



Republika e Kosovës
Republika Kosovo-Republic of Kosovo
Kuvendi - Skupština – Assembly

Law No.04/L –003

ON CIVIL STATUS

The Assembly of Republic of Kosovo,

Based on Article 65 (1) of the Constitution of Republic of Kosovo;

Adopts:

LAW ON CIVIL STATUS

CHAPTER I
GENERAL PROVISIONS

Article 1
Purpose of the Law

This Law regulates the meaning and civil status components of the Kosovo citizens, foreign nationals and stateless persons with temporal or permanent residence in the Republic of Kosovo, defines the rules for their creation, maintenance and amendment, as well as the organization and functioning of civil service in the Republic of Kosovo.

Article 2
Definitions

1. Terms used in this law shall have the following meaning:

1.1 **Civil status** – the entirety of the personal data of citizens of Kosovo, foreign citizens and stateless persons with temporary or permanent residence in the Republic of Kosovo, which are registered and kept in the Civil Status Registry

certifying the birth, family status, death, relationship amongst them and any alteration that might take place in these relationships;

1.2 **Act** - an official document issued by the Civil Status Office certifying that a certain action has been performed ex officio;

1.3 **Fact**- an action that has taken place and which shall create a civil status such as birth, marriage and death;

1.4 **Central Civil Status Register** - an unique state document, kept in an electronic and physical version which shall reflect the components of the civil status for every citizen of Kosovo, foreign citizen or stateless person, with temporary or permanent residence in the Republic of Kosovo;

1.5 **Civil Status Principal Register** - the Register of civil status which reflects the entire components of the civil status, for every citizen of Kosovo, foreign citizen or stateless person with temporary or permanent residence in the Republic of Kosovo. This book is preserved in the archives of the Municipal Civil Status Office;

1.6 **Civil Status Component** – specified data in this law, serving to determine the identity of every citizen of Kosovo, foreign citizen or stateless person with temporary or permanent residence in the Republic of Kosovo;

1.7 **Presuming components** - components of civil status assessed as acceptable until it is proven otherwise;

1.8 **Archived Documents** - the entire documentation, kept and used by the civil status office in the municipality;

1.9 **Family Brochure** - the particular book given to the spouses on the occasion of the marriage issued by the municipal Civil Status Office;

1.10 **Renewal of principal registers** - creating new records for the replacement of missing/ destroyed or damaged records;

1.11 **Civil Status Office** – the civil status office in the native territory or respective municipality where the facts of birth, marriage and death are recorded;

1.12 **Single**- a citizen who is not married;

1.13 **Married** - a married citizen;

1.14 **Widow / widower** - when a citizen's spouse has died;

1.15 **Divorced** - a citizen, whose marriage was dissolved by court decision;

- 1.16 **Minister** – the Minister of Internal Affairs;
- 1.17 **Ministry** – the Ministry of Internal Affairs;
- 1.18 **Agency** - the Civil Registration Agency;
- 1.19 **Subsequent registration-** a Birth or Death Registration performed after thirty (30) days from birth or death date;
- 1.20 **Re-registration-** the registration of births, deaths or marriages previously registered in municipal Civil Status Registry books when the applicant is able to prove the previous registration on the basis of documents issued by the Civil Status Registry, the Ministry of Internal affairs or any other document that proves any civil status component;
- 1.21 **Personal Number-** a unique number given by Civil Status Office to each individual upon birth registration;
- 1.22 **Personal Name-** the name and surname of the citizen of Kosovo;
- 1.23 **Stateless person-** a person who is not considered as a citizen of any State within the law frames of that country;
- 1.24 **Civil Status Officer** - a person who performs civil status registration and who is qualified in accordance with this law. A diplomatic or consular official who has successfully completed the examination for a civil status official is also recognized as a Civil Status Officer;
- 1.25 **Personal data-** any information relating to an identified or identifiable natural person (data subject); an identifiable person is one who can be identified, directly or indirectly, in particular with reference to an identification number or to one or more factors specific to his or her physical, physiological, mental, economic, cultural or social identity.

Article 3

Civil status registration principles

1. All civil status related activities shall be undertaken pursuant to and in full compliance with the law and associated sub-legal acts.
2. Recording of registered events in the civil status register by competent authorities is compulsory and shall be done within legal terms by competent persons designated by this law.

3. Data subjects shall actively register each change affecting civil status in accordance with the procedures foreseen by this law.

4. Collected and registered data concerning the civil status shall only be used in accordance with the applicable legislation.

Article 4 Data Personal Character

1. Individual and family data, of civil status components have personal character. Acts, records and written civil status certificates are given only to a person to whom the data belong, family member, guardian, legal representative or by proxy and after death, to those that have legitimacy to claim legal inheritance or heirs testamentary.

2. Individual and family data of civil status components can be claimed and taken from the institutions and bodies whose right is recognized by a special law. These subjects, which claim and get civil status information from the service of civil status directly, use them solely for the intended purpose for which they were received, limited in their distribution, unless authorized by law.

