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Cameroon: Marriage registration and the issuance of marriage certificates

Introduction

The following note describes the marriage registration procedure and the issuance of marriage certificates in Cameroon. The note touches upon the publication of marriage and includes information regarding the marriage certificate. This includes the matriculation code and a short description of late registration and reissuance of marriage registration certificates.

The note will further include a short description of divorce and issuance of divorce certificates, the administrative structure and the legislative framework related to the issuance of civil status documents. Lastly, the note will deal with archiving and registration routines.

For further information related to Cameroonian documents, see '*Cameroon - Civil registration and civil certificates*'. For a description of the administrative structure, see '*Cameroon - Administrative structure and civil status registration*'.

The note is primarily based on interviews conducted in Cameroon in March 2019 and is one out of several notes focusing on Cameroon.

Civil status registries and civil registrars

Civil registrations such as marriage registrations may take place in one of three types of administrative offices: a main centre, a secondary centre or at a Cameroonian diplomatic mission abroad.¹ As of April 2019, Cameroon has 2,406 secondary centres, 420 Main Centres and 45 diplomatic missions abroad with civil status registries.² The three types of administrative offices will all be referred to as civil status registries in this note.

Civil status registrars have competence to sign civil status certificates at the civil status registries. Government delegates in city councils and their assistants as well as mayors and their assistants are considered civil status registrars at Main

¹ National Civil Status Registration Office, Yaoundé, March 2019.

² General Manager of the National Civil Status Registration Office, March 2019.

Centres. At Cameroonian diplomatic missions abroad, the civil status registrars are the Heads of diplomatic missions and consular posts as well as those assuring interim.³

Civil status registrars at Secondary Centres are appointed by the Minister of Decentralisation and local development and they are assisted by clerks appointed by a territorially competent senior divisional officer. They jointly sign civil status certificates.⁴

Marriage registration

According to the ordinance No. 81 - 2 of 29 of June 1981 (hereafter ordinance) registration of marriage is mandatory in Cameroon.⁵

The law categorises marriages in three types of marriages: civil marriage, customary marriage and religious marriage. A civil marriage should be celebrated in front of a civil status registrar and at the same time registered. Religious marriages and customary marriages must be registered at a civil status register in order to be legally valid.⁶

The religious marriage is often celebrated after the civil registration, where the customary marriage is often celebrated prior to registration. However, the date registered at the marriage certificate must always be the date the marriage was registered, and can never be backdated.⁷

Information concerning the legal age for entering into marriage in Cameroon is conflicting. According to the ordinance article 52, the minimum age for entering into a legally valid marriage is 15 years for a female and 18 years for a male, unless there are substantial reasons to marry earlier.⁸ However, according to the National Civil Status Registration Office (hereafter BUNEC), the legal age for marriage is not 15 for females and 18 for males, but 18 for both partners in accordance with article 1 of the International Convention of the Rights of the Child.⁹

Parental consent is required if either male or female party is a minor.¹⁰

³ General Manager of the National Civil Status Registration Office, March 2019.

⁴ General Manager of the National Civil Status Registration Office, March 2019.

⁵ Ordinance No. 81 – 2 of 29 June 1981, 4.

⁶ National Civil Status Registration Office, Yaoundé, March 2019; General Manager of the National Civil Status Registration Office, March 2019; Main Centre Yaoundé 1, Yaoundé, March 2019.

⁷ National Civil Status Registration Office, Yaoundé, March 2019; General Manager of the National Civil Status Registration Office, March 2019; Main Centre Yaoundé 1, Yaoundé, March 2019.

⁸ Ordinance No. 81 – 2 of 29 June 1981, 52 (1).

⁹ General Manager of the National Civil Status Registration Office, March 2019.

¹⁰ Main Centre Yaoundé 1, Yaoundé, March 2019.

