which the facts and legal acts relating to civil status shall be compulsorily recorded by a registrar. It shall also be responsible for archiving these and other documents and shall keep statistics on the aforementioned acts, in coordination with the relevant bodies.

Article 3.- The Civil Registry shall have offices in the towns where it is necessary and convenient, in accordance with studies carried out by the institution.

Article 4. The Directorate shall study and, where appropriate, propose to the Ministry of Justice and Labour improvements to the service in terms of registration, preservation of books and documents, and provision of copies of entries, through the use of modern equipment and methods of administration, such as computers, microfilms, microfiches, photocopies, photographs, and other advanced technology, the use of which shall have legal force with due authentication. In such cases, a copy of the registration documents shall be kept in the manner established in this law, which shall be considered indisputable.

Article 5.- The Directorate shall submit an annual report to the Ministry of Justice and Labour between January and February. Civil Registry officials shall send the Directorate a monthly report that shall also include statistics on the activities carried out.

Article 6.- All days are considered working days for registrations in the Civil Registry. Shifts shall be established for officials on public holidays or non-working days. The Directorate-General is authorised to establish shifts for the services it provides.

CHAPTER II
Organisation

Article 7.- The Directorate of the Civil Registry shall be headed by a Director General who must be a lawyer and be at least thirty years of age.

Article 8.- Public and private institutions shall be obliged to cooperate with the Civil Registry Directorate in order to better fulfil its purposes.

Article 9.- The Director shall have the following powers:

a) directing, planning, organising, coordinating and supervising the functions of the service;
b) exercise legal representation of the institution;
c) request appointments, promotions, transfers, and dismissals of officials and employees of the Civil Registry;
d) order the administrative reconstitution and rectification of registrations and validate records not signed by the officials in charge, subject to the opinion of the Legal Advisory Service, in accordance with the provisions of this law;
e) arrange inspection visits to the Civil Registry offices;
f) propose regulations for this law; and
g) issue the Internal Regulations of the Institution.

Article 10.- Promotions shall be agreed upon in accordance with seniority and within each grade, taking into account length of service and merit.

Article 11.- This law designates as a civil registrar the official responsible for recording civil status events and acts in the respective registers.

Article 12.- In January of each year, Civil Registry officials shall send the Directorate-General a complete inventory of the books, furniture and supplies in their possession. These documents shall be kept in the Directorate-General's archives.

Article 13.- No civil registry official may cease to perform their duties, even in the event of resignation, transfer or retirement, before being legally replaced by another and having handed over to them the corresponding books, records and files, under inventory.

CHAPTER III
Appeals

Article 14.- The Civil Registry Directorate shall charge the fees established in this law for the services it provides, in accordance with the following schedule:

a) for birth registration, no charge. Registrations made after six months and up to one year shall be subject to a fine of Gs. 500 (five hundred guaraníes), and those made after one year, Gs. 1,000 (one thousand guaraníes);
b) for the celebration of a marriage performed at the Civil Registry Office, Gs. 3,000 (three thousand guaraníes). Marriages celebrated outside the Office premises, at the request of the interested parties, Gs. 9,000 (nine thousand guaraníes);
c) for the registration of each death, Gs. 200 (two hundred guaraníes);
d) for each copy of a document issued, Gs. 300 (three hundred guaraníes); and
e) for the registration of judicial documents, legalisations, or copies thereof, Gs. 500 (five hundred guaraníes).

Article 15.- The income from the collection of the fees established in the previous article shall be deposited in a Special Account opened at the Central Bank of Paraguay under the name of the Ministry of Justice and Labour - Civil Registry Fees, to the order of the aforementioned Ministry.

This Special Account shall be audited by the Financial Comptroller's Office under the Ministry of Finance.
Revenues and expenditures shall be included and programmed in the General Budget of the Nation, and shall be invested by the Ministry of Justice and Labour in the modernisation of the services provided by the Civil Registry Directorate.

Article 16. Civil Registry officials and those in the sections shall be required to deposit the amount of the collections from the fees collected in their respective jurisdictions, from the first to the fifteenth of each month corresponding to the previous month, in a current account opened at the bank closest to the Office, to the order of the Civil Registry Directorate, which shall be immediately deposited in the Special Account opened at the Central Bank of Paraguay.

Article 17.- The collection of these fees shall be formalised with the issuance of stamps specially authorised for this purpose.