3. The Head of the Civil Registration Agency authorizes the issuing of the required information by various institutions and bodies, in accordance with approved guidelines by him and Agency's Council National Agency for the Personal Data Protection. The guide defines the type and quantity of information that can be given to claiming institutions and bodies, taking into account the laws which regulate their organization and functioning, as well as the applicable legislation on the personal data protection.

Article 5 Legal Validity of Data

1. The civil status data are valid only if issued by the civil status service official, in the manner and form set forth by this Law and sub-legal acts, emerging in its implementation.

2. For any act and protocolled document issued to citizens, institutions and their bodies authorized by the law, the officer of civil status office takes full name and surname, signature and uses official stamp of civil status service.

Article 6 Collection and civil status data exchange with third parties

1. Other state and private Institutions collecting and administrating persons' databases containing data related to civil status should supply the data in question on the basis of

the request of Agency and in accordance with the Law on Protection of Personal Data.

2. Institutions set out in paragraph 1 of this Article are obliged to provide an immediate and undisturbed access of Agency to relevant data bases, or to send to Agency the requested information not later than ten (10) days from the request receipt.

3. Agency uses the provided data in the application of this Article, as long as it is necessary to verify and ensure the data accuracy of the Central Civil Status Register. The provided data from alternative data bases do not contain a direct and sole source of data in connection with the components of civil status registry of citizens. Agency uses the data in accordance with the Law on Protection of Personal Data.

4. Civil Status Service cooperates with central institutions outside of civil registration and with private sector in order to exchange data in accordance with the Law on Protection of Personal Data.

Article 7 Rights Protection

1. Protection of rights and interests of persons whose data are being recorded, the right of access and data correction is carried out in conformity with the Law on Protection of Personal Data.

2. Parties have the right to file a complaint against the decisions of the civil status office. Complaints shall be submitted to the Agency.

3. Referring to the deadline of filing a complaint, its consideration and other procedural issues are applied provisions of the Law on Administrative Procedure.

4. Agency establishes a Special Commission to review complaints from paragraph 2 of this Article and the work of this commission is regulated by Minister's sub-legal act.

5. Personal data in the Principal Civil Status Register and in documents issued by the Civil Status office are recorded in accordance with Law on the Use of Languages.

6. Principal Civil Status Registers and documents issued by the Civil Status Office shall be issued in accordance with Law on Use of Languages.

Article 8 Incompability of actions

Civil status Official cannot perform civil actions where is appointed, when these belong to him/her, his/her spouse and children, parents, grandfather, grandmother, brothers, sisters, or father/mother in law. In this case the actions are performed by other official of

civil status service.

CHAPTER II CIVIL STATUS

Article 9

Citizens Civil Status Components and Characteristics

1. Civil Status Components are: personal name, personal identification number, birthday, place of birth, sex, citizenship, paternity and maternity reports, marital status, death, residence, domicile and other facts, provided by law.
2. Kosovo citizenship, as a component of the civil status, is the only distinctive element from foreign citizens and stateless persons.
3. Constitutive elements in civil status service documents have priority over the same elements of any other state or private act, and are obligatory to be respected.

Article 10

Characteristics of some civil status components

Birth, sex, personal name, the relations of paternity, maternity and citizenship are recognized respectively, may be removed, abolished, changed or passed on to others only in cases and manner expressly provided in this law or any other specific law.

Article 11

Components stemming from natural events

Birth, time of birth, sex, motherhood and death are regularly verified as legal facts, from persons and bodies to whom this right is designated in accordance with applicable legislation.

Article 12

Presumed or derived components stemming from person's own actions

Presumed legal facts by law or actions stemming from the person himself/herself that are certified are relations of paternity, maternity and family.

Article 13
Components stemming from the acts of other bodies

Adoption, citizenship, removal or restriction of ability to act as the main components of civil status, originate and are reflected only pursuant to and in conformity with the responsible state body act, under the law. Other main civil status components are established by them when amended by law.

Article 14
Components verified by other sources

Other components are verified according to law by state bodies and institutions, state and private legal entities, or directly from special law and take the attribute of civil status components, when reflected in the civil status registry documents.

Article 15
Marital Status

1. Marital status of a person may be:

- 1.1 single;
- 1.2 married;
- 1.3 widow;
- 1.4 divorced.

Article 16
Foreign citizens and stateless person's civil status

1. Foreign citizens and stateless persons, with temporary or permanent residence in the Republic of Kosovo, as well as foreign citizens who have been granted asylum in the Republic of Kosovo shall enjoy all rights under this law, except the rights, which are closely related to the citizenship of Kosovo and documentation manner specifics.

2. The civil status of foreign citizens with temporary or permanent residence in the Republic of Kosovo and stateless persons shall be defined in relevant state documents. Civil status of foreign citizens, who have been granted asylum in the Republic of Kosovo, it's proved by the relevant asylum body records within the Ministry of Internal Affairs.

3. Foreign citizens or stateless persons, residing temporary / permanently, visitors or transit visitors who are in Kosovo, have the right, through the civil status service, to

evidence and prove their legal facts, in the territory of Republic of Kosovo, as every citizen of Kosovo, except when there is an obstacle or a special procedure, provided by law or international agreement.

