

Law No. 1957-3 of 1957, regulating civil status

In the name of the people;

We, Habib Bourguiba, President of the Tunisian Republic;

Having regard to the decree of December 28, 1908 (4 Doul Hidja 1320) making birth and death declarations mandatory for Tunisians;

Having regard to the decree of September 30, 1929 (25 Rabia II 1348) regulating civil status;

Having regard to the decree of December 6, 1929 (22 djoumada II 1348) specifying the application of the aforementioned decree of September 30, 1929 (25 rabia II 1348) with regard to Tunisians;

Having regard to the decree of June 21, 1956 (12 Doul Kâada 1375) on the administrative organization of the Kingdom; Having regard to the decree of August 13, 1956 (6 Moharem 1375) promulgating the Personal Status Code; Having regard to the decree of March 14, 1957 (12 Chaabane 1376);

Having regard to the opinion of the Secretaries of State for Justice and the Interior; We hereby enact the following law:

CHAPTER I GENERAL PROVISIONS

Article 1.

This law regulates:

- 1°) - the conditions under which births and deaths shall be declared,
- 2°) - the establishment and transcription of marriage certificates and the transcription of divorce judgments or decrees.

Article 2.

(Amended by Law No. 76-32 of February 4, 1976).

The presidents of municipalities, governors, first delegates, delegates, and sector heads are vested with the functions of civil registrars.

The territorial jurisdiction of each category shall be determined by decree.

Article 3.

The registrar may not insert anything in the documents he receives, either by note or by any statement, other than what is declared by the parties appearing before him.

He or she is prohibited from appearing in the document as a party, declarant, or witness.

Article 4.

Witnesses to civil status documents must be at least 20 years of age, relatives or others, without distinction of sex; they shall be chosen by the persons concerned.

Article 5.

The civil registrar shall read the documents to the parties appearing and to the witnesses. Mention shall be made of the completion of this formality.

Article 6.

The records shall state the year, day, and hour at which they were received, the first and last names of the civil registrar, and the first names, last names, occupations, and addresses of all those named therein.

The dates and places of birth:

A) of the father and mother, in birth certificates,

B) of the deceased, in death certificates - shall be indicated when known.

Otherwise, the age of the said persons shall be indicated by their number of years, as shall, in all cases, the age of the declarants. With regard to witnesses, only their status as adults shall be indicated.

Article 7.

The documents shall be signed by the Registrar, by the parties appearing and by the witnesses, or mention shall be made of the reason preventing the parties appearing or the witnesses from signing.

Article 8.

Civil status documents shall be recorded in duplicate registers.

Article 9.

(Amended by Law No. 59-120 of September 28, 1959).

The registers shall be numbered on the first and last pages and initialled on each page by the Cantonal Judge.

Article 10.

The records shall be entered in the registers consecutively, without any blank pages, at the rate of one record per folio. Deletions and references shall be approved and signed in the same manner as the body of the record. Nothing shall be written in abbreviated form, and no dates shall be written in figures.

Article 11.

The registers shall be closed and finalized by the Registrar at the end of each year; and within one month, one of the duplicates shall be deposited with the clerk of the Court of First Instance, the other with the archives of the municipality, governorate, or delegation.

Article 12.

Documents that must remain attached to civil status records shall be filed, after being initialed by the person who produced them and by the civil registrar, with the court clerk's office, together with two copies of the registers that must be filed with said clerk's office.

Article 13.

Any person may, except as provided in Article 14 below, obtain copies of the records entered in the registers from the depositaries of the civil status registers.

Copies issued in accordance with the registers, bearing the date of issue in full and bearing the signature and seal of the authority that issued them, shall be deemed authentic until proven false. They must also be legalized, unless otherwise provided for in international agreements, when they are to be produced before foreign authorities.

Extracts may be issued which shall contain, in addition to the name of the district where the record was drawn up, a literal copy of that record and the notes and transcriptions made in the margin, with the exception of anything relating to the documents produced to the registrar who drew it up and to the appearance of witnesses. These extracts shall be deemed authentic until proven false.