CHAPTER IV
Civil Registry Books

Article 18.- Births, adoptions, marriages and deaths shall be recorded in separate books. The adoption book shall only be authorised by the Directorate-General.
Entries shall be made in duplicate and at the same time. Other events relating to civil status shall be noted in the margin of the respective entry. If the registration is made in a single authorised book, it shall be valid, without prejudice to the penalty applicable to the official who has committed the omission.

Article 19.- The entries in the books shall be printed on numbered sheets and initialed by the Directorate, with the necessary space for marginal notes, and the number of usable sheets contained therein shall be certified at the beginning of each book.
Each book shall have an alphabetical index of entries, which shall be formed by taking the first letter of the surname of the person registered; in the case of marriages, the surname of each spouse separately, and in the case of deaths of married or widowed women, the maiden name and married name. The public official shall compile a separate general annual alphabetical index.

Article 20.- At the end of each year, the books shall be closed, even if not all of their pages have been used.
The public official shall record the number of entries after the last entry and shall sign and stamp the certificate of closure. One copy of the general alphabetical indexes and the books shall be sent to the Civil Registry Office by first post, and the other shall be filed in the office of origin. The same procedure shall be followed if a book is completely used up before the end of the year.

Article 21.- Entries that are not made in the books provided and initialed by the Directorate shall be null and void.
Any public official who violates this provision shall be removed from office, without prejudice to their criminal liability.

Article 22.- The text of this law, the provisions of the Civil Code relating to impediments to marriage and the provisions of the Juvenile Code relating to filiation shall be printed on the first page of the books.

Article 23.- The head of the Central Registry shall be responsible for any alteration or destruction of the books entrusted to his care.

Article 24.- If, upon closing a register, there are still usable pages available in the respective books, subsequent registers shall be opened immediately after them, and the corresponding copies shall be sent to the Directorate General once they are full.

Article 25.- The Directorate-General shall have a special register for the transcription of Catholic marriages celebrated from 1 January 1881 until the entry into force of the civil marriage law on 1 August 1889, and such registration shall be made only by express order of a judge of first instance in civil matters.

CHAPTER V
Entries in general

Article 26.- Entries shall be recorded in the corresponding books in numerical, sequential and chronological order, without leaving any blank space between them, and shall be signed immediately by the parties appearing, the witnesses and the Registrar after reading the texts and showing them to the interested parties, if they so request.
No numbers or abbreviations shall be used in the entries and marginal notes, nor shall any erasures be made.
Amendments, underlining and interlineations shall be noted at the end of the record before signing.

Article 27.- All registrations must contain:
a) place, day, month, year and time;
b) the first name, surname and address of the parties appearing;
c) the nature of the entry;
d) the manner in which the parties appearing have proven their identity; and
e) the signatures of the parties, witnesses and public official in both books.

Article 28.- If any of the parties appearing or witnesses do not know how to sign or are unable to do so, another person shall sign on their behalf, and their fingerprint, preferably from the thumb of their right hand, shall also be affixed next to the signatures. If this is not possible, it shall be noted in the record.

Article 29.- The interested parties shall prove their identity with legal documents.

Article 30.- The registrar shall not authorise entries relating to his or her spouse or relatives within the fourth degree of consanguinity and second degree of affinity. In such cases, he or she shall be replaced by another public official.

Article 31.- Civil registry records and marginal notes, testimonies thereof, and legally issued certificates are public instruments. No certification issued by another registry shall have legal probative force with respect to civil status facts and acts without prior registration in the corresponding civil registry books, as ordered by the competent judge.

Article 32.- When a registration is suspended, this shall be stated in a marginal note and the registration shall be rendered null and void.

Article 33.- Any civil registrar who refuses to make an entry because, in their opinion, the legal requirements have not been met, shall provide the interested party with a signed certificate of their application and of the refusal, with a copy to the Directorate.

Article 34.- No information not authorised by law may be included in the records.

Article 35.- When the omission of the signature of the Civil Registry official on a record is noticed, it shall be immediately corrected by means of a reasoned decision of the Directorate, by the official who should have signed it or, failing that, by the person in charge of the book. A note shall be made in the margin of the record that it was subsequently signed by the relevant registrar or by the person who signed it in their place, the date and time when the omission was corrected, and the resolution authorising the correction of the omission shall be identified.

Article 36.- The registrar may, when necessary, request the appearance of persons who have witnessed events that must be recorded.

Article 37.- Any interested person may examine the records under the supervision of an official.
Certified copies of the records and certificates shall be issued within forty-eight hours to anyone who requests them and has a legitimate interest.
Copies of the entries may be made by hand, by typewriter, by computer printer, or by photocopying originals or original photographs, all of which shall be duly authenticated and on authorised forms.

