

Marriage and Family Code of Turkmenistan

Section II. Marriage

Chapter 3. Order and Conditions of Entering Into a Marriage

Article 14. Order of entering into a marriage

Citizens of Turkmenistan shall enter into a marriage with foreign citizens and stateless persons by making a marriage contract in which the property rights and obligations of spouses and the responsibility for bringing up children in case of the divorce are stipulated. The marriage contract shall be considered valid after it is signed by the partners entering into a marriage and after it is registered in the registry office.

Entering into a marriage of a citizen of Turkmenistan with a foreign citizen or a stateless person shall be implemented after the expiration of three months period after submission of the application, in some cases this term may be extended till six months.

Article 15. Conditions of entering into a marriage

In order to enter into a marriage with a foreign citizens or a stateless persons, in addition to the conditions indicated in the first part of this Article, payment of the insurance sum of no less than 50 (fifty) thousand dollars to the settlement account of the State Insurance Organization of Turkmenistan for provision of guarantees for children under age in case of the divorce; term of residence on the territory of Turkmenistan of a foreign citizen or a stateless person during no less than one year and availability of the private living space shall be required.

Article 16. The marriage age

The marriage age for the citizens of Turkmenistan entering into a marriage with foreign citizens or stateless persons shall be established at eighteen years.

Section V. Application of the Law of Turkmenistan "On Family and Marriage to Foreign Citizens or Stateless Persons". Application of the Laws and International Contracts of Foreign Countries On Family and Marriage

Chapter 22. Application of the Law of Turkmenistan "On Family and Marriage to Foreign Citizens or Stateless Persons"

Article 213. Rights and obligations of foreign citizens or stateless persons in the family and marriage relationships

According to the legislation of Turkmenistan on family and marriage foreign citizens shall have the same rights and obligations in the family and marriage relationships as the citizens of Turkmenistan. Special exceptions may be established by the legislation of Turkmenistan.

Stateless persons, permanently residing in Turkmenistan shall have equal rights and obligations with the citizens of Turkmenistan in the family and marriage relationships.

Article 214. Entering into a marriage of the citizens of Turkmenistan with foreign citizens and of foreign citizens with foreign citizens in Turkmenistan

The marriages of the citizens of Turkmenistan with foreign citizens shall be implemented according to the legislation of Turkmenistan.

The marriages of foreign citizens with foreign citizens shall be registered in the consulates of their respective countries.

Article 215. Entering into a marriage of the citizens of Turkmenistan in the consulates of Turkmenistan. Acknowledgement of marriages contracted outside Turkmenistan

According to the legislation of Turkmenistan on family and marriage the marriages of the citizens of Turkmenistan, residing outside Turkmenistan shall be registered in the consulate of Turkmenistan.

In case when the marriages between the citizens of Turkmenistan or between foreign citizens and the citizens of Turkmenistan shall be registered outside Turkmenistan observing the legal principals of marriage, established by the concrete country, they shall be considered valid in Turkmenistan, unless there are impediments, arising from Articles 15-17, 45 of this Code.

The marriages of foreign citizens contracted outside Turkmenistan according to the laws of the appropriate countries shall be considered valid in Turkmenistan.

Article 216. Dissolution of marriages between the citizens of Turkmenistan and foreign citizens and of between foreign citizens in Turkmenistan. Acknowledgement of divorces performed outside Turkmenistan

Dissolution of marriages between the citizens of Turkmenistan and foreign citizens and between foreign citizens in Turkmenistan shall be implemented according to the legislation of Turkmenistan. Dissolution of marriages between the citizens of Turkmenistan and foreign citizens shall be considered valid, if at the time of divorce at least one of spouses resided outside Turkmenistan.

Divorce between the citizens of Turkmenistan, implemented outside Turkmenistan according to the laws of the respective country shall be considered valid in Turkmenistan, if at the moment of divorce at least one of the spouses resided outside Turkmenistan.