Article 14.

No one, except the child's government commissioner⁽¹⁾, their direct ascendants and descendants, their spouse who is neither separated nor divorced, their guardian or legal representative, if they are a minor or legally incapacitated, may not obtain a certified copy of a birth certificate other than their own, except by virtue of an authorization issued free of charge by the district judge of the district where the certificate was issued and upon written request by the interested party.

If this person does not know how to sign or is unable to sign, this inability shall be noted by the registrar or police commissioner, who shall certify that the request was made on the initiative of the person concerned.

In the event of refusal, the request shall be brought before the President of the Court of First Instance, who shall rule by summary judgment.

The registrars shall be required to issue to all applicants specified above extracts indicating, without further information, the year, day, hour, and place of birth, the sex of the child,

the surname, first name, occupation, and domicile of the father and mother, as they appear in the birth certificate or in the marginal notes.

Article 15.

In all cases where a reference to a civil status record must be made in the margin of a record already registered, it shall be made automatically.

The registrar who drew up or transcribed the document giving rise to the entry shall make this entry within five days in the registers in his possession and, if the duplicate of the register in which the entry is to be made is held by the clerk of the court, he shall send a notice to the government commissioner⁽²⁾ of his district.

If the document in the margin of which this entry is to be made has been drawn up or transcribed in another district, the notice shall be sent, within five days, to the registrar concerned, who shall immediately notify the government commissioner² if the duplicate register is at the registry.

Article 16.

Any civil status document relating to Tunisians and foreigners, drawn up in a foreign country, shall be deemed authentic if it has been drawn up in the form used in that country.

Those records concerning Tunisians shall be transcribed into the civil status registers for the current year, kept by the diplomatic agents or consuls with territorial jurisdiction; a summary mention of this transcription shall be made in the margin of the registers on the date of the record. Where, as a result of the severance of diplomatic relations or the closure of the diplomatic or consular post with territorial jurisdiction, the transcription cannot be made under the conditions provided for in the preceding paragraph, the document shall, exceptionally, be deposited with the Secretariat of State for Foreign Affairs, which may issue a certified copy. As soon as circumstances permit, the Secretariat of State shall arrange for the document to be transcribed in accordance with the above conditions.

Article 17.

All civil status documents relating to Tunisians abroad shall be sent, in accordance with Tunisian law, by diplomatic agents or consuls of Tunisia accredited in those countries.

A duplicate of the civil status registers kept by these agents shall be sent at the end of each year to the municipality of Tunis, which shall keep them and may issue extracts from them.

Article 18.

Any violation of the preceding articles by the officials named therein shall be prosecuted before the District Court of First Instance and punished by a fine not exceeding ten thousand francs.

Article 19.

Any custodian of the registers shall be civilly liable for any alterations made thereto, without prejudice to his right of recourse, where applicable, against the perpetrators of such alterations.

Article 20.

Any alteration or forgery in civil status records, any entries in such records made on loose sheets of paper rather than in the registers intended for that purpose, shall give rise to damages for the parties, without prejudice to the penalties provided for in the Penal Code.

Article 21.

The government commissioner⁽³⁾ at the District Court of First Instance shall be required to verify the condition of the registers when they are filed with the court clerk's office, draw up a summary report of the verification, report any violations or offenses committed by civil registry officers, and request that they be fined.

CHAPTER II

Birth certificates

Article 22.

Births shall be declared to the registrar of the place of birth within ten days of the birth. However, for births occurring outside the municipal boundaries and in foreign countries, this period shall be extended to fifteen days.

Article 23.

(Amended by Law No. 64-42 of November 3, 1964).

When a birth has not been declared within the legal time limit, the Registrar may only record it in his registers by virtue of a decision rendered by the President of the Court of First Instance in whose jurisdiction the child was born, and a summary mention shall be made in the margin of the date of birth. If the place of birth is unknown, the President of the competent Court of First Instance shall be that of the applicant's place of residence.