CHAPTER III

CIVIL STATUS COMPONENTS' NATURE AND DOCUMENTATION

Article 17

Types and general characteristics of documents

1. Components of the Civil Status Registry of the Kosovo's citizens, foreign citizens, stateless persons, with temporary or permanent residence in the Republic of Kosovo, are certified by the basic documents of the civil status.
2. Documents as per paragraph 1 of this Article are produced by civil status service, based on actions committed by officials of the civil status service or basic documents, submitted by third parties, under the law.

Article 18

Civil status documents

The types, forms, constituent elements, ways of keeping, limit of the use of basic documents that are kept and issued by the Civil Status Service, and the rules of issuing these documents are established by the Minister's sub-legal act.

Article 19

Family brochure

1. Family brochure is a special book, which is given to spouses upon marriage, according to the place of marriage ceremony, where are presented family records of civil status for spouses, birth of children from in this marriage, death of spouses and children, and changes incurred.
2. On the occasion of the marriage, the civil status officer shall give to the spouses the family brochure and a certificate as a proof that the marriage took place.
3. The records written in the brochure family should be the same with the records registered in the basic registry of civil status. The party should verify the records which should be stamped and signed by an authorized officer of the civil status office, who has completed those data.

4. The content of family brochure records is not valid when the component belongs to the period prior to the register's setting up and doesn't hold the signature of the first applicant on that page or, irrespective from the period it belongs, it's not based on a act book or basic document, presented as a source of the respective page of the family brochure.

5. The form, content and other procedures regarding the family brochure will be established by the Minister's sub-legal act.

Article 20

Birth, Marriage and Death Acts

1. Birth, marriage and death acts are filled out and presented in special acts in electronic form and printed only by the official of civil status service, after having managed directly, basic documents or personally received statements for facts of birth, marriage or death in accordance with the requirements of the legislation in force. These acts are kept, for each event, in chronologic order.

2. Acts of birth, marriage and death for foreign nationals and stateless persons, permanently residing in the Republic of Kosovo, are kept at the Civil Status office. These acts are kept accountable by the official of civil status service and reflected in the Civil Status Central Registry.

3. Acts of birth, marriage and death, kept abroad, the diplomatic or consular service of the Republic of Kosovo, for citizens of the Republic of Kosovo or foreign nationals or stateless persons, residing temporary or permanently in the Republic of Kosovo, will be submitted by the Ministry of Foreign Affairs in the Agency, till the January 20th of the coming year.

Article 21

Signing of acts

1. Civil status officer, an interested party as well as the authorized persons, when provided by this law, sign by the same means name and surname. The signature of the civil status service officer, in each case, is accompanied by the stamp of civil status service office, otherwise the action is invalid.

2. When a person does not know or is not physically able to sign, in the act reasons shall be written, certified by the signature of head of civil status office, the official and other participants present in the action.

Article 22
Other basic documents

1. The other basic documents are official state and non-state acts, which, according to law, certify or change legal facts, certified by civil status acts. Their contents, when presented in the Registry of Civil Status, are converted into a component of the citizen's civil status.
2. Other basic documents, as well as all other documentations, with administrative character, are filled out in accordance with relevant legal criteria, as per type of document.

Article 23
Corrections and supplements of archived documents

1. Corrections and supplements made to archived documents are done by the final court decision or decision issued by the civil status office. The copy of decision will be attached to the document and each document issued on its basis contains the elements specified in the above decision.
2. Corrections from the paragraph 1 of this Article shall be regulated by a sub-legal act by the Agency.

Article 24
Obligations of other bodies

All bodies, which, pursuant to this law, or under a special law, are responsible for the appointment, confirmation or modification of a component of civil status, are forced to send, formally and directly, a copy of the act, decision, to the civil status office, where the person is registered within fifteen (15) days from the date of the act or receipt of the final decision.

CHAPTER IV CIVIL STATUS REGISTRY

Article 25 Civil Status Registries

1. The Registries of Civil Status are:
 - 1.1. Central Registry of Civil Status;
 - 1.2. Principal Civil Status Registries.

Article 26 Central Civil Status Registry

1. The Central Civil Status Registry is a unique state document, where are presented the components of the civil status for all Kosovo citizens, for foreign nationals and stateless persons, with temporary or permanent residence in the Republic of Kosovo, as well as for foreign citizens, who have been granted asylum in the Republic of Kosovo.
2. Administration of the Civil Status Central Registry is conducted by Agency. The register data updating is carried out by the civil status service officers at the civil status offices or officials in diplomatic and consular missions.
3. The Central Civil Status Register is kept in electronic and physical version.
4. Establishment of the Central Civil Status Registry and the rules for using information technology that are going to be used for this register, are established from the Minister by sub-legal act.

Article 27 Actions in the Civil Status Central Register

The records in the Central Register of Civil Status are performed only by an officer of civil status service in the municipalities and an official in the diplomatic and consular representations, after he/she administered directly, basic documents, in accordance with the requirements of this law.

Article 28
Registration in the Civil Status Central Register

The components of civil status are presented in the individual site of Central Civil Status Registry for Kosovo citizens, foreign citizens or stateless persons, with temporary or permanent residence in the Republic of Kosovo, as well as foreign citizens who have been granted asylum in the Republic of Kosovo.