Article 38.- Persons who are eighteen years of age or older, are competent, and are not related to the registrar within the fourth degree of consanguinity or second degree of affinity may be witnesses in the acts of the Civil Registry.
Relatives of the interested parties shall be given preference.

Article 39.- The registration of documents relating to civil status issued abroad shall be carried out, where appropriate, after legalisation.
Those that are not in the official language shall be translated into Spanish by a public translator.

Article 40.- All judicial decisions relating to civil status shall be forwarded to the Registry for registration. When such decisions refer to facts or acts that are not registered, they shall be recorded as an entry, in the manner established by this law, stating the trial, court and registry. If the decision relates to an entry in the Registry, it shall be recorded as a marginal note.

Article 41.- Consuls shall have Civil Status Registry books provided in duplicate by the Directorate, which shall be kept in accordance with the formalities established in this law.
They shall record in them the births of children of Paraguayan mothers or fathers occurring within the jurisdiction, and the births, marriages, and deaths of Paraguayans in the service of the diplomatic and consular representation.
They shall also register births and deaths occurring on board national ships or aircraft arriving in the countries where the consulates are located.

Article 42.- Consuls shall send a certified copy of the entries made to the Civil Registry Office every three months.
They shall also send a copy of the books when they have been completely filled.

Article 43.- Captains of river boats and commanders of national aircraft shall declare to the Paraguayan Consul of the port or city of arrival, for the corresponding registration, any births and deaths that have occurred on board.
They shall make the same declaration at the Civil Registry Office of the Capital when the events have occurred on the return journey to the country.

Article 44.- Captains of national overseas vessels shall act outside the jurisdictional waters of the Republic as officers of the Civil Registry for the registration of births and deaths occurring on board and the celebration of marriages in cases of imminent death. They shall send a certified copy of these registrations to the Civil Registry Directorate at the end of the voyage.
The books shall be provided by the Directorate in duplicate and shall be sent to the Directorate annually for verification and subsequent authorisation.

Article 45.- Under no circumstances shall a certificate be issued without the presence of the persons who are to sign it; once drafted, it shall be signed and stamped, and no reason shall be admissible for omitting or delaying this formality.

Article 46.- The records shall be entered in the Register in order of date and serial number, and at the beginning of each year, they shall unfailingly begin with the number one. No more space shall be left blank than that reserved for signatures and in the margin where, as a letterhead, the surname and first name of the registrant shall be placed at the height of the first line.

Article 47.- Civil registry officials shall exercise the utmost care, accuracy, and clarity in recording names and surnames and shall verify the letters that compose them before recording them, either by having them written or dictated letter by letter on a draft by the interested parties or relatives, or by copying them from an authentic document presented by them.

Article 48.- It is the duty of the registrar to file the documents with great care, so that they can be consulted at any time.

Article 49.- Court orders for the registration of births, marriages, legitimations, deaths, adoptions, acknowledgements and other civil status acts shall be recorded in extract form and without witnesses in the corresponding registers.

CHAPTER VI
Births

Article 50.- Births occurring within the national territory shall be recorded in the birth register of the relevant local registry office.
Those born abroad, if their parents were domiciled in the country at the time of birth, shall be registered at the Registry Office of their parents' domicile.
Birth certificates issued by consuls and captains of national ships in the cases provided for in Articles 41 and 42 shall be recorded in the Civil Registry Office of the Capital.

Article 51.- In addition to the information indicated in Article 27, all birth registrations shall contain:
a) the place, time, day, month and year of birth;
b) the sex and name of the newborn; and
c) the first name and surname of the father, mother, or both, as applicable.

Article 52.- The following persons are obliged to report the birth:
a) administrators or directors of hospitals, sanatoriums, maternity wards, prisons, and health care or detention facilities;
b) doctors, midwives, or any other persons who have attended the birth in private homes or other places. In effect, the owner of the house where the birth took place.
The report shall be made within seven days of the birth, on forms provided by the Registry. It shall be recorded in special books, but shall not be valid as a birth registration.

Article 53.- The following persons are obliged to declare the birth for the purposes of registration:
a) the father or mother and, in their absence or incapacity, the adult relative residing at the place of birth;
b) the representative with special power of attorney from the father or mother, or the person in whose care the newborn has been placed; and
c) the person who found the newborn. In this case, they must bring any clothes or objects found with the newborn and provide information to the nearest police station.
The birth must be registered within thirty days in the capital and sixty days in the interior.
Article 54.- In accordance with the previous article, registrations shall be considered:
a) timely, those made within thirty days in the capital and sixty days in the interior; and

b) late, those made after thirty or sixty days up to fifteen years.