The President may always refer the case back to the Court.

Anyone who knowingly lies in order to obtain a declaratory judgment of birth shall be liable to one year's imprisonment and a fine of two hundred and forty dinars.

Article 24.

The birth of the child shall be declared by the father or, in the absence of the father, by the doctors, midwives, or other persons who attended the birth and, when the mother has given birth outside her place of residence, if possible, by the person at whose home she gave birth.

The birth certificate shall be drawn up immediately.

Article 25.

Any person who, having attended a birth, fails to make the declaration prescribed by Article 22 of this Act shall be punished by imprisonment for six months and a fine of three thousand francs, or by one of these two penalties only.

The provisions of Article 53 of the Penal Code shall apply to the offenses referred to in the preceding paragraph.

Article 26.

The birth certificate shall state the date, time, and place of birth, the sex of the child, and the surname and first name given to the child, as well as the first names, surnames, dates and places of birth, occupations, addresses, and nationalities of the father and mother and, where applicable, those of the person making the declaration.

The custodians of civil status registers shall not reproduce in certified copies the words "father or mother unknown" or "unnamed" or any similar wording.

These references shall also not be reproduced in the registers, in civil status records, or in transcripts.

Article 27.

Anyone who finds a newborn child shall be required to hand it over to the registrar, along with any clothing and other items found with the child, and to report all the circumstances, the time and place where it was found.

A detailed report shall be drawn up, stating, in addition, the apparent age of the child, its sex, and the names given to it.

This report shall be entered in the registers.

The registrar shall immediately notify the Government Commissioner⁽⁴⁾

Article 28.

In the event of a birth during a sea voyage, a record shall be drawn up within twenty-four hours of the birth, based on the declaration of the father, if he is on board, or of two witnesses chosen from among the officers of the vessel or, failing that, from among the crew.

If the birth takes place during a stopover in a port, the certificate shall be drawn up under the same conditions when it is impossible to communicate with land or when there is no Tunisian diplomatic or consular agent in the port, if abroad, vested with the functions of a civil registrar.

This certificate shall be drawn up on State vessels by the commander; on other vessels, by the captain, master or skipper of the ship.

It shall mention the circumstances referred to above in which the document was drawn up. The document shall be entered in the crew list.

Article 29.

At the first port where the vessel calls for any reason other than its decommissioning, the officer in charge shall be required to deposit two copies of each of the birth certificates drawn up on board, in Tunisia at the Maritime Authority Office and, in a foreign port, in the hands of the Tunisian Consul. If there is no Maritime Authority Office or Consul in that port, the deposit shall be postponed until the next port of call or call.

One of the copies filed shall be sent to the Secretary of State for the Navy, who shall forward it to the registrar of the last place of residence of the child's father or, if the father is unknown, of the mother, so that it may be transcribed in the registers; if the last place of residence cannot be found or is outside Tunisia, the transcription shall be made in Tunis.

The other copy shall remain on file at the Consulate or the Maritime Authority Office.

Reference to shipments and deposits made in accordance with the provisions of this article shall be noted in the margin of the original documents by Maritime Authority officials and Consuls.

Article 30.

Upon arrival of the vessel at the port of decommissioning, the officer in charge shall be required to deposit, together with the crew list, a copy of each of the birth certificates drawn up on board, copies of which have not already been deposited in accordance with the provisions of the preceding article.

This deposit shall be made at the Office of the Maritime Authority.

The copy thus filed shall be sent to the Secretary of State for the Navy, who shall forward it as stated in the previous article.

Article 31.

The marriage certificate shall be drawn up in Tunisia before two notaries or before the registrar in the presence of two reputable witnesses.

The marriage of Tunisians abroad shall be celebrated before the diplomatic or consular agents of Tunisia, or in accordance with local law.

Article 32.

