

No. 9836

**UNITED STATES OF AMERICA
and
ITALY**

Exchange of notes constituting an agreement relating to documentary requirements for marriage for United States citizens in Italy. Rome, 29 July and 18 August 1964

Authentic texts: English and Italian.

Registered by the United States of America on 2 September 1969.

**ÉTATS-UNIS D'AMÉRIQUE
et
ITALIE**

Échange de notes constituant un accord relatif aux pièces justificatives à fournir par les ressortissants des États-Unis contractant mariage en Italie. Rome, 29 juillet et 18 août 1964

Textes authentiques: anglais et italien.

Enregistré par les États-Unis d'Amérique le 2 septembre 1969.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT ¹
BETWEEN THE UNITED STATES OF AMERICA AND
ITALY RELATING TO DOCUMENTARY REQUIRE-
MENTS FOR MARRIAGE FOR UNITED STATES
CITIZENS IN ITALY

I

The American Ambassador to the Italian Minister of Foreign Affairs

No. 82

Rome, July 29, 1964

Excellency:

I have the honor to write to you with reference to the fact that in the United States there does not exist under the laws in force there an authority competent to issue to the United States citizen who intends to marry abroad a declaration, as prescribed by Article 116 of the Italian Civil Code, showing that, according to the laws to which the citizen concerned is subject, there is no obstacle to the marriage he or she intends to contract. This situation has created considerable difficulty for United States citizens who intend to contract marriage in Italy.

With a view to eliminating this difficulty, my Government has authorized me to propose that, when a United States citizen is unable to supply the documentation necessary for the purposes of Article 116 of the Italian Civil Code, such citizen shall present to the competent Italian Civil Registrar:

1. A sworn statement, executed before the competent United States consular authority, by the United States citizen concerned showing that, according to the laws to which he or she is subject in the United States, there is no obstacle to the marriage he or she intends to contract in Italy. The United States consular authority receiving said declaration will certify to the identity and the United States citizenship of the person concerned.

2. Documents issued by competent authorities in the United States indirectly showing proof that, according to the laws to which the person concerned is subject, there is no obstacle to his or her marriage. If it is impos-

¹ Came into force on 26 March 1966, the sixtieth day following the date on which the two Governments reciprocally communicated that no further action was required under their respective laws and regulations to permit its being put into effect, in accordance with the provisions of the said notes.

sible for the United States citizen to present such documents to the Italian Civil Registrar, he or she shall produce, in addition to the sworn statement referred to in Paragraph Number 1 above, an *Atto Notorio* (i.e. a declaration sworn to by four witnesses at the request of the person concerned), executed before an Italian authority competent to receive it, showing that, according to the laws to which the person concerned is subject in the United States, there is no obstacle to the marriage he or she intends to contract.

If the Italian Government agrees to the foregoing, this note and Your Excellency's affirmative reply will constitute an agreement on the matter which will enter into force on the sixtieth day following the date on which the two Governments will reciprocally communicate that no further action is required under their respective laws and regulations to permit its being put into effect.

Accept, Excellency, the renewed assurances of my highest consideration.

G. Frederick REINHARDT

His Excellency Giuseppe SARAGAT
Minister of Foreign Affairs
Rome

II

[ITALIAN TEXT — TEXTE ITALIEN]

IL MINISTRO DEGLI AFFARI ESTERI

N° 26/01522/T

Eccellenza,

ho l'onore di accusare ricevuta della Sua lettera in data 29 luglio 1964 del seguente tenore:

« ho l'onore di indirizzarLe questa nota in relazione al fatto che negli Stati Uniti, in base alle leggi vigenti, non esiste un'autorità competente a rilasciare al cittadino statunitense che intenda contrarre matrimonio all'estero una dichiarazione — come prescritto dall'art. 116 del Codice Civile italiano — dalla quale risulti che, giusta le leggi cui il cittadino stesso è soggetto, nulla osta al matrimonio che intende contrarre. Tale situazione ha dato luogo a notevoli difficoltà per i cittadini degli Stati Uniti che intendono contrarre matrimonio in Italia.

[TRANSLATION¹ — TRADUCTION²]

The Italian Minister of Foreign Affairs to the American Ambassador

THE MINISTER OF FOREIGN AFFAIRS

No. 26/01522/T

Excellency:

I have the honor to acknowledge receipt of your note of July 29, 1964, of the following tenor:

[See note I]

I have the honor to inform Your Excellency that the Italian Government agrees to the foregoing.

Accept, Excellency, the renewed assurance of my highest consideration.

Rome, August 18, 1964

Giuseppe SARAGAT

His Excellency G. Frederick Reinhardt
Ambassador of the United States of America
Rome

¹ Translation by the Government of the United States of America.

² Traduction du Gouvernement des États-Unis d'Amérique.