

<p><b>CITY OFFICE OF KRAKOW</b></p>	<p><b>SC-4</b></p>
	<p><b>MAKING RELATED MATTERS WITH THE CONCLUSION AND REGISTRATION OF MARRIAGE IN THE FORM OF CONVENIENCE</b></p>
<p><b>1. Handle the matter electronically</b> Not applicable</p> <p><b>2. Appendices</b> Full content of the SC-4 procedure</p> <p><b>3. Sign language version</b> Not applicable</p> <p><b>4. Matter handled by</b> Civil State Registry Office:</p> <ul style="list-style-type: none"> <li>• Current Registration Unit, Lubelska 29, 30-003 Krakow: post regarding marriage registration, telephone number 12 616-55-51, fax 12 616-55-20</li> <li>• Civil State Register Archive unit for Districts XIV to XIII, Housing Estate Zgody 2, 31-949 Krakow, marriage registration station, III p., room 325, telephone number 12 616-88-22, fax 12 616- 88-24</li> </ul> <p><b>5. Documents from the Applicant (client)</b></p> <p><b>I. Submission of the intention to enter into a marriage</b></p> <ol style="list-style-type: none"> <li>1. Identity documents of people intending to get married (nuptourants). <ul style="list-style-type: none"> <li>• ID card or passport</li> </ul> </li> <li>2. Written assurance of the nupturient that he "does not know about the existence of circumstances excluding the marriage" submitted to the head of the Civil Registry Office.</li> <li>3. Permission to marry, if required by the provisions of the Family and Guardianship Code.</li> <li>4. A Polish citizen who intends to marry but does not have civil status records drawn up in the Republic of Poland, files a foreign civil status document or another document issued in a country where civil status registration is not carried out, confirming the birth, and if the person has previously stayed in marriage - confirming marriage, together with a document confirming the cessation or annulment of that marriage or a document confirming the non-existence of marriage.</li> <li>5. Documents confirming the cessation, annulment or declaration of non-existence of marriage are in particular: <ul style="list-style-type: none"> <li>• an abridged copy of the death certificate or a copy of the final court decision on the death or recognition of the previous spouse as deceased;</li> <li>• a copy of the final court ruling on divorce;</li> <li>• a copy of the final court decision on annulment of marriage;</li> <li>• a copy of the final court ruling establishing the non-existence of marriage.</li> </ul> </li> </ol>	

6. A foreigner intending to marry consists of:

- 1) ensuring;
- 2) a copy of the birth certificate, and if it was previously a married copy of the marriage certificate with an endorsement, annulment or declaration of non-existence, or a copy of the marriage certificate with a document confirming its cessation or annulment or a document confirming the non-existence of marriage, if on the basis of other submitted documents the data necessary for the marriage certificate can not be determined;
- 3) a document stating that, in accordance with the relevant law, he may enter into a marriage or a final court decision on the release of a foreigner from the obligation to submit such a document.

**II. Registration of the marriage is made by the head of the Civil Registry Office according to the place of marriage on the basis of a certificate provided by the clergyman.**

**6. Fees**

1. Stamp duty for drawing up a marriage certificate - PLN 84.00.
2. Payments for this should be made to the bank account of the City of Krakow: PKO Bank Polski SA 49 1020 2892 2276 3005 0000 0000 (e.g. at the post office, by bank transfer) or without additional charges at branches of the bank PKO Bank Polski SA in Krakow and at the Office's ticket offices. The proof of payment of the stamp duty owed must be provided upon notification.

Account for cross-border settlements: BIC PKO Bank Polski: BPKOPLPW  
49 1020 2892 2276 3005 0000 0000

3. If the marriage is concluded in another municipality, the stamp duty must be paid to the competent authority for the place of the marriage.

**7. Form of consideration**

Ref. I Certificate stating the absence of circumstances excluding marriage or refusal to issue a certificate.

Ref. II. Making an act or refusing to make a marriage certificate.

**8. Time of consideration**

Ref. And Up to 7 days (certificate).