Article 55.- Birth shall be certified by a doctor or midwife who attended the delivery. If the birth takes place without the assistance of any professionals or qualified persons, the parents of the newborn, their family members or relatives of any degree must report the event to the local health authority within eight days in the capital and fifteen days in the interior, so that it may be verified, after the relevant investigations, for the purposes of fulfilling the requirement of the medical certificate and the corresponding authorisation for registration in the Register.

Article 56.- The registrar shall not register ridiculous names, or names that may lead to confusion about sex, nor more than three names.

Article 57.- The birth shall be registered provided that the child has lived for at least a moment after separation from the mother.

Article 58.- If more than one live child is born in the same birth, they shall be registered in separate, consecutive entries, stating in each one the number of children born.

Article 59.- Adoption and its revocation shall be recorded as marginal notes on the birth certificate of the adoptee.

Declaration of birth

Article 60.- The declaration of birth, in the case of children born in wedlock, must be made, in the first instance, by one of the parents. In the absence, incapacity or non-existence of both parents, it must be made by the family member or relative of legal age who is closest in degree and has knowledge of the fact. In the absence of these, it shall be made by a neighbour of the house where the birth took place or by someone who has personal knowledge of the event. It may also be made by a person authorised by special power of attorney granted by either parent, as well as by guardians.

Article 61.- The declaration of birth of children born out of wedlock shall be made by either parent, either personally or through a sufficiently authorised representative in a public instrument.

Article 62.- In the case of legitimate or illegitimate children who are orphans, whose parents are unknown or whose whereabouts are unknown, and in the absence of the persons subsidiarily authorised by Article 60 to make the declaration, the registration may be made with the personal declaration of the person wishing to register, provided that they can prove that they are of legal age and that the circumstances are credible in the opinion of the registrar.
If the person is a minor, the registration shall be made with the authorisation of the Court of First Instance in Guardianship Matters, which shall provide the information required by law for the act.

Article 63.- In cases of registration of the nature expressed in the preceding article, the names of the parents of the person being registered shall not be stated in the entry, and only the surname declared by the person being registered shall be recorded.

CHAPTER VII
Recognition and adoption

Article 64.- When registering the birth, the father, mother, or both may acknowledge the child.
The declaration of recognition may also be made subsequently before the registrar or a notary public, or by will.

Article 65.- The fact of recording the name of the father or mother on their instruction in the birth certificate is sufficient recognition of filiation.

Article 66.- Acknowledgements made after the birth has been registered shall be recorded in a certificate and entered as marginal notes on the birth certificates. If the birth has not been registered, the registrar shall issue the certificate in the corresponding register, recording the acknowledgement therein.
Adoptions shall be registered in the same manner, as shall the revocation of simple adoptions in the book provided for that purpose at the Directorate General.

Article 67.- Recognition shall preferably be made at the Civil Registry Office where the birth was registered, or at any Civil Registry Office in the Republic, and shall be forwarded, where appropriate, to the Central Archive within fifteen days.

Article 68.- Acknowledgements of children born out of wedlock made by persons who, at the date of birth, were not of the required age to marry may only be registered by court order.

Article 69.- Acknowledgements of deceased children born out of wedlock may not be registered except by court order. In the cases provided for in Article 22 of the Juvenile Code, the judge or notary public, as appropriate, shall forward a copy of the respective instrument for registration within forty-eight hours.

Article 70.- In the event of recognition by more than one presumed father or mother, no reference to subsequent recognitions shall be made in the birth certificate.
The first acknowledgement shall have full effect until a court decision to the contrary is issued.

CHAPTER VIII
Opposition to marriage

Article 71.- Opposition to marriage may be lodged by persons to whom the Civil Code grants this right, and only the impediments established therein may be alleged as grounds.

Article 72.- Any opposition not based on one of these grounds shall be rejected without further proceedings.
Any person may report the existence of any impediments to the celebration of marriage to the Public Prosecutor's Office.

Article 73.- Parents, guardians or curators may also raise objections on the grounds of lack of consent in the case of minors or incapacitated persons and must state the reasons for doing so, in accordance with the provisions of the Civil Code.
Any person may report the existence of any of the impediments established in the Civil Code, incurring civil and criminal liability if the report is malicious.

