Regulations on Marriage Registration of China (the PRC)

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Chapter I — General Provisions

Article 1 — These Regulations are formulated, in accordance with the Civil Code of the People's Republic of China (hereinafter the "Civil Code"), to standardize the work of marriage registration, safeguard the implementation of the marriage system featuring freedom of marriage, monogamy and equality between men and women, and protect the lawful rights and interests of the parties to a marriage.

Article 2 — The authority for handling marriage registration of mainland residents is the civil affairs department of a people's government at the county level, or the township (town) people's government determined by the people's government of a province, autonomous region or municipality directly under the Central Government in accordance with the principle of convenience.

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The authority for handling marriage registration of a Chinese citizen with a foreigner, or of a mainland resident with a resident of the Hong Kong Special Administrative Region (hereinafter a "Hong Kong resident"), a resident of the Macao Special Administrative Region (hereinafter a "Macao resident"), a resident of the Taiwan region (hereinafter a "Taiwan resident") or an overseas Chinese, is the civil affairs department of the people's government of a province, autonomous region or municipality directly under the Central Government, or an authority determined by such civil affairs department.

Article 3 — Local people's governments at or above the county level shall take measures to improve the level of marriage registration services, strengthen the standardized and convenient construction of marriage registration venues, and provide safeguards for the handling of marriage registration.

Article 4 — The civil affairs department of the State Council shall make overall plans for and improve the national marriage basic information database, and, in conjunction with the foreign affairs, public security and other relevant departments as well as the Supreme People's Court, establish and improve information-sharing mechanisms to ensure that marriage information is accurate, timely, complete and secure. The civil affairs departments of the people's governments of provinces, autonomous regions and municipalities directly under the Central Government are responsible for the overall construction, administration, maintenance and information security of the marriage registration information systems within their respective regions.

Article 5 — Local people's governments at or above the county level shall strengthen comprehensive marriage and family service guidance and the construction of a marriage and family counseling service system, address the problem of exorbitant bride prices, advocate civilized marriage customs, promote family harmony, and guide the establishment of correct views on love and marriage, childbearing and family.

Marriage registration authorities shall provide marriage and family counseling services, and give full play to the role of marriage and family counselors and other professionals and social forces in premarital education and marriage and family relationship counseling. Organizations such as women's federations shall assist and cooperate with marriage registration authorities in carrying out marriage and family counseling services.

Civil affairs departments shall strengthen the building of the team of professionals providing marriage and family counseling services, organize vocational training for marriage and family counselors, and continuously improve the professional quality and business skills of the professionals providing marriage and family counseling services.

Article 6 — Staff members handling marriage registration at marriage registration authorities shall receive business training on marriage registration and may engage in marriage registration work only after passing an assessment in accordance with the relevant provisions.

Marriage registration authorities shall not charge fees for handling marriage registration.

Where a marriage registration authority or any of its staff members discovers, in the course of marriage registration work, a woman suspected of having been trafficked or kidnapped, it or he or she shall promptly report the matter to the relevant department in accordance with the law; where it is discovered that a party is suffering from domestic violence or faces an imminent risk of domestic violence, it or he or she shall promptly dissuade the offender and inform the victim of the channels for seeking assistance.

A marriage registration authority and its staff members shall keep confidential the personal privacy and personal information learned in the course of marriage registration work, and shall not disclose them or illegally provide them to others.

Chapter II — Marriage Registration

Article 7 — For marriage of mainland residents, both the man and the woman shall appear in person before a marriage registration authority to jointly apply for marriage registration.

For marriage within the mainland of China between a Chinese citizen and a foreigner, or between a mainland resident and a Hong Kong resident, a Macao resident, a Taiwan resident or an overseas Chinese, both the man and the woman shall appear in person before the marriage registration authority prescribed in Article 2, paragraph 2 of these Regulations to jointly apply for marriage registration.

A marriage registration authority may, in light of actual circumstances, provide appointment-making and certificate-presentation ceremony services for parties applying for marriage registration. The parties are encouraged to invite their parents and others to attend the certificate-presentation ceremony.

Article 8 — A mainland resident applying for marriage registration shall present the following documents and written materials:

(1) his or her resident identity card; and

(2) a signed declaration that he or she has no spouse and has no lineal consanguinity or collateral consanguinity within three generations with the other party.