Ref. II. Preparing the marriage certificate at the latest on the next business day after receiving the confirmation from the clergyman.

Refusal to issue a certificate (letter from the Head of the Civil Registry Office) or drawing up a marriage certificate for a month, and in matters of complexity up to two months (letter from the Head of the Civil Registry Office).

**9. Documents obtained in the proceedings**

Not applicable.

**10. Appeal procedure**

The interested party within 14 days from the date of delivery of his letter (respectively) about the refusal to issue a certificate on the absence of circumstances excluding marriage or the marriage certificate may apply to the district court competent for the seat of the Civil Registry Office for resolution. The final decision of the court binds the head of the Civil Registry Office.

## **11. Legal basis**

1. Art. 13, 15, 22, 30, -32, 47, 76, -80, 84-89 of the Act of 28 November 2014 Law on Civil Status Records (unified text Journal of Laws of 2016, item 2064, as amended).
2. Art. 1 § 1, art. 3-7, art. 9 § 1, art. 10-15; Art. 25; Art. 88 § 1 and 2, art. 891 of the Act of February 25, 1964. The Family and Guardianship Code (vol. Journal of Laws of 2017, item 682).
3. Act of 16 November 2006 on Stamp Duty (unified text ) Journal of Laws of 2016, item 1827, as amended).
4. Regulation of the Minister of Finance of September 28, 2007 on the payment of stamp duty (Journal of Laws No. 187, item 1330).
5. Act of 25 June 2015 Consular Law (Journal of Laws of 2015, item 1274, as amended).
6. Art. 4 and 5 of the Act of 07 October 1999 on polish language (unified text Journal of Laws of 2011 item 224, as amended).
7. Art. 35 of the Act of 14 June 1960 Code of Administrative Procedure (unified text: Journal of Laws of 2017 item 1257).

### **Additional information for the client**

1. The certificate stating the lack of circumstances excluding the marriage is issued by the Head of the Civil Registry Office chosen by those intending to enter into a marriage. The certificate expires after 6 months from the date of its issue.
2. Ensuring that there are no circumstances excluding marriage can be submitted to every USC manager in Poland and abroad to a Polish consul. The Consul may also accept assurance in the event that the marriage is to be concluded by a Polish citizen and a foreigner if the foreigner submits to the consul additionally a document stating that in accordance with the relevant law he may enter into marriage. The assurance is valid for six months from the date of its submission by both persons intending to enter into a marriage.
3. In the event of inability to communicate with the party submitting a statement affecting the marital status of a person, due to the lack of knowledge of the Polish language, this person is responsible for ensuring the participation of an expert or translator of the language used by that person.
4. Civil status records, copies thereof and other documents issued in a foreign language, submitted to the head of the civil registry office in connection with the performance of civil registration activities should be submitted together with their official translation into Polish, made by:
  - 1) sworn translator entered on the list maintained by the Minister of Justice;
  - 2) a sworn translator authorized to make such translations in the Member States of the European Union or the European Economic Area (EEA);
  - 3) consul.

The documents translated by the Consul also include:

- 1) documents in a foreign language translated into Polish by an interpreter in the host country and certified by the consul;
- 2) documents translated from a language rarely found in the language known to the consul, and then translated by the consul into Polish.

In the absence of a sworn translator of a foreign language on the territory of the Republic of Poland, a foreign document confirming marital status in a foreign language may be translated by a consul or an authorized employee of a diplomatic mission of a foreign country into the territory

Polish Republic.

Non-translated copies of civil registration documents issued on a multilingual printout drawn up in accordance with the Vienna Convention of 8 September 1976.

5. A copy of a shortened birth certificate is issued ex officio after registration with the person reporting the birth.

Developed by:  
Małgorzata Zawadzka  
Deputy Head of the  
Civil State Registry  
Office Date:

Opinion presented  
by: Legal adviser  
Beata Kachlik  
Date: 13.07.2017

Approved by:  
Edmund Olczak  
Head of the  
Department Head  
of the Civil State