Article 74.- The objection shall be lodged with the Registrar who will perform the marriage, either verbally or in writing, and shall state:

a) the name and surname, age, status, profession and address of the opponent, and their relationship to one or both of the parties to the marriage, or the title or capacity in which they are acting; and

b) the impediment on which it is based and the documents or evidence justifying it. Once the opposition has been lodged verbally, the Registrar shall draw up a record of the opponent's statements.
If the objection is made in writing, the registrar shall transcribe it with the same formalities.
Sufficient space shall be left in the book to record the objection and its grounds.

Article 75.- If the objection does not comply with the provisions of the previous article, the registrar shall reject it ex officio, in a record that shall be notified to the opponent.
If the objection is in order, it shall be made available for inspection by the future spouses for three days, so that they may state whether or not they accept the grounds alleged. If they do, the marriage may not be celebrated. If they do not, the registrar shall forward a copy of the proceedings and supporting documents to the judge of first instance in civil matters, and the celebration of the marriage shall be suspended until the dispute is resolved.

Article 76.- The judge shall hear and decide on the opposition in summary proceedings, with the participation of the Public Prosecutor's Office, and shall send a certified copy of the judgment to the registrar of the Civil Registry before whom it was filed, so that it may be noted in the margin of the record. If the opposition is rejected, the opponent shall bear the costs.

Article 77.- All marriages celebrated within the national territory shall be recorded in the marriage register, as well as those contracted abroad in the cases provided for in Articles 41, paragraph 2, and 44.
Marriages of Paraguayans or foreigners residing in the Republic shall also be registered at the offices designated by the Directorate General.
To this end, either of the contracting parties shall submit the duly legalised documents for registration.
Judgments on the annulment of marriage, legal separation, and reconciliations shall be recorded by court order as marginal notes in the marriage certificates.

Article 78.- A civil registrar who, without being competent to do so, performs a marriage without legal impediments shall be liable to dismissal, without this affecting the nullity of the act.

Article 79.- If the contracting parties do not know the national languages, they shall be assisted by an interpreter.

Article 80.- In addition to the requirements set forth in Article 27, the marriage certificate shall contain:
a) the first and last names, age, nationality, profession, place of birth and address of the contracting parties;
b) the first and last names, age, nationality, profession, and domicile of their parents;
c) the first name and surname of the previous spouse, if either or both of the parties have been married before;
d) the consent of the parents or guardians or the supplementary judicial authorisation when required;
e) whether or not there was any opposition and its rejection;
f) the declaration by the contracting parties to take each other as spouses, and that by the registrar to unite them in marriage;
g) the acknowledgement by the contracting parties of any children born out of wedlock, if they have any;
h) the name, surname, age, status, profession and address of the witnesses; and
i) if the marriage is celebrated by proxy, the name of the proxy and mention of the power of attorney, a copy of which shall be filed. The power of attorney shall specify the person with whom the marriage is to be contracted and shall expire ninety days after its execution. For the celebration of a marriage by proxy, one of the contracting parties must be present.

Article 81.- The marriage must be solemnised publicly, in the office and before the registrar, with the formalities prescribed by law and in the presence of the future spouses, or their representatives, and witnesses of legal age.
However, the ceremony may be held outside the office, with the same formalities, if requested by the future spouses and the registrar has no objection.
If one of the future spouses is unable to travel to the office, the marriage must be celebrated in the latter form.
In such cases, the presence of four witnesses shall be required.
Article 82.- The registrar shall begin the marriage ceremony by reading Article 6 of Law 236/54, and shall then receive the consent of the parties, expressed aloud by each of them in response to the question of whether they wish to take each other as husband and wife. The registrar, invoking the authority of the law, shall declare them united in lawful matrimony.
The consent of the spouses cannot be subject to any terms or conditions. If the contracting parties do so, the registrar will not perform the marriage.
The marriage certificate shall be drawn up and signed immediately, after being read and ratified. The family record book shall be given to the contracting parties.
Article 83.- The ceremony shall be suspended immediately, and the certificate shall be drawn up in the same manner, if either of the contracting parties, when questioned by the registrar, responds negatively or declares that their will is not free or spontaneous, or expresses regret.
Article 84.- In the case of mute or deaf-mute persons, the expression of will shall be made in writing, if they are able to make themselves understood in that form.

If they do not know how to do so, they shall be assisted on the spot by their guardian and an interpreter, and if they do not have a guardian, by a special guardian appointed by the Judge of First Instance in Civil Matters. These circumstances shall be recorded in the minutes, which shall also be signed by the guardian and the interpreter.

