

Requesting the registration in Italy of divorce documents issued in the Province of Alberta

Law 31/05/1995, n.218, art. 64-67

Foreign divorce judgements may be registered directly in the applicant's Municipality of AIRE registration without the deliberation of a Court in Italy. Given that a Canadian Certificate of Divorce does not normally feature all the elements required by the law (Law n. 218 31/05/1995), the following documents must be submitted:

1. Divorce Judgement from the Alberta Court of King's Bench

<https://eservices.alberta.ca/court-of-qb-civil-search-request.html>

Instructions for requesting the document:

Search type: Divorce/Family – Select Certified Copy and note the following by your file number:

I require the original Divorce Judgement for use outside of Canada.

2. Certificate of Divorce from the Alberta Court of King's Bench

<https://albertacourts.ca/qb/areas-of-law/family/divorce-forms>

Instructions for requesting the document:

Select the option: *I require the original Certificate of Divorce for use outside of Canada.*

Documents listed at n. 1 and n. 2 MUST be certified with the stamp and signature of the Clerk of the Alberta Court.

Documents listed at n. 1 and n.2 MUST also be apostillized by the Alberta Provincial Government:
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https://www.alberta.ca/document-authentication-other-jurisdictions-countries

3. A professional Italian translation of the original divorce documents (for reference purposes, a list of certified translators is available [here](#)).
4. **Pagamento** in dollari canadesi dell'art. 69 della [Tabella dei diritti consolari](#) (per atto tradotto) nella forma di un money order intestato al *Consulate General of Italy*.
Payment in Canadian dollars of Art. 69 of the [Table of Consular fees](#) (per translated document), via money order addressed to the Consulate General of Italy
5. Affidavit and request for registration of a divorce (see following page) duly completed and signed;
6. Photocopy of the applicant's current Italian passport or other government photo ID.

Italian citizens residing in the consular jurisdiction must mail the above-listed documentation to:

Consulate General of Italy
840 – 1140 West Pender Street
Vancouver, BC V6E 4G1

N.B. Original documentation submitted for registration purposes is **not** returned.

There are no consular fees associated with the registration of divorce documents bearing the apostille.

Italian citizens residing in another consular jurisdiction may have the translations certified as per instructions on [this page of the website](#) and subsequently present the documents to the Consulate/Diplomatic mission of their registration.

Italian citizens residing in Italy do not need to submit the documents to the Consulate. The documentation can be translated to Italian by a *traduttore certificato* in Italy, and the originals can be submitted directly to the Comune.

dichiarazione personale e richiesta di trascrizione di una sentenza di divorzio
Affidavit and request for registration of a divorce

Io sottoscritto/a _____

I the undersigned

(name and surname/maiden name)

nato/a a _____

born in

il _____

on

residente in _____

residing in

(City of residence)

al _____

(current address)

CHIEDO / REQUEST

che l'allegata sentenza n. _____

that the attached court judgement

di scioglimento degli effetti civili del mio matrimonio celebrato a

regarding the dissolution of the civil effects of the marriage celebrated in

il _____

(place of marriage)

con _____

with

(date of marriage)

nato/a a _____

(name and surname of ex-spouse)

born in

(place of birth of ex-spouse)

il _____ venga trasmessa all' Ufficiale dello Stato Civile del Comune di _____

(date of birth of ex-spouse)

be forwarded for registration to the Vital Statistics office of the Municipality of

per essere trascritta nei registri dello Stato Civile, ai sensi degli artt. 64 e 65 della legge 218/1995.

in accordance with articles 64 and 65 of Law 218/1995.

DICHIARO / DECLARE

ai sensi del DPR 445/2000, sotto la mia responsabilità e consapevole delle conseguenze penali derivanti da false dichiarazioni richiamate dall'art. 76, che

in accordance to DPR 445/2000, under my own responsibility and aware of the penal consequences of making false declarations cited in paragraph 76, that

1. Che l'atto introduttivo del giudizio è stato portato a conoscenza del convenuto in conformità a quanto previsto dalla legge del luogo dove si è svolto il processo e non sono stati violati i diritti essenziali della difesa;
NOTA: Per i divorzi canadesi di tipo "undefended divorce" e "without an oral hearing" le parti hanno preventivamente concordato i termini ed avanzato istanza al giudice che ha pertanto concesso il divorzio senza convocare le parti.

That the application initiating proceedings was brought to the attention of the respondent in accordance to the laws of the place in which the proceedings took place and that the right of defence was not violated;

NOTE: In Canada, an "undefended" divorce "without an oral hearing" indicates that the parties agreed to the terms of divorce prior to submitting an application, and that the judge granted the divorce without summoning the parties;

2. le parti si sono costituite in giudizio secondo la legge dello Stato dove si è svolto il processo o la contumacia è stata dichiarata in conformità alla legge del luogo e che la sentenza è passata in giudicato;

That the parties have appeared before the Court in accordance with the laws of the place in which the proceedings occurred or the proceedings in absentia were declared in accordance to the laws of the place in which they took place and that the court judgement is final.

3. l'allegata sentenza di divorzio non è contraria ad altra sentenza pronunciata da un giudice italiano passata in giudicato;

That the attached divorce judgement is not contrary to another judgement already issued by an Italian court;

4. non pende un processo davanti a giudice italiano per il medesimo oggetto e fra le stesse parti, che abbia avuto inizio prima del processo straniero;

That there are no pending court proceedings in Italy concerning the same matter and the same parties, that were initiated prior to the commencement of the Canadian proceedings;

5. le disposizioni della sentenza non producono effetti contrari all'ordine pubblico;

That provisions of the judgement are not in violation of the law and order;

6. ☐ al momento del divorzio non vi erano figli minori /at the time of the divorce there were no minor children;

☐

al momento del divorzio i figli minori _____

at the time of the divorce the minor children

sono stati affidati a _____

were placed in the custody of

7. per effetto della legislazione canadese le donne che contraggono matrimonio possono assumere il cognome del marito perdendo il proprio nome, e che pertanto la sottoscritta è identificata nell'allegata documentazione come:

Canadian legislation permits a married woman to change her surname to her spouse's, and hence in the attached documentation I am referred to as:

Cognome/ Surname _____

Nome/Name _____

Luogo e data _____

Place and date of signature

Firma _____

Signature