A Hong Kong resident, Macao resident or Taiwan resident applying for marriage registration shall present the following documents and written materials:

(1) his or her valid travel permit, or residence permit and identity card for Hong Kong, Macao or Taiwan residents; and

(2) a declaration, notarized by a notary institution at the place of residence, that he or she has no spouse and has no lineal consanguinity or collateral consanguinity within three generations with the other party.

An overseas Chinese applying for marriage registration shall present the following documents and written materials:

(1) his or her valid passport; and

(2) a certificate issued by a notary institution or a competent authority of the country of residence, and authenticated by the embassy or consulate of the People's Republic of China in that country, stating that he or she has no spouse and has no lineal consanguinity or collateral consanguinity within three generations with the other party, or a certificate issued by the embassy or consulate of the People's Republic of China in that country stating that he or she has no spouse and has no lineal consanguinity or collateral consanguinity within three generations with the other party. Where an international treaty concluded or acceded to by the People's Republic of China provides otherwise, the certification procedures shall be handled in accordance with the international treaty.

A foreigner applying for marriage registration shall present the following documents and written materials:

(1) his or her valid passport or other valid international travel document, or an identity document issued by a competent authority of the Chinese government such as a permanent residence identity card for foreigners; and

(2) a certificate, issued by a notary institution or a competent authority of his or her home country and authenticated by the embassy or consulate of the People's Republic of China in that country or by the embassy or consulate of that country in China, stating that he or she has no spouse, or a certificate issued by the embassy or consulate of his or her home country in China stating that he or she has no spouse. Where an international treaty concluded or acceded to by the People's Republic of China provides otherwise, the certification procedures shall be handled in accordance with the international treaty.

A party applying for marriage registration shall be responsible for the authenticity of the certification documents issued by foreign competent authorities in accordance with the international treaties mentioned in paragraphs 3 and 4 of this Article, and shall sign a written declaration.

Article 9 — Where a party applying for marriage registration falls under any of the following circumstances, the marriage registration authority shall not register the marriage:

(1) the party has not reached the statutory age for marriage;

(2) the marriage is not entirely voluntary for both the man and the woman;

(3) one or both of the parties already have a spouse; or

(4) the parties are lineal blood relatives, or collateral blood relatives within three generations.

Article 10 — A marriage registration authority shall verify the documents and written materials presented by the parties applying for marriage registration, inquire into the relevant circumstances, and conduct online verification of the parties' identity and marital status information, so as to protect the parties' rights and interests in accordance with the law. Where the parties meet the conditions for marriage, registration shall be handled on the spot and a marriage certificate shall be issued; where the parties do not meet the conditions for marriage and registration is refused, the reasons shall be explained to the parties.

Article 11 — Where a man and a woman who intend to marry have not handled marriage registration, they shall go through supplementary registration. Where both parties go through supplementary marriage registration, the provisions of these Regulations on marriage registration shall apply.

Article 12 — Where a marriage is entered into under duress, the party under duress may, in accordance with Article 1052 of the Civil Code, request the people's court to annul the marriage. Where one party suffers from a serious illness, he or she shall truthfully inform the other party before marriage registration; where he or she fails to truthfully inform the other party, the other party may, in accordance with Article 1053 of the Civil Code, request the people's court to annul the marriage.

Chapter III — Divorce Registration

Article 13 — For divorce of mainland residents by consent, both the man and the woman shall enter into a written divorce agreement and appear in person before a marriage registration authority to jointly apply for divorce registration.

For divorce by consent within the mainland of China between a Chinese citizen and a foreigner, or between a mainland resident and a Hong Kong resident, a Macao resident, a Taiwan resident or an overseas Chinese, both the man and the woman shall enter into a written divorce agreement and appear in person before the marriage registration authority prescribed in Article 2, paragraph 2 of these Regulations to jointly apply for divorce registration.

The divorce agreement shall state the expression of intent of both parties to divorce by consent and the consensus reached on the custody of children and the disposition of property, debts and other matters.

Article 14 — Where a party applying for divorce registration falls under any of the following circumstances, the marriage registration authority shall not accept the application:

(1) no divorce agreement has been reached;

(2) the party is a person without capacity for civil conduct or a person with limited capacity for civil conduct; or

(3) the party's marriage registration was not handled within the mainland of China.

Article 15 — A mainland resident applying for divorce registration shall present the following documents:

(1) his or her resident identity card; and

(2) his or her marriage certificate.