Article 29
Correction and Supplements in the Central Register of Civil Status

1. When in the Central Register Civil Status are noticed material errors or it's found a column, which does not present a respective component, the head of the civil status office makes corrections or supplements, when:

1.1 the component is listed in the act books, in previous basic registry of that office or country from which it came with the change of residence, for any cause;

1.2 the interested person presents the basic document from the responsible source, according to the law;

1.3 verified, in all other cases, by the court's decision.

Article 30
Verification and supplements in case of Lack of data

1. When the required data, for the act of birth and death, is inadequate or not acknowledged by the declarer, relevant part is going to be verified by the body that is aware of legal fact, except for cases of temporary notes, under this law.

2. By certifying of a datum or of the final decision, it is carried out only the supplementation in the Central Register of Civil Status.

Article 31
Principal Civil Status Registry

1. Principal Civil Status registries are documents which collect all civil status components, according to the place where the fact of civil status components took place.

2. Principal Civil Status registries are:

2.1. birth register;

2.2. marriage register; and

2.3. death register.

3. Office of the Civil Status shall keep Principal Civil Status registry in written and electronic form.

4. The types, form, content, data entry, manner and time-line of keeping Principal Civil Status registers as well as Specific Registers from Article 35 of this Law, shall be established by the Minister's sub-legal acts.

CHAPTER V BIRTH REGISTRATION

Article 32 Basic birth documents

1. The birth facts as: time of birth, place of birth, gender and parentage, shall be verified by a medical report or minutes drafted in time of birth. These facts are verified by the: present medical staff, person who is specially charged by the municipality, responsible official in the train, responsible officials in the plain during flight, commandant in prison, or officials of diplomatic missions outside the country, in the absence of medical personnel.

2. In the absence of documentation referred to in paragraph 1 of this Article, the fact of the birth certificate can be proven through civil status office.

3. When the child's genital organs have disorders, the gender shall be established by a medical report.

4. When the Siamese twins are born live, they shall be separately registered.

5. The above mentioned documents shall be used to complete the act of birth.

Article 33 Basic Documents of the found persons

1. The child who was found and parents are unknown, it is presumed that the baby is born in the place where is found and in time established by the medical report.

2. Child of unknown parents shall be provided with the minutes from the police and medical report issued by the doctor of the area where the child is found.

3. On the request of the civil status service or, mostly, with the approval of the custodian body where the child is found, will be determine the personal name, fiction parents' names, which can be changed by the child's request when he/she is an adult or by ascertainment of legal parents if they are found.

4. The above mentioned rules are also valid for the found child who has lost memory or is mentally unable and can not be identified. Found child may change this condition in cases when her/his memory is returned, mentally is cured or her/his identification is made in another manner.

5. In all cases foreseen under this article the found child shall be registered in the founded place including the founded adult, who speaks only a foreign language and shall be registered as a stateless person.

6. The criteria set forth in this Article apply also to adult, who has lost memory, who is mentally disabled and parents are unknown, is found with dead parents, unidentified, except the case when this person speaks only a foreign language. In that case he/she will be treated as stateless person.

Article 34 Birth Declaration

1. Child birth declaration to the civil status official should be submitted by: parents, close family member capable to act, legal representative or custodian, and, in their absence or impossibility by persons who have the right to certify the birth. The statement can also be submitted by mother's representatives with special proxy.

2. The declaration of the childbirth, whose parents are not known, shall be made by municipal authorities, police, in whose jurisdiction the place of finding is, based on minutes held at the time of finding the child.

3. In case of doubt about the facts of the official of civil status registry should look physically born prior to birth registration, which action is registered in the folder.

4. The request for registration of child birth, in the Basic Civil Status register, should be made within fifteen (15) days from the moment of birth, and in exceptional cases, not later than thirty (30) days after the birth.

Article 35 Birth Registration

1. Registration of child birth is proceeding at the place where the birth took place.

2. For founded child, whose parents are not known, registration shall be done at the civil status office where it was found.
3. For children born outside the territory of the Republic of Kosovo from Kosovo citizen with permanent residence in Kosovo, birth registration will be done at the diplomatic or consular mission of the Republic of Kosovo, at the place where is born. When this is impossible, registration can be done also in the civil status registry service of that country.
4. The registration of Kosovo's citizens born outside the borders of Kosovo should be kept in a special book by the Civil Status Office.
5. Persons born outside the territory of the Republic of Kosovo fulfilling the requirements for obtaining citizenship in accordance with Article 29 of the Law on Citizenship shall be registered in special civil status registries foreseen in paragraph 4 of this Article, upon their registration in the citizenship register.
6. All health care entities, state and private, that have the right to verify delivery, are required every Monday, to send in the civil status registry offices, where the birth occurred the notice of births occurring at their institutions.
7. Civil Status Office finds out and certifies in official way, cases of birth and their registration by the persons referred to in paragraph 2 of Article 34 of this law.