Article 217. Affiliation in Turkmenistan. Acknowledgement of affiliation established outside Turkmenistan

Affiliation in Turkmenistan, regardless of the citizenship of parents and the child and their place of residence, shall be implemented according to the legislation of Turkmenistan.

According to the legislation of Turkmenistan on family and marriage in cases when according to the legislation of Turkmenistan the affiliation by the registry offices shall be permitted, the parents of the child shall have the right to apply to the consulate of Turkmenistan if at least one of them is a citizen of Turkmenistan.

Article 218. Adoption of children - citizens of Turkmenistan who live outside Turkmenistan. Adoption of children by foreign citizens in Turkmenistan and adoption of children - foreign citizens

According to the legislation of Turkmenistan on family and marriage adoption of the child - the citizen of Turkmenistan residing outside Turkmenistan shall be implemented in the consulate of Turkmenistan.

If the adoptive parent is not a citizen of Turkmenistan it shall be necessary for him to receive a permission of the Ministry of Education of Turkmenistan to adopt the child-the citizen of Turkmenistan.

The adoption of the child - the citizen of Turkmenistan, implemented in the authorities of the country where the child lives, with a permission for the appropriate adoption from the Ministry of Education of Turkmenistan shall also be considered valid.

Adoption of the children-the citizens of Turkmenistan by foreign citizens in Turkmenistan, and adoption of children-foreign citizens shall be implemented according to the legislation of Turkmenistan.

Adoption of the children-the citizens of Turkmenistan by foreign citizens in Turkmenistan shall be implemented according to the principles, established in Chapter 12 of this Code, with a permission of the Hakim of the etrap of the city or the etrap in the city in each individual case.

Article 219. Establishment of trusteeship (wardship) to citizens residing outside Turkmenistan and over foreign citizens in Turkmenistan. Acknowledgement of trusteeship (wardship) to the citizens of Turkmenistan, established outside Turkmenistan

According to the legislation of Turkmenistan on family and marriage the trusteeship (wardship) to the citizens of Turkmenistan under age, the incapable or citizens with limited capability, residing outside Turkmenistan, and to the foreign citizens, residing in Turkmenistan, shall be established according to the legislation of Turkmenistan.

The trusteeship (wardship) to the citizens of Turkmenistan, residing outside Turkmenistan, according to the laws of the appropriate states shall be considered valid in Turkmenistan, unless the consulate of Turkmenistan objects to the established trusteeship (wardship) or its acknowledgement.

The trusteeship (wardship) to foreign citizens outside Turkmenistan according to the legislation of the appropriated countries shall be considered valid in Turkmenistan.

Article 220.Registration of acts of civil status of citizens of Turkmenistan, residing outside Turkmenistan

According to the legislation of Turkmenistan on family and marriage the registration of acts of civil status of the citizens of Turkmenistan, residing outside Turkmenistan shall be implemented in the consulates of Turkmenistan.

During registration of act of civil status in the consulates of Turkmenistan the legislation of Turkmenistan shall be applied, if the persons concerned are the citizens of Turkmenistan.

Article 221.Acknowledgement of documents certifying the acts of the civil status issued by the foreign countries

The documents issued by the competent authorities of the foreign countries certifying the acts of the civil status, contracted outside Turkmenistan according to the laws of the appropriate states in relation to the citizens of Turkmenistan, foreign citizens and stateless persons shall be considered valid in Turkmenistan if the consulate legalization is present.

Chapter 23. Application of laws and international contracts of the foreign states on family and marriage in Turkmenistan

Article 222.Application of foreign laws and international contracts

Application of the foreign laws on family and marriage and acknowledgement of acts of the civil status based on such laws shall not take place if such application or acknowledgement contradicts the principles of the state political system.

According to the legislation of Turkmenistan on family and marriage unless the international contract of Turkmenistan has established other provisions, than those provided in the law of Turkmenistan on family and marriage the provisions of the international contract shall be applied.

The same order shall be used in respect of the legislation of Turkmenistan on family and marriage, unless the international contract has established other provisions, than provided by the legislation of Turkmenistan on family and marriage.