In addition to presenting the document prescribed in item (2) of the preceding paragraph, a Hong Kong resident, Macao resident, Taiwan resident, overseas Chinese or foreigner applying for divorce registration shall also present: for a Hong Kong resident, Macao resident or Taiwan resident, his or her valid travel permit or residence permit and identity card for Hong Kong, Macao or Taiwan residents; for an overseas Chinese or a foreigner, his or her valid passport or other valid international travel document, or an identity document issued by a competent authority of the Chinese government such as a permanent residence identity card for foreigners.

Article 16 — A marriage registration authority shall, within the statutory period, verify, based on the parties' application, the documents and written materials presented by the parties applying for divorce registration and inquire into the relevant circumstances. Where the parties are indeed divorcing by consent and have reached consensus on the custody of children and the disposition of property, debts and other matters, and both the man and the woman appear in person before the marriage registration authority that received the divorce registration application to jointly apply for the issuance of a divorce certificate, the marriage registration authority shall register the divorce on the spot and issue a divorce certificate.

Where the parties fail to apply for the issuance of a divorce certificate within the statutory period, they shall be deemed to have withdrawn the divorce registration application, and the divorce registration procedure shall be terminated.

Article 17 — In the course of handling divorce registration, a marriage registration authority may, in light of the circumstances, promptly carry out psychological counseling, mediation and other work for the parties applying for divorce registration.

Article 18 — Where, after divorce, both the man and the woman voluntarily resume their marital relationship, they shall, in accordance with these Regulations, apply again to a marriage registration authority for marriage registration.

Chapter IV — Administration of Marriage Registration Archives

Article 19 — Marriage registration authorities shall establish marriage registration archives. Marriage registration archives shall be preserved for a long period and shall provide inquiry services for the parties or competent authorities in accordance with the provisions. The specific administrative measures shall be prescribed by the civil affairs department of the State Council in conjunction with the national archives administration department.

Article 20 — After receiving a copy of a judgment of the people's court confirming the nullity of a marriage or annulling a marriage, a marriage registration authority shall promptly note the information on the nullity or annulment of the marriage in the parties' marriage registration archives and upload the relevant information to the national marriage basic information database.

Article 21 — Where a party needs a reissue of a marriage certificate or a divorce certificate, he or she may apply to a marriage registration authority by presenting his or her resident identity card or the valid identity documents prescribed in Article 8, paragraphs 2 through 4 of these Regulations.

Where a marriage registration authority verifies the parties' marriage registration archives and confirms their authenticity, it shall reissue the marriage certificate or divorce certificate for the parties.

Chapter V — Legal Liability

Article 22 — Where a marriage registration authority or any of its staff members commits any of the following acts, sanctions shall be imposed on the responsible leading personnel and the directly responsible personnel in accordance with the law and regulations:

(1) handling marriage registration for parties who do not meet the conditions for marriage registration;

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(2) disclosing, in violation of the provisions, the personal privacy or personal information learned in marriage registration work, or illegally providing it to others;

(3) causing damage to or loss of marriage registration archives through dereliction of duty;

(4) charging fees for handling marriage registration; or

(5) committing other acts in violation of these Regulations.

Fees collected in violation of item (4) of the preceding paragraph shall be refunded to the parties.

Article 23 — The parties shall be responsible for the authenticity and legality of the documents and written materials they present; where false documents or written materials are presented, the parties shall bear corresponding legal liability, and the relevant information shall be recorded in their credit records in accordance with the relevant provisions of the State and incorporated into the national credit information sharing platform.

Article 24 — Where a violation of these Regulations constitutes a violation of public security administration, a public security administrative penalty shall be imposed in accordance with the law; where a crime is constituted, criminal liability shall be pursued in accordance with the law.

Chapter VI — Supplementary Provisions

Article 25 — Embassies and consulates of the People's Republic of China abroad may, in accordance with the relevant provisions of these Regulations, handle marriage registration for Chinese citizens where both the man and the woman reside in the country where the embassy or consulate is located.

Article 26 — The specific measures for Chinese citizens, neither of whom is a mainland resident, to handle marriage registration within the mainland shall be formulated separately by the civil affairs department of the State Council.

Article 27 — The marriage registration certificates prescribed in these Regulations shall have their form prescribed and production supervised by the civil affairs department of the State Council.

Article 28 — These Regulations shall come into force as of May 10, 2025.

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