Article 36 **Birth certificate**

1. The birth act legally confirms the birth of a person.
2. The act of birth is the report, for every birth, signed by the civil status official of the municipality and the declarer.
3. The birth act contains:
 - 3.1 serial number, date of holding the minutes and the civil status office;
 - 3.2 complete date and time of birth;
 - 3.3 place of birth;
 - 3.4 personal name, given the legal provisions in force;
 - 3.5 personal identification number of the child;
 - 3.6 sex;

- 3.7 citizenship, if any;
- 3.8 whether born normal, twin or Siamese twin;
- 3.9 personal name and personal identification number of the mother, if known;
- 3.10. personal name and personal identification number of father, when known, according to legal provisions;
- 3.11. personal name, personal identification number and position of the pleader;
- 3.12. personal name and personal identification number of the interpreter, if any.

Article 37
Validity and refusal of birth certificate

1. The birth certificate is null and void when not issued by the official of the civil status service, or if not signed by one of the persons referred to in paragraph 2 of Article 36 of this Law. In other cases, the act of birth is relatively useless.
2. It cannot be certified other content from that of the birth act without having been certified relative or absolute nullity, inaccuracy or pretension that the relevant act is fraud.
3. A citizen, legal representative or guardian, and any other person who alleges that his right is denied or deprived of certain legal consequences, claims for invalidity, inaccuracy and falsehood can only be submitted to the court.
4. Recognition or rejection of fatherhood and motherhood can be made according to criteria established in the Family Law of Kosovo.

Article 38
Amending of birth certificate data

The content of the act of birth, presented in the Center Registry of Civil Status may be amended directly by the official of civil status registry in cases expressly stipulated in this Law and other laws in force.

Article 39
Filling out of birth certificate data

1. In the Central Registry of Civil Status are presented the data to the extent containing the birth certificate, accompanied by a note for provisional data.

2. When in the birth act is determined the temporary name or nationality, then it may be done filling out, at any time, by declaration and the joint signing of the parents or by the court decision. When a child becomes an adult, this right can be exercised only by him unless he is removed or has limited ability to act.

3. The filling out of the data in the Civil Status Central Registry, when an act of birth there are blank sections, is done, as per case, by a court decision or a decision issued by the Civil Status Office.

4. When the date and place of birth cannot be determined, are marked such time and place of the meeting of the pleader with the mother, who died later, or the time and place of finding the child.

Article 40 **Personal Identification Number**

1. Personal Identification Number is issued at the birth registration.

2. The issuing of personal identification number to all citizens who have not been issued with a number prior to the introduction of this law, including all children under the age of sixteen (16) within one (1) year of the entry into the force of this law.

3. Criteria and procedures are regulated by the Minister's sub legal act.

CHAPTER VI **MARRIAGE ACT REGISTRATION**

Article 41 **Marriage act form**

1. The marriage bond is recorded in the minutes, which is kept the civil status official in the municipality, which reflects the common will of the future spouses, expressed in the presence of civil status official, according to the applicable law.

2. When a conditions to a marriage bond are not met, as a results of doubt or legal impediments noted about marriage or irregularities in documents the identity of the parties, in such cases the procedure of marriage bond terminated and the person responsible for the civil status service shall be informed of this. Whenever possible, immediate verification shall be done and when the causes that brought crumble of termination procedure, after the approval of the person responsible for the civil status service, continues the terminated procedure, who signs the marriage minutes.

Article 42
Marriage holding act and required documentation

1. The marriage bond shall be signed by the spouses, in the presence of at least two witnesses. When spouses can't read and write or are not physically able to sign, this fact shall be mentioned in the minutes.
2. The marriage is considered bonded when the civil status official verifies the identity of each of the spouses after the marriage bond procedure has been completed under the Family Law of Kosovo.
3. Marriage of a foreign citizen who lives overseas or is temporary resident in the Republic of Kosovo, with Kosovo citizens shall be bonded according to the documents issued from the state whose citizen is or where he has permanent residency, which shouldn't be older than three months from the date the request for marriage bond has been filed, unless there is a another way and other term, set out in multilateral or bilateral agreements.
4. For foreigners who have been granted asylum in the Republic of Kosovo, or are refugees as well as stateless persons, the act of marriage is based on personal documents, verified within fifteen (15) days from the relevant body within the Ministry of Interior or directly from the data of this body.
5. Foreign nationals or stateless persons with temporary residence in the Republic of Kosovo could do matrimony bond among themselves in a civil status office, with their free will. Also, marriage can be bonded when one or both are imprisoned in the Republic of Kosovo, when in their country cannot get into marriage bond or for objective reasons cannot go there.
6. Agency with sub-legal act promulgates rules for actions that will be carried out by the officials of civil status service, for documentation and procedures to be followed.

Article 43
The content of the act of marriage

1. In the act of marriage shall be presented the following indicators:
 - 1.1.the civil status office, which performed the act of marriage;
 - 1.2. number and date of the act of marriage;
 - 1.3. number and date of marriage bond;
 - 1.4. number and date of the decision of the court ending previous marriage, if applicable;

- 1.5. the marriage place and time;
- 1.6. identity, the personal identification number of each spouse to the next;
- 1.7. location or residence prior to marriage;
- 1.8. place of residence after marriage;
- 1.9. surname that will keep after the marriage bond each of the spouses;
- 1.10. recognition of paternity or maternity of children's spouses, who were born before the marriage;
- 1.11. marital property regime of spouses;
- 1.12. personal name, personal identification number and residence of witnesses;
- 1.13. personal name, personal identification number of the interpreter, if any;
- 1.14. personal name and signature of civil status official.