Article 85.- The public official may dispense with all or some of the formalities that must precede the marriage, when justified by a doctor's certificate, and where there is no such certificate, by the testimony of two competent witnesses, if either of the future spouses is seriously ill and in danger of death, but lucid enough to give their consent, which shall be recorded in the minutes and filed.

If there is danger in delay, the marriage in extremis may be celebrated in the presence of three witnesses who are not related to each other within the fourth degree of consanguinity or second degree of affinity, provided that at least one of them can read and write.

One of the persons reading and writing shall receive the declaration of the contracting parties that they take each other as husband and wife, and shall draw up the certificate stating the place, date and time of the marriage, the names of the contracting parties, the witnesses and any other information required by this law, as far as possible.

If any of the parties or witnesses do not know how to sign or are unable to do so, a person who may or may not be one of the witnesses to the ceremony shall do so at their request. The original certificate shall be delivered as soon as possible to the person in charge of the nearest Civil Registry Office, and a copy shall be given to the parties.

In the cases referred to in this article, the celebration of the marriage shall be published for eight days by means of notices posted on the doors of the Office.

Article 86.- These formalities may be waived when the parties wish to regularise a cohabiting relationship of at least five years, and the registrar, based on summary information from at least two witnesses, is aware that there are no impediments to the celebration of the marriage.

Article 87.- For the celebration of a religious marriage, the certificate of civil marriage shall be kept on file.

Article 88.- The civil registrar who performs a marriage knowing that there is an impediment that could cause the act to be annulled shall be dismissed from office, without prejudice to their criminal liability.

Article 89.- The registrar shall instruct the contracting parties in advance that they may recognise any children they had together before the marriage.

Article 90.- Civil Registry officials shall require, in cases where the interested parties are minors, the consent of their parents, or guardians if they are orphans, or supplementary authorisation where appropriate. Marriage certificates shall be signed by the parents or guardians, or by other persons at their request if they do not know how to sign.

Article 91.- When the parties appearing are widowed, they shall present, before the certificate is drawn up, the legalised certificates proving the death of their spouses; if they have been married, and if they are not widowed, a copy of the final judgement declaring the nullity of the marriage they entered into.

Article 92.- The registrar may require a birth certificate from interested parties who, in his opinion, have not yet reached the age of majority.

Article 93.- The registrar is obliged to record in the body of the birth certificate the legitimacy of any children born out of wedlock whom the spouses recognise as theirs, born before the ceremony took place.

CHAPTER IX

Deaths Article 94.-

The following shall be recorded in the death register:

a) those occurring within the national territory; and

b) judgments declaring death or presumption of death.

Those that are rendered invalid shall be noted as marginal notes. Death certificates issued by consuls and captains of national ships in the cases provided for in Article 41, paragraph 1, and in Article 50, as well as those of nationals and foreigners outside the country who were domiciled there at the time of death, shall also be recorded in the register.

Article 95.- The spouse of the deceased or their next of kin, or in their absence, the persons living in the house where the event occurred or anyone who has knowledge of it, are obliged to declare the death within twenty-four hours of its occurrence or of becoming aware of it.

If the death occurred in a hospital, nursing home, prison, religious or military institution, or other similar establishment, the declaration shall be made within the established time limit by the director or head of the institution. The same obligation applies to any person who finds an abandoned or hidden corpse. The declaration shall be made at the Civil Registry Office of the district or before the police authority closest to the place where the death occurred or the corpse was found.

Article 96.- In addition to the requirements established in Article 27, the death certificate shall contain, as far as possible, the following information:

a) the first and last name, age, sex, marital status, nationality, profession, address and place of birth of the deceased;

b) the date, time and place of death;

c) the cause of death;

d) the first and last name of the spouse, if married or widowed; and

e) the first and last names, nationality, and address of the deceased's parents.

Article 97.- The official responsible for carrying out a death sentence shall send a copy of the death certificate, containing the information established in this law for death certificates, to the corresponding Civil Registry Office so that the Civil Registry official may issue it. The copy shall be filed.

Article 98.- The registration of death shall be made upon presentation of the death certificate issued by the doctor who attended the deceased or examined the body. If it is not possible to obtain a medical certificate, the registration shall be made on the basis of the statements of two witnesses who witnessed the death or examined the body.

Article 99.- The medical death certificate shall contain, as far as possible, the name and surname of the deceased, their age, sex, nationality, marital status, parents' names, cause of death, date, time and place of death, and the name of the doctor who attended the deceased or examined the body. The certificate shall state whether this information is known to the certifying officer personally or is based on reports from third parties. If the death was due to illness, this shall be recorded in the manner established by health regulations.