The marriage certificate shall state:

- 1°) the first name, surname, profession, age, date and place of birth, domicile, residence, and nationality of each spouse,
- 2) the first names, surnames, professions, addresses, and nationalities of the father and mother,
- 3°) a statement from two witnesses confirming that the future spouses are free of any previous marital ties,

4°) the first names and last names of the previous spouse of each of the future spouses, as well as the dates of death or divorce that led to the dissolution of their marriage,

5°) where applicable, the consent or authorization required by law, as well as mention of the dowry.

Article 33.

(Amended by Law No. 58-71 of July 4, 1958).

Notaries are required, before delivering a copy of the marriage certificate to the parties concerned and within one month of the date of the certificate, to send the registrar of their district a notice of marriage in accordance with the model attached to this law⁽⁵⁾.

Any violation of the provisions of the preceding paragraph shall be punishable by a fine of ten thousand francs.

Article 34.

Upon receipt of the notice of marriage, the registrar shall enter it in the marriage register and inform the registrar of the place of birth of each of the spouses of the marriage.

Article 35.

The registrar of the place of birth of each spouse shall be required to make a note of the marriage certificate in the margin of the birth certificate of each spouse.

Article 36.

(Amended by Decree-Law No. 64-2 of February 20, 1964, ratified by Law No. 64-2 of April 21, 1964).

A union that is not entered into in accordance with Article 31 above shall be null and void. In addition, both spouses shall be liable to a penalty of three months' imprisonment.

When criminal proceedings are brought under the provisions of the preceding paragraph, a single judgment shall rule on both the offense and the nullity of the marriage.

Spouses whose union has been declared null and void and who continue or resume living together shall be liable to a penalty of six months' imprisonment.

Article 53 of the Penal Code shall not apply to the offenses referred to in this article.

Article 36 bis.

(Added by Decree-Law No. 64-2 of February 20, 1964, ratified by Law No. 64-2 of April 21, 1964).

A union declared null and void pursuant to the provisions of the preceding article shall have only the following effects:

1) the establishment of parentage,

2°) the obligation for the woman to observe the period of widowhood which runs from the date of the judgment, 3°) the impediments to marriage resulting from the alliance.

Article 37.

Any marriage certificate of Tunisians, concluded abroad in accordance with local customs, must be transcribed, within three months of its issuance and at the request of the spouses, in the marriage register of the nearest Tunisian Consulate.

Any violation of this obligation shall be punishable by a fine of ten thousand francs.

Article 38.

The marriage certificate of foreigners in Tunisia shall be drawn up in accordance with Tunisian law, on the basis of a certificate from their consul attesting that they are eligible to marry.

Marriages contracted in Tunisia between two foreigners of the same nationality may be celebrated by the diplomatic and consular agents of their nation in Tunisia. In this case, the diplomatic agent or consul shall notify the registrar of the place of marriage.

Article 39.

In the cases provided for in the previous article, the registrar shall transcribe the marriage certificate into a register kept for this purpose.

CHAPTER IV

Transcription of judgments pronouncing divorce or declaring the nullity of marriage Article 40.

(Amended by Law No. 58-71 of July 4, 1958).

Judgments or rulings pronouncing divorce or declaring the marriage null and void, which have become final, must be transcribed in the civil status registers of the place where the marriage was transcribed.

A note of this judgment or ruling shall be made in the margin of the marriage certificate and the birth certificates of the spouses.

Article 41.

(Amended by Decree-Law No. 64-20 of August 30, 1962, ratified by Law No. 64-40 of October 22, 1962).

The transcript referred to in the preceding article shall be prepared by the clerk of the court that granted the divorce or declared the marriage null and void. To this end, the operative part of the judgment or decision shall be transmitted by the clerk, on pain of a fine of ten dinars, within ten days of the expiry of the time limits for appeal, to the competent registrar, who shall immediately issue a receipt.

The time limits for appealing against judgments or rulings on divorce or annulment of marriage are one month from the date of the judgment or ruling, in respect of all their provisions, including damages.

The appeal shall be lodged with the registry of the court that delivered the judgment or ruling. The two paragraphs above are interpretative in nature.