Article 44 **Marriage certificate**

The legal fact of the marriage is established and certified by a document drawn up in accordance with legal provisions in force that reflect the will of the people, in the presence of civil status official and two witnesses.

Article 45 **Actions on occasion of a marriage bond**

1. The act of marriage bond shall be registered in the Principal Civil Status registry of each spouse when their registry is in the same office. When one or two of the spouses have their basic civil registry in different offices, then civil status official is authorized to inform the other relevant office / offices on information that act of marriage contains.
2. When the civil status office finds from the register of a marriage bonded not in that office, that during the drafting of the marriage act, legal constraints were not considered, the Law was respected or it was acted in contradiction to it, then with no action undertaken the documents should be send back to the sending office, with appropriate explanations.
3. The marriage act, translated and notarized shall, through the diplomatic and consular representation office, be sent to the competent body where one or two spouses are registered in the Principal Civil Status register.

4. If there are no conditions for registration as per paragraph 3 of this Article, the registration shall be done directly in the civil status service according to the place of residence.

5. The religious marriages cannot be registered in the Principal Civil Status registry according to the present law. Any other provision that is in contradiction to the present article shall be considered invalid.

CHAPTER VII DEATH ACT REGISTRATION

Article 46 Death certificate

1. Death certificate legally certifies the death of a person.
2. The act of death is the minutes that are kept for each deceased, signed by the civil status official and the pleader.
3. The act of death contains:
 - 3.1. the civil status office, where is kept the act of death;
 - 3.2. the number and date of keeping the act of death;
 - 3.3. place and time of death;
 - 3.4. cause of death, according to the doctor;
 - 3.5. the identity and number of identity of the dead, or confirmation of the special charge, for the bodies found without identity;
 - 3.6. identification number, personal name of the medical or legal expert, who has issued the report;
 - 3.7. personal identification number, personal name of pleader;
 - 3.8. number on the letter of the prosecutors, who authorized the action on the cases stipulated in this Law;
 - 3.9. personal name, of civil status official.

Article 47
Declaration of death

1. The declaration of death can be made by any adult family member or by persons close to the family and in their absence or for persons without relatives, the special acting official of municipality, the civil status official, where the citizen has a dwelling/residence or where was found dead.
2. Declarations are valid when accompanied by medical report.
3. The **declaration of death is made within thirty (30) days from the occurrence or from the day the corpse is found and within sixty (60) days, when death occurred abroad.**
4. Directors of the hospitals, prisons, correctional institutions and other institutions are obliged to notify in written note the closest civil status office, within five (5) days, for deaths occurring in their institutions.
5. When death takes place during the days of vacation and could not secure funeral permission, burial service responsibilities requires documents that prove the death of these documents and makes the declaration of death in the civil status office, the first working day.
6. By the declaration of death, the civil status office provides the burial permit.
7. The Civil Status Office, when it receives the death notice, under paragraph 4 of this Article and for those times when relatives of victims don't appear to make the declaration, requires verification by local representatives. If the death is confirmed, then holding the act of death, this must sign, as appropriate, representatives of local government, or burial service representative, as interested party.
8. Civil Status Service registry, when they have indications that dead people remain registered with the Registry of Civil Status, can raise charges in court against entities that are obliged to make request to confirm the death, after all administrative procedure are used.
9. The Agency is obliged to generate each month from the Civil Status Registry list of citizens who have reached age one hundred (100) years and for each month following the date 5 distributes the list, according to the civil status office.

Article 48
Certification of legal fact of death

1. The citizen shall be verified that he/she has died in fact when proven by the medical report stating the identity, fact, time, place, and cause of his/her death.

2. The citizen is proclaimed dead also when the interested person and body do the factual verification by a judicial method, according to the provisions of the Law on Out Contentious Procedure.

3. When the corpse cannot be identified, when signs are noticed, or there are suspicions for a violent death, the report shall be issued by the forensics expert. In such cases, regardless of commencement or not of the prosecution, the actions in the civil status shall be done only with the permission of the prosecutor.

4. The decision of the court announcing citizen as dead shall be registered in the Civil Status Register, in the “remarks” column, no death certificate was held.

5. Deaths taking place abroad shall be verified according to the Law of the country where death took place, except when death occurs in the territory of diplomatic representation offices or in the airplane, train, in international areas, where this Law shall be implemented.

Article 49 Death confirmation

Death shall be certified by the competent doctor, where the death took place (doctors, health center, hospital, emergency, etc.). When the corpse undergoes autopsy, death shall be verified by the doctor who has carried out the autopsy. The verification of violent or suspicious deaths, as well as of deaths taking place at detention centers shall be invalid unless verification was not done by the forensic expert and by an order issued from the court.

Article 50 Burial permit

1. A person can be buried only after obtaining the permit from the civil status office.

2. In cases when it cannot be acted according to paragraph 1 of this Article, then a notification should be made in the office of civil status within three (3) working days.

