



## I GOT DIVORCED ABROAD. *Is it valid in Portugal?*

**T**oday, many Portuguese people live abroad and so, naturally, many divorces of Portuguese citizens are decreed in other countries.

So the question is whether these divorces are valid in Portugal on their own or whether certain procedures need to be put in place.

In order for a divorce decreed abroad to be valid in Portugal, it must be transcribed into the Portuguese legal system, and the procedure is different if the divorce is decreed in a country that is a member of the European Union or outside the European Union.

### MEMBER STATE OF THE EUROPEAN UNION

If the divorce of the Portuguese citizen was decreed in a member state of the European Union, Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility will apply,

Article 21 states that judgments given in one Member State shall be recognised in the other Member States without any formalities, so that no formalities are required to update the civil status records of a Member State on the basis of a judgment of divorce, legal separation or

marriage annulment given in another Member State and against which no further appeal lies under the law of that Member State.

Therefore, in these situations, the divorce judgement or decision can be registered with the Civil Registry Office without any further formalities.

## OUTSIDE THE EUROPEAN UNION

If the Portuguese citizen's divorce was decreed outside a Member State of the European Union, it will be necessary to file an action for review of the foreign judgement with the Court of Appeal, so that the recognition of the foreign judgement can be confirmed by the Portuguese courts, after which the Portuguese citizen can, with the certificate of the judgement, register the divorce with any Civil Registry Office.

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