Article 42.

If the divorce is pronounced abroad, the transcription shall be made at the request of the interested parties, on pain of a fine of ten thousand francs, in the civil status registers of the place where the marriage was transcribed.

CHAPTER V

Death certificates Article

43.

(Amended by Law No. 64-42 of November 3, 1964).

The deadline for reporting deaths is three days.

When a death has not been reported within the legal time limit, the Registrar may only record it in the registers pursuant to a decision rendered by the President of the Court of First Instance in whose jurisdiction the death occurred, and a summary note shall be made in the margin of the death certificate. If the place of death is unknown, the President of the competent Court of First Instance shall be that of the applicant's place of residence.

The President may always refer the case to the Court.

Anyone who knowingly lies in order to obtain a declaratory judgment of death shall be liable to one year's imprisonment and a fine of two hundred and forty dinars.

Article 44.

The death certificate shall be drawn up by the registrar of the district where the death occurred, based on the statement of a relative of the deceased or of a person who has the most accurate and complete information possible on the deceased's civil status.

No burial shall take place without authorization, on plain paper and free of charge, from the Registrar.

"The Registrar shall send two copies of the death certificate he has drawn up to the District Attorney or the Cantonal Judge. Upon receipt of these documents, the magistrate shall conduct an investigation to determine the heirs, after which he shall draw up the certificate of death.

If the estate includes one or more registered properties, the certificate of death and one of the two extracts from the death certificate shall be sent to the Land Registry for the purposes of registration on the title deed(s)."

(Paragraphs 3 and 4 were added by Decree-Law No. 64-5 of February 21, 1964, ratified by Law No. 64-7 of May 21, 1964)

Article 45.

Any person who, without having made the declaration of death prescribed by Article 1 of this decree(6) to the competent authority and without the prior authorization of the Public Officer, has buried a deceased individual shall be punished by imprisonment for six days to six months and a fine of three thousand francs or by one of these two penalties alone.

The provisions of Article 53 of the Penal Code shall apply to the offenses provided for in this article.

Article 46.

When a death occurs outside the municipality where the deceased was domiciled, the registrar who drew up the death certificate shall send a copy of the certificate as soon as possible to the registrar of the deceased's last place of residence, where it shall be immediately transcribed into the registers.

In the event of death in hospitals or health facilities, the directors or administrators of these hospitals or establishments shall notify the registrar within 24 hours, who shall draw up the death certificate in accordance with Article 44 above, based on the statements made to him and the information he has obtained.

A register shall be kept in the aforementioned hospitals, health facilities, and establishments, in which declarations and information shall be recorded.

Article 47.

The death certificate shall state: the date, time, and place of death; the first name, surname, date and place of birth, occupation, domicile, and nationality of the deceased; the first names, surnames, occupations, domiciles, and nationalities of the deceased's father and mother; the first name and surname of the other spouse, if the deceased was married, widowed, or divorced; the first name, surname, age, profession, and domicile of the person registering the death and, where applicable, their relationship to the deceased.

All of this information should be provided to the best of one's knowledge.

The death shall be recorded in the margin of the birth certificate of the deceased person.

Article 48.

Where there are signs or indications of violent death, or other circumstances giving rise to suspicion, burial may only take place after a police officer, assisted by a medical doctor, has drawn up a report on the condition of the body and the circumstances surrounding it, as well as any information he may have gathered on the first name, surname, age, profession, place of birth, and domicile of the deceased.

The police officer shall be required to immediately forward to the registrar of the place where the person died all the information contained in his report, on the basis of which the death certificate shall be drawn up.

Article 49.

The registrar shall send a copy of the death certificate to the registrar of the deceased person's place of residence, if known; this copy shall be entered in the registers.

Article 50.

The clerks of the criminal courts shall be required to send, within twenty-four hours of the execution of death sentences, to the registrar of the place where the condemned person was executed, all the information set out in Article 47, on the basis of which the death certificate shall be drawn up.