3. The document certifying the death while filing the request for registration in the master register; there are also the witnesses according to paragraph 1 of this Article.

4. A burial permit should not be issued without a doctor’s report/official confirmation of death or without court order as determined by Law on Forensics.

5. In cases when the burial is not taking place in the area in which master register of the deceased person is, and the burial permit is given by the subjects determined by this Law from another civil status office, the office that issues the burial permit informs the office of civil status, which keeps the principal civil status register of the deceased citizen.

Article 51
Death act Invalidity

1. Death certificate is null and void when a person, in fact, is not dead, which is proved by his physical appearance or existence after the act of death, in any case the lack of corpse or corpse is of another person.
2. The death certificate is invalid when another person has died from that what the act contains, in this case, it is mandatory placing a special act for the dead in fact.
3. Death certificate revealed relatively worthless when not responding to reality in terms of time, cause and place of death.
4. The invalidity as per paragraph 1 of this Article, it's established by the court at any time following the request that may be filed on the request of the person registered as dead. When a person is a minor, who has been removed or with limited ability to act or is incapable of mental or physical, this right has legal representative or his guardians and, when no such right or when it is not exercised by their right to have the prosecutor.
5. In case of paragraph 2 of this Article, except the person who is already alive, the nullity is required by persons who have legal consequences of the lack of act that is actually dead. When they are minors, have been removed or limited ability to act or is incapable of mental or physical, and is not occur the request by the legal representative or guardian, or when there is such, and when the consequences burden on the state, the application shall be made by the prosecutor.
6. The prosecutor also requests even when the person, who is still alive, though he has opportunities, makes no claim or avoids deliberately.
7. In case of paragraph 2 of this Article when the identity of the dead person cannot be established, the issue will be actually dealt separately, making the identification or not, but in any case, having a different act of death.
8. Invalidity under paragraph 3 of this Article, requested by the interested party, who have legal capacity or the prosecutor, when the effects burden on minors, adult persons who have been suspended or limited ability to act, when:
 - 8.1. it is not exercised by the legal representative or guardian;
 - 8.2. there are no such;
 - 8.3. the consequences associated with the state.
9. With the proclamation of the death act null and void by court decision, records in the Principal Civil Status Register will be canceled or amended, and this action is reflected in the remarks section and in the act of death itself.

Article 52
Registration of the death of a Kosovo citizen living abroad

1. The death of a Kosovo citizen taken place abroad shall be done in the Principal Civil Status register at the residence place where he/she used to live in Kosovo.
2. The registration of the death of a Kosovo citizen living abroad shall be done through the civil status service of the Kosovo diplomatic mission in that country, by presenting the following documentation: International death certificate, or the verified death certificate issued by the civil status office translated into official languages of Kosovo, documentation verifying the Kosovo nationality or place of residence, identity card, or passport.
3. If there are no conditions for registration as set out in paragraph 2 of this Article, the registration shall be done directly in the civil status service.

Article 53
Registration of the death of a foreign citizen in Kosovo

In cases where foreign citizen dies in Kosovo information should be given to the Ministry of Foreign Affairs, through Ministry of Internal Affairs, to take necessary steps to inform the relatives and organizing the funeral. Death must be registered in municipalities where death occurred and a copy to be sent to responsible body for foreigners issues within the Ministry of Internal Affairs.

CHAPTER VIII
SUBSEQUENT REGISTRATION AND RE-REGISTRATION

Article 54
Subsequent registration

1. In cases where birth or death does not occur within thirty (30) days then the registration is done by a decision of the Civil Status Office.
2. Criteria, forms, ways and procedures of subsequent registration will be regulated by Minister's sub legal act.
3. The provisions of this Article shall also apply to persons born in the territory of the Republic of Kosovo who fulfill the requirements to obtain citizenship found in Article 29 of the Law on Citizenship and who were never registered in the civil status registry.

Article 55
Re-registration

1. Every registration of births, deaths and/or marriages previously registered in municipal civil status registry books where the applicant is able to prove the previous registration on the basis of documents issued by the civil status registry and/or the Ministry of Interior and the civil status registry books which contained the original registration have subsequently been lost and/or destroyed.
2. Criteria, forms, ways and procedures of re-registration will be regulated by Minister's sub legal act.
3. The provisions of this Article shall also apply to persons born in the territory of the Republic of Kosovo who fulfill the requirements to obtain citizenship found in Article 29 of the Law on Citizenship and who were previously registered in civil status registry.

CHAPTER IX
CIVIL STATUS SERVICE

Article 56
Nature and Function

The Civil Status Service is a unique state service. This service under this law is exercised as delegated function also by local government bodies. It complements updates and manages the Central Civil Status registry, keeps the civil status acts, issues certificates under definitions of this law and performs other services in accordance with applicable law.

Article 57
Organization of Civil Status Service

1. Service of civil status registry is organized in:
 - 1.1. Central Level of Civil Status Service, respectively Agency;
 - 1.2. Local Level of Civil Status Service, respectively Civil Status Offices;
 - 1.3. Civil Status Service on the diplomatic and consular missions of the Kosovo.

