

No. 24338

**SPAIN
and
ITALY**

**Agreement on the exchange of civil status documentation
and the waiver of legalization requirements for certain
documents. Signed at Madrid on 10 October 1983**

Authentic texts: Spanish and Italian.

Registered by Spain on 12 September 1986.

**ESPAGNE
et
ITALIE**

**Accord relatif à l'échange de documentation en matière
d'état civil et à la suppression de la légalisation de cer-
tains documents. Signé à Madrid le 10 octobre 1983**

Textes authentiques : espagnol et italien.

Enregistré par l'Espagne le 12 septembre 1986.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN SPAIN AND THE ITALIAN REPUBLIC ON
THE EXCHANGE OF CIVIL STATUS DOCUMENTATION AND
THE WAIVER OF LEGALIZATION REQUIREMENTS FOR CER-
TAIN DOCUMENTS

The Spanish Government and the Italian Government,

Considering that both States are guided by the principles of respect for family and private life and desiring to regulate the exchange of civil status documentation and the abolition of civil status legalization requirements for such documentation, have agreed as follows:

CHAPTER I. EXCHANGE OF CIVIL STATUS DOCUMENTATION

Article 1. Officials of the Registry Office of each of the two States shall transmit exact copies of the birth, marriage and death certificates in their own records relating to nationals of the other State.

Where a marginal annotation has been added, the officials of the Registry Offices shall likewise transmit an exact copy of the registration sheet in question containing the new entry as well as the main record.

Certificates and annotations of filiation shall be transmitted when the person to whom they refer is or becomes a national of the other State or was born in that State.

The officials of the Registry Offices shall similarly communicate to each other any records relating to the acquisition or reacquisition of nationality in respect of nationals of the other State.

Article 2. The documents referred to in the preceding article shall be issued and transmitted free of charge at least once a month to the consulates of the other State.

Article 3. The officials of the Registry Offices of the two States may request directly from each other certified copies of the documents from their respective archives which are deemed necessary for the transcriptions referred to in the preceding articles and shall provide each other with the necessary assistance.

Such certified copies shall be issued and transmitted directly, at no cost to the recipient.

Article 4. The officials of the Registry Office of one State shall publish notices or proclamations prior to the celebration of a marriage and shall make all other arrangements necessary for the celebration of the marriage at the request of the officials of the Registry Office of the other State. They shall immediately transmit a certification that such arrangements have been made, indicating the outcome.

The request shall be made through the consulate of the State in which the marriage is to be celebrated, which shall forward it accompanied by a translation. The

¹ Came into force on 1 August 1986, i.e., the first day of the fourth month following the exchange of the instruments of ratification, which took place at Rome on 16 April 1986, in accordance with article 7.

certification shall be transmitted through the same consulate, likewise accompanied by a translation. The consulate shall bear the cost of the translations.

The officials of the Registry Offices shall communicate directly with the consuls.

CHAPTER II. WAIVER OF LEGALIZATION REQUIREMENTS

Article 5. Each of the Contracting States shall accept without legalization or other formality of a similar nature, provided that they are dated and bear the signature and, where necessary, the stamp of the issuing authority of the other Contracting State:

- (a) Documents relating to the civil status, capacity or family situation of individuals and their nationality, domicile or residence, regardless of the use for which they are intended;
- (b) Any other document which has been provided for the celebration of a marriage or for the issuance of a civil status certificate.

Where the documents in question have not been transmitted through the official channel and there are well-founded doubts concerning their authenticity, the competent officials shall undertake the appropriate verifications, acting where possible without delay. The authorities of the two States shall provide each other with the necessary assistance.

CHAPTER III. FINAL PROVISIONS

Article 6. Any difficulties arising from the application or interpretation of this Agreement shall be resolved through the diplomatic channel.

Article 7. This Agreement shall be ratified and shall enter into force on the first day of the fourth month following the exchange of the instruments of ratification.

This Agreement shall remain in force for an indefinite period and may be denounced at any time by either of the Contracting Parties.

In the event of denunciation, it shall cease to be in force on the first day of the sixth month following the date of the denunciation.

DONE at Madrid on 10 October 1983, in duplicate originals, each in the Spanish and Italian languages, both texts being equally authentic.

For the Spanish Government:

[Signed]

GONZALO PUENTE OJEA

Assistant Secretary
for Foreign Affairs

For the Government
of the Italian Republic:

[Signed]

MARIO FIORET

Assistant Secretary
for Foreign Affairs