Article 100.- If there is evidence of violent death or other circumstances that suggest the existence of a crime, the Civil Registry official, without prejudice to making the registration, must notify the judicial authority, which shall be responsible for authorising

the burial. Failure to comply with this requirement shall render the civil registrar liable to the corresponding criminal or administrative penalties.

Article 101.- In the event of the death of an unknown person or the discovery of an unidentified corpse, this circumstance shall be stated on the death certificate, recording all possible references, and in particular the death or discovery of the corpse, the sex, apparent age and distinguishing features of the deceased, the date and probable cause of death, the condition of the body and any clothing, documents, and other objects found with the body or in the vicinity that may be useful for identification. The documents and objects found shall be kept at the registry office under the number corresponding to the certificate.

Article 102.- If the identity of the person is verified, a supplementary death certificate shall be issued, with marginal notes of reference in both entries.

Article 103.- In the case of the previous article, the registrar shall verify whether the birth has been registered, and if it has not, shall also make that registration, or take the necessary steps to ensure that it is made at the appropriate office.

Article 104.- The death of a child who has died in the womb, or who has not survived separation for even a moment, shall not be registered. The burial permit shall refer to this circumstance.

Article 105.- Once the death has been registered, the registrar shall issue the burial permit, which may not be executed before twelve hours or after thirty-six hours after the death, except as provided for in the regulations of the National Department of Health and Police, or in duly justified special circumstances.

Article 106.- A death may not be registered without judicial authorisation when the body has been buried.

Article 107.- In the event of an epidemic or other calamities, burials shall be carried out in accordance with the provisions of the health authority.

Article 108.- The registration of the death shall be recorded as a marginal note on the birth and marriage certificates of the deceased.

Article 109.- In cases of emergency or practical impossibility to register a death, the burial permit shall be extended provided that the death has been certified by a death certificate. The registration shall be made, as far as possible, within forty-eight hours of the granting of the permit.

Burials

Article 110.- Municipalities or Community Councils shall not grant permits for the burial of corpses without seeing the death certificate issued by the Civil Registry. Burial may not take place before twelve hours or after thirty-six hours after death, except in special circumstances.

The Municipal Mayor or the Presidents of the Municipal Councils, as the case may be, shall be responsible for any violation of the foregoing provision.

CHAPTER X
Certificates or copies of registration

Article 111.- Civil Registry Officials and the Head of the Central Archive shall issue certificates or copies of the records contained in their books. They may not issue copies or certificates from other Registry offices.

The certificates issued by these officials shall contain all the references and annotations appearing in the records. However, at the request of a party, full copies of the records or partial certificates relating to one or more facts appearing in an entry may be issued. In this case, this circumstance shall be noted on the certificate itself. Marginal notes referring to separation of property, divorce and marriage annulments must always appear on marriage certificates.

Article 112.- Certificates or copies of entries in the Civil Registry may be issued in handwritten, typed, photocopied or any other form of advanced technology, on stamped paper or on special forms prepared by the Directorate of the Service, duly signed and authenticated. In all cases, the content of the stamped paper or forms shall be determined by the Ministry of Justice and Labour, at the proposal of the Directorate General.

Article 113.- Copies or certificates shall be issued to any person who requests them and has a legitimate interest.

CHAPTER XI
Reconstitution of books and entries

Article 114.- In the event of loss, alteration, damage or total or partial destruction of one or both copies of a book, or of one of the entries, the registrar of the Civil Registry or the person in charge of the Archive, as the case may be, shall report the fact to the Duty Judge of the Court of First Instance in Criminal Matters and to the Director of the Civil Registry for legal purposes.

The responsibility of the officials in charge of the books shall be presumed, unless proven otherwise.

Article 115.- Without prejudice to the provisions of the previous article, the Director of the Civil Registry shall, by reasoned decision, order the reconstruction of books or records that have been damaged, rendered unusable, or destroyed in whole or in part.

All available background information, documents and evidence shall be used for this purpose. Courts and tribunals, notaries, public archives and departments, and any person in possession of documents that may be used to reconstruct books or records, are obliged to provide them to the Civil Registry Office, which shall return them once they have been used.

Article 116.- The reconstruction of lost, altered, unusable or destroyed records may be requested through legal action.