Article 58
Civil Registration Agency

1. Civil Registration Agency is the highest body of civil status service.
2. Organization, structuring, supervision, management and overall powers of Agency are regulated by special law.

Article 59
Duties of civil status offices

1. The civil status offices in the municipality have the following duties:
 - 1.1. update the Central Registry of Civil Status;
 - 1.2. keep the acts of births, marriages and deaths;
 - 1.3. issue personal identification numbers, birth certificates, family certificates, marriage and death, in the manner provided by law;
 - 1.4. performs acts of civil service, according to determinations made in this law and sub-legal acts in force.

Article 60
Duties of the civil status service in the diplomatic and consular missions

Actions that are performed by the officials of consular service, covering the civil status service in the diplomatic and consular missions of Kosovo, must meet criteria established by applicable law. These officials are civil status official and have passed the professional exam as defined in paragraph 2 Article 61 of this law. They manage the documentation and conduct transactions in the Registry of Civil Status for Kosovo citizens, who are permanently living abroad, according to determinations made in this law and other legal provisions.

Article 61
Civil Status Service Official

1. The rights and responsibilities for the performance of the civil status registers, according to this law, only officials of civil status service have, while for diplomatic and consular representatives, only officials trained for this purpose.
2. To work in the civil status service, it's necessary to take professional examination for an official of civil status. Conditions and procedures to take this exam will be determined by Minister's sub-legal act.

Article 62
Supervision and Inspection

1. The Inspectorate performs the supervision and inspection on implementing this Law by the Civil Status Offices.
2. The Inspectorate from paragraph 1 of this Article is part of the Agency's organizational structure.
3. The duties and responsibilities of the Inspectorate shall be determined by sub-legal act by the Chief of the Agency.

CHAPTER X
PUNITIVE PROVISIONS

Article 63
Fines

1. The citizen shall be fined in the following infringements:
 - 1.1. from twenty (20) to fifty (50) Euros when does not register the birth in the term foreseen by this Law;
 - 1.2. from fifty (50) to one hundred (100) Euros when does not notify the death in the term foreseen by this Law;
 - 1.3. from twenty (20) to fifty (50) Euros when the funeral is made without permission.
2. For not reciprocal reporting between the bodies determined by this Law shall be fined:
 - 2.1. from fifty (50) to one hundred (100) Euros shall be fined the competent official;
 - 2.2. from one hundred (100) to two hundred (200) Euros shall be fined the competent institution.
3. For violation of provisions of this Article from competent officer of the civil status service, it can be initiated also a discipline procedure or criminal offence procedure in every case when suspected that have base for this according to relevant Laws.

4. The notification for violation of provisions of this Law can be made by anyone who has information for this violation including but not limiting to responsible officials of Agency, supervisor of the civil status official, party.

CHAPTER XI FINAL PROVISIONS

Article 64 Administrative procedure

Regarding other issues referring to administrative procedure that are not provided by this law, applies provisions of to Administrative Procedure Law.

Article 65 Annulment

Upon entry into force of this law, the Law No. 2004/46 on the Registers of Civil Status and Law No. 02/L-126 on amending and supplementing the Law on Registers of Civil State No. 2004/46 as well as every other provision relating to civil status in contradiction with this law will be annulled.

Article 66 Promulgation of sub-legal acts

1. For the implementation of this Law, the following sub-legal acts will be issued within six (6) months from the entry into force of this law.

2. The Minister shall issue sub-legal acts on:

2.1. the work of a special commission to review complaints as foreseen in Article 7 of this Law;

2.2. the types, forms, constituent elements, ways of keeping, limit of the use of basic documents that are kept and issued by the Civil Status Service, and the rules of issuing these documents;

2.3. the form, content and other procedures regarding the family brochure;

2.4. the way of establishing the Central Civil Status Registry of and the rules for using information technology that are going to be used for this register;

- 2.5. the types, form, content, data entry, manner and time-line of keeping Basic Civil Status registers as well as Specific Registers from Article 35 of this Law;
 - 2.6. criteria and procedures on issuing the personal number;
 - 2.7. criteria, forms, ways and procedures of subsequent registration;
 - 2.8. criteria, forms, ways and procedures of re-registration;
 - 2.9. conditions and procedures to take the professional exam for an official of civil status;
3. Agency shall issue sub-legal act on:
- 3.1. corrections foreseen in Article 23 of this Law;
 - 3.2. rules for actions that will be carried out by the officials of civil status service, for documentation and procedures to be followed;
 - 3.3. the duties and responsibilities of the Inspectorate from Article 62 of this law.
4. The Head of the Civil Registration Agency in cooperation with Agency's Council National Agency for the Personal Data Protection promulgate sub legal act on the type and quantity of information that can be given to institutions and requiring bodies, as provided in Article 4 of this Law.
5. Minister can issue also other sub-legal acts to implement this Law.

Article 67
Entry into force

This law enters into force fifteen (15) days after its publication in the Official Gazette of the Republic of Kosovo.

Law No. 04/L-003
23 June 2011

President of the Assembly of the Republic of Kosovo

Jakup KRASNIQI