

Advice - Getting Married in China – New Zealand Citizens.

General Information

New Zealand citizens contemplating marriage in China, either to a Chinese citizen or to another foreigner, should review the following general information on Chinese Government procedures.

Registering your marriage:

The Marriage Registration process may take anywhere from several days to several months to complete, depending upon how quickly the required documents are obtained. (For example, some Chinese citizens have difficulty getting a “release” from their *danwei* to obtain the “certificate of birth” or the “certificate of marriageability”).

Marriages in China are conducted according to the laws of China, regardless of the nationality of those being married.

New Zealand diplomatic and consular officers do not have the authority to perform marriages.

There is no legal obligation to register your overseas marriage in New Zealand, however you may do this if your marriage ceremony is witnessed by an authorised official from a New Zealand post. The only advantage of registering your marriage in New Zealand is that a marriage certificate can be issued to you from New Zealand. This certificate does not replace the marriage certificate supplied in China. If you do wish to have a New Zealand consular witness at a wedding you will be liable for costs incurred, i.e. airfares, accommodation, per diems etc, as well as an hourly charge-out rate for a consular officer. Non attendance by a consular officer does not affect the legality of the marriage. For further information contact the Embassy or Consulate General.

The current Marriage Law of the People’s Republic of China was passed in September 1980, came into force on January 1, 1981 and was amended on April 2001. Under this law, marriage registration procedures are administered by the local civil affairs office, *minzhengju*, in each jurisdiction. Persons planning to marry should visit one of these offices for specific information. There will be a fee for this visit. If one of the partners is a Chinese citizen, the appropriate civil affairs office will be the one in the jurisdiction in which the Chinese citizen is registered (the location of the *hukou*).

What to do:

If both parties to the marriage are foreigners, the civil affairs office in the city in which they live will have jurisdiction. Generally, at least one of the partners must reside in China. Two foreigners visiting China temporarily on tourist visas are unlikely to be able to register a marriage in China. In Beijing, inquiries should be directed to:

Marriage Registration Office
Beijing Municipal People’s Government
No 36, Donsi Xi Dajie
Telephone: 6512-4422
Working hours: 9.00-11.30 am, Monday, Wednesday and Friday.

It is recommended that the couple dress up (coat and tie for the male). This will generally facilitate the process.

Certain categories of Chinese citizens, such as diplomats, security officials, and others whose work is considered to be crucial to the state, are not legally free to marry foreigners. Chinese students generally are permitted to marry if all the requirements are met, but they can expect to be expelled from school as soon as they do. New Zealand citizens wishing to marry Chinese students should bear this in mind. It also should be noted that at least one school in Beijing has required Chinese students to reimburse the school for hitherto uncharged tuition and other expenses upon withdrawal from school to marry foreigners.

Upon receipt of an application to register a marriage, the civil affairs office will ascertain that both parties are of minimum marriageability age (generally 22 for men and 20 for women), although a higher minimum may be established by the local civil affairs office) and that both parties are single and otherwise free to marry. Persons who have been married previously will be asked to submit original or certified copies of final divorce or annulment decrees, or of death certificates if widowed.

The New Zealand partner to a marriage in China will generally be asked to submit the following:

- a current passport
- a Chinese residence permit
- a health certificate from the local hospital designated by the civil affairs office. Some New Zealand citizens have advised this is not a pleasant experience and an AIDS test is required.
- a Certificate of No Impediment (CONI) issued by the New Zealand Births, Deaths and Marriages office. The CONI must be verified by the New Zealand Ministry of Foreign Affairs and Trade, the New Zealand Embassy in Beijing or Consulate General in Shanghai and, if one of the parties to the marriage is a Chinese citizen, by by the Chinese

Embassy in Wellington or the Chinese Consulate General in Auckland.

- three photos of the marrying couple, taken together
- a registration fee

The Chinese partner to the marriage will be asked to submit the following:

- a certificate of marriageability (obtainable from the office which has the physical control of his or her file)
- a certificate of birth
- health certificate (obtainable from a regional level local hospital)
- household registration book
- a letter from the parents of the local partner giving permission for their child to marry a foreigner (this letter should include the index fingerprint of both parents below their signature and date).

Translation of documents:

All English-language documents must be translated into Chinese. Translation of documents usually takes about a month, but can be completed within 10 days at twice the original cost. Translations should be obtained from and certified by one of the Municipal Public Notary offices.

In Beijing the address is:

China Translation and Publication Corp
No 4, Tai Ping Qiao Da Jie (South of Bai Ta Si) West District, Beijing
Tel: 6616-8353

Applying for a visa for your spouse to visit New Zealand:

All enquiries regarding visitors visas and applications for permanent residency should be directed to the New Zealand Immigration Service.

Their contact details are:

Beijing

Immigration New Zealand

Ta Yuan Diplomatic Office Building 2-5-1
14 Liangmahe Nanlu
BEIJING 100600

Telephone: 0086-10-6532 6688

Facsimile: 0086-10-6532 5681

Email: [NZIS Beijing](mailto:NZIS.Beijing)

This office is responsible for **all** applications for applicants residing **outside** Guangdong, Hainan Island, Shanghai, Zhejiang, Jiangsu and Anhui provinces.

Shanghai

Immigration New Zealand

Suite 507, Shanghai Centre
1376 Nanjing Road West
SHANGHAI 200040

Telephone: 0086-21-6279 7368

Facsimile: 0086-21-6279 7369

This office is responsible for applicants residing in Shanghai, Zhejiang, Jiangsu and Anhui provinces.

Hong Kong

Immigration New Zealand

Suite 6508, Central Plaza
18 Harbour Road

Wanchai

HONG KONG

Telephone: 0085-2-2877-4488

Facsimile: 0085-2-2877-0586

This office is responsible for applicants residing in Guangdong and Hainan Island.

CHECK WITH YOUR EMBASSY OR CONSULATE FOR LATEST INFORMATION.