CHAPTER XII
Rectification and cancellation of registrations

Article 117.- Once a record has been issued and signed, no modifications or additions may be made to it, except by court order, unless an omission or material error that can be corrected is noticed while the parties and witnesses are still present. In this case, the correction or addition may be made immediately after signing, with all participants in the registration signing the record.

Article 118.- The Civil Registry Directorate may also, by reasoned decision, either ex officio or at the request of a party, and with the opinion of the Legal Advisory Service, order the correction of a record when omissions or material errors are found therein.

Article 119.- Interested parties or their heirs may request the rectification of an entry before the Judge of First Instance in Civil Matters of the place where it was issued or that of their domicile. The procedure shall be summary, with the intervention of the Public Prosecutor's Office.

If there is opposition, the proceedings shall follow the ordinary trial procedure.

Article 120.- A copy of the judgment shall be sent to the Civil Registry Directorate for enforcement. To this end, a new entry shall be made. A marginal note of cancellation shall be entered in the original record and a reference note shall also be entered in the new entry. The copy shall be filed.

Article 121.- No certified copy of a rectified record may be issued without including a copy of the marginal note of rectification.

CHAPTER XIII
Validation of records

Article 122.- If any of the records in the registers of births, marriages, acknowledgements, legitimations, and deaths are missing only the signature of the civil registrar, such records shall be validated by the Director General of the Civil Registry. The Director General shall make a note in the margin of the record, referring to the application of this law and any other necessary clarifications.

Article 123.- They shall be validated in the same manner as in the preceding article if the records mentioned above are missing only the signatures of the witnesses and are initialed by the civil registrar.

Article 124.- All Civil Registry officials shall review the respective records and, once the deficiencies have been noted, shall forward them to the General Directorate of the Civil Registry for the purposes of compliance with this law.

CHAPTER XIV
Collection and provision of information for the compilation of vital statistics

Article 125.- It is incumbent upon to the Directorate of Civil of the collection, processing, analysis and provision of information relating to each of the events and acts recorded in its registers and deemed necessary for the compilation of vital statistics. This information shall be compiled in a statistical report which the Directorate-General shall periodically submit to the Ministry of Public Health and Social Welfare and to the Directorate of Statistics and Census.

Article 126.- The Ministry of Public Health and Social Welfare through the Department of Biostatistics, the Ministry of Finance through the Directorate of Statistics and Census, the Ministry of National Defence through the Recruitment and Mobilisation Service, the Capital Police through the Identification Department, the Technical Secretariat for Planning, and other state institutions that can provide useful information for statistics, shall be required to supply the Civil Registry Directorate with the data it requires to prepare a statistical report.

Article 127.- Civil Registry officials shall submit a monthly statistical report to the Directorate on all registrations made in their respective offices, in accordance with the forms provided to them.

Article 128.- The Directorate shall prepare the report and its content in agreement with the institutions mentioned in the preceding article.

CHAPTER XV
Penalties

Article 129.- Persons who fail to comply within the time limits established by this law with the duties prescribed in relation to registrations shall be punished with the fines established in the law on stamp duty and stamps.

Article 130.- Civil registry officials who fail to keep the books in the manner prescribed by this law shall be suspended for sixty to ninety days for the first offence and removed from office in the event of a repeat offence.

Article 131.- Any Civil Registry Official who fails to observe the formalities established for registrations and marginal notes and the issuance of copies or certificates, who fails to require the necessary documents and requirements, or who fails to make the registrations and marginal notes to which he or she is legally obliged, shall be punished with suspension for sixty to ninety days, and with removal from office in the event of a repeat offence.

Article 132.- Civil Registry Officers shall be civilly liable for any damages caused by their failure to comply with this law, without prejudice to their criminal and administrative liability.

CHAPTER XVI
Final and transitional provisions Article

133.- The Executive Branch shall regulate this law.

Article **134.-** Law 58 of 17 January 1914 and any contrary provisions contained in the Civil Marriage Law, the Civil Code, and other legal provisions referring to the Civil Registry are hereby repealed.

Article 135.- From the effective date of this law, the Justices of the Peace in charge of the Civil Registry Offices shall continue to perform such functions on a provisional basis until the Ministry of Justice and Labour obtains the provision for the positions of Civil Registry officials in the chapter of the General Budget of the Nation.

Article 136.- This law shall enter into force ninety days after its promulgation.

Article 137.- Communicate to the Executive Branch.

GIVEN IN THE CHAMBER OF THE NATIONAL CONGRESS ON THE TWENTY-SECOND DAY OF OCTOBER OF THE YEAR NINETEEN HUNDRED AND EIGHTY-SEVEN.