Article 51.

In the event of death in detention facilities, the guards shall immediately notify the registrar, who shall draw up the death certificate.

Article 52.

In all cases of violent death in detention centers and in cases of execution, no mention of these circumstances shall be made in the registers, and death certificates shall simply be drawn up in the manner prescribed by Article 47.

Article 53.

In the event of death during a sea voyage, a certificate shall be drawn up within twenty-four hours by the officers designated in Article 28 and in the manner prescribed therein.

The originals and copies shall be filed and transmitted in accordance with the distinctions⁽⁷⁾ provided for in Articles 29 and 30.

Death certificates shall be transcribed in the civil registry of the deceased's last place of residence or, if the place of residence is unknown, in the municipality of Tunis.

Article 54.

When a Tunisian citizen has disappeared in Tunisia or outside Tunisia in circumstances that may have endangered his or her life, and his or her death cannot be confirmed, a report of disappearance shall be drawn up by:

1°) the Secretary of State for National Defense with regard to members of the army and air force and civilians who have disappeared as a result of acts of war,

2) the Secretary of State for the Navy, with regard to state seafarers,

3°) the Secretary of State responsible for the Merchant Navy with regard to merchant seamen and passengers who have disappeared while at sea,

4) the Secretary of State for Aeronautics, with regard to persons missing aboard an aircraft,

5) the Secretary of State for the Interior, with regard to all other missing persons if the disappearance occurred in Tunisia, or the Secretary of State for Foreign Affairs if it occurred outside Tunisia.

This shall be the case in particular where the disappearance occurs during or following an event such as a natural disaster, an act of war, a railway, maritime, or air disaster, a fire, an explosion, or a collective or individual accident in which the victims or some of them could not be found, total loss or destruction of a ship, aircraft, or other means of transport, complete destruction of a locality, establishment, or building, disappearance of part of a crew, a group of employees of an establishment, a group of passengers, travelers, or inhabitants.

The foregoing provisions shall apply to foreigners who have disappeared in Tunisia or during maritime or air transport on a Tunisian vessel or aircraft.

Article 55.

The reports referred to in the previous article shall be forwarded either to the Chief Prosecutor(8) of the Court of Appeal in whose jurisdiction the disappearance took place, if the disappearance occurred on Tunisian territory, or to the Chief Prosecutor(8) of the Court of Appeal in whose jurisdiction the last domicile or residence of the missing person is located, or to the Chief Prosecutor(8) of the Court of Appeal in whose jurisdiction the home port of the ship or aircraft that transported the missing person is located.

Article 56.

When transmitting the report, the competent Secretary of State shall request the Chief Prosecutor to proceed ex officio with the judicial declaration of death.

The interested parties may also apply for a declaration of death. The request shall be communicated to the competent Secretary of State for opinion at the request of the Public Prosecutor.

The court shall declare the death and set the date thereof.

The documents relating to the proceedings initiated pursuant to this article, as well as the decisions, extracts, copies, certified copies, and transcriptions issued in connection therewith, shall be exempt from stamp duty and registered free of charge.

Where several persons have disappeared in the course of the same event, their deaths may be declared by a collective judgment.

Article 57.

Any judgment declaring a death shall be transcribed on the date thereof in the civil status registers of the last place of residence, or in the registers of the municipality of Tunis if the place of residence is unknown.

The judgment and its transcript shall be recorded in the margin of the registers on the date of death.

Collective judgments, rendered pursuant to Article 56, shall be transcribed in the civil status registers of the place of disappearance or, failing that, of the place of departure. Individual extracts shall be sent to the civil registrar designated in Article 46 and to the competent Secretary of State. Copies may be issued to the interested parties.

Judgments declaring death shall serve as civil status records and shall be enforceable against third parties, who may only obtain their rectification.

Article 58.

If the person whose death has been judicially declared reappears after the declaratory judgment, he or she shall be allowed to provide proof of his or her existence and to seek the annulment of the said judgment.

He shall recover his property in the condition in which it is found, as well as the price of any property that has been disposed of and any property acquired through the use of capital or income accruing to him.

A note of the annulment of the declaratory judgment shall be made in the margin of its transcript.

CHAPTER VI

Civil status records concerning military personnel and sailors in certain special cases Article

59.

Civil status records concerning military personnel and sailors of the State shall be established as described in the preceding chapters.

However, outside Tunisia, and in the circumstances provided for in this paragraph, civil status records may, at any time, also be received by the following authorities:

1°) in mobilized military units, by the unit commander,

2) in headquarters or staff headquarters, by quartermaster officers, 3) for military personnel

under his command and for prisoners, by the Provost,

4°) in military medical units or facilities, by administrators.

In Tunisia, civil status records may also be received, in the event of mobilization or siege, by the authorities listed above, but only when municipal services are no longer available in any way as a result of circumstances arising from the state of war. The jurisdiction of these authorities may be extended, under the same conditions, to non-military persons who find themselves in besieged forts and strongholds.

Article 60.

The officer who has received a document shall, as soon as communication is possible and as quickly as possible, send a copy to the Secretary of State for National Defense, who shall ensure that it is transcribed.

in the civil registry records of the last place of residence of the father or, if the father is unknown, of the mother, for birth certificates, of the husband for marriage certificates, and of the deceased for death certificates. If the place of last residence is unknown, the transcription shall be made in the municipality of Tunis.

Article 61.

A civil registry shall be kept:

- 1°) in each military unit or each mobilized war formation, for records relating to individuals listed on the rolls of the military units or those of the units that participated in the construction of the war formation,
- 2°) in each headquarters or general staff, for documents relating to all individuals who are employed by or dependent on them,
- 3°) in the Provost Marshal's offices, for military personnel under the command of the Provost Marshal and for prisoners,
- 4°) in each formation or medical establishment dependent on the armed forces, for individuals undergoing treatment or employed in these establishments.

The registers shall be sent to the Secretary of State for National Defense to be deposited in the archives immediately after their closure, which shall take place no later than the day on which the armies return to peacetime or the siege is lifted.

Article 62.

The registers shall be numbered and initialled:

- 1°) by the Chief of Staff, for mobilized units,
- 2°) by the Commanding Officer, for units that do not report to any headquarters,
- 3°) in hospitals or medical units, by the chief medical officer of the hospital or medical unit.

CHAPTER VII

Correction of civil status records Article 63.

(Amended by Law No. 86-88 of September 1, 1986)

The correction of civil status records shall be ordered by the President of the Court of First Instance of the district in which the record was drawn up, or by his or her deputy.

Where the request does not originate from the public prosecutor, it must be communicated to him.

The correction of civil status records drawn up during a sea voyage, abroad or in the armed forces shall be requested from the President of the Court of First Instance in whose jurisdiction the record was

transcribed, or to his deputy; the same shall apply to death certificates whose transcription is ordered by Article 46 of this law.

The correction of civil status records drawn up or transcribed by diplomatic agents and consuls shall be ordered by the President of the Court of First Instance of Tunis or by his deputy.

The correction of declaratory judgments of birth or death shall be requested from the court that declared the birth or death.

Judicial decisions concerning rectification may not, under any circumstances, be invoked against third parties.

Anyone who knowingly lies in order to obtain a corrective judgment of a civil status record shall be liable to one year's imprisonment and a fine of two hundred and forty dinars (240d, 000).

Article 64.

Orders, judgments, and rulings concerning rectification shall be immediately forwarded by the Government Commissioner to the civil registrar of the place where the amended record is registered. Their provisions shall be transcribed in the registers, and a note shall be made in the margin of the amended record.

Article 65.

Any provisions contrary to this Act are repealed.

Article 66.

This law shall be published in the Official Journal of the Republic of Tunisia and enforced as a law of the State.

Done at Tunis on August 1, 1957 (4 Moharem 1377).

The President of the Tunisian Republic Habib
Bourguiba