According to representatives from Main Centre Yaoundé 1, the parties are only permitted to register the marriage where one of the parties is either born or is currently a resident.¹¹ According to representatives from Main Centre Yaoundé 5, registration of marriage normally takes place at the civil status register where the male or female is resident, but the place of registration of marriage is free of choice.¹²

In Cameroon, both monogamous and polygamous marriages are permitted. The choice between monogamous and polygamous marriage must be registered in connection with registration of the first marriage. It is only possible for a man to take another wife, if the couple have chosen and registered their marriage as polygamous at the time of registration. If a couple wishes to change their monogamous marriage to a polygamous marriage, they are required to divorce and remarry with a polygamous settlement.¹³

The presence of both spouses is mandatory in order to register a marriage, and marriage by proxy is thus not allowed. It is required for two witnesses to be present for the registration. According to Main Centre Yaoundé 1, the minimum age for the witnesses is 21 years. However, according to representatives from BUNEC the minimum age for the witnesses is the legal age, which is 18 years.¹⁴

If the marriage is celebrated abroad it must be registered in the municipality of residence of either husband or wife in order for the marriage to be legally valid in Cameroon.¹⁵

Publication of marriage

According to the ordinance a publication of marriage shall be lodged with the civil status registrar at least 30 days prior to registration of a marriage.¹⁶ Any person who has a legitimate interest may object to the marriage within this 30 days period. The persons with legitimate interests are: the parents or grandparents of one of the spouses, a customary authority, a husband to a woman who is committed by the bonds of a marriage or a wife of a man who is committed by the bonds of a monogamous marriage.¹⁷

In order to have the certificate published, both parties must submit a certificate of celibacy and a document stating their residence. The blank forms can be purchased from a private retailer and is filled in by the applicant and submitted to

¹¹ Main Centre Yaoundé 1, Yaoundé, March 2019.

¹² Main Centre Yaoundé 5, Yaoundé, March 2019.

¹³ National Civil Status Registration Office, Yaoundé, March 2019.

¹⁴ Main Centre Yaoundé 1, Yaoundé, March 2019; National Civil Status Registration Office, Yaoundé, March 2019.

¹⁵ Main Centre Yaoundé 1, Yaoundé, March 2019.

¹⁶ Ordinance No. 81 – 2 of 29 June 1981, 53; National Civil Status Registration Office, Yaoundé, March 2019.

¹⁷ Ordinance No. 81 – 2 of 29 June 1981, 58.

the civil status register¹⁸. The certificate of celibacy is signed and stamped by the civil status registrar.¹⁹

If one of the applicants is a foreign national, they must submit proof of unmarried status issued by a representative from their country of origin.²⁰

A marriage registration form is also required to be submitted for the publication of the marriage. The form contains information about the persons getting married, names of the witnesses and the date of the registration of marriage. The form is also bought blank from a private retailer, and then filled in by the applicant. According to Main Centre Yaoundé 1, the parents or other family members fill in the forms.²¹

A publication of marriage is written based on the submitted documents, which is why the applicant is ultimately responsible for the content of the publication.²²

It is required that two council stamps are added to the marriage registration form. The stamps are bought by the applicant and added to the form by the civil status registrar, who also stamps the document.²³ The stamps costs 500 francs each.

Together with the marriage registration form the couple is required to submit photocopies of their birth certificates, together with ID cards or passports for both parties and the two required witnesses.²⁴

The publication of marriage is also referred to as a publication of banns, and contains information of name, age, parents' names, occupation and place of residence of both husband and wife. The civil status registrar is obligated to publish the publication of marriage, and send it to the place of birth and place of residence of both husband and wife, where it is also published.²⁵ The publication of marriage does not necessarily contain pictures of the couple.²⁶

¹⁸ Main Centre Yaoundé 1, Yaoundé, March 2019; National Civil Status Registration Office, Yaoundé, March 2019.

¹⁹ Secondary Centre, Yaoundé 6, Yaoundé, March 2019.

²⁰ National Civil Status Registration Office, Yaoundé, March 2019.

²¹ Main Centre Yaoundé 1, Yaoundé, March 2019.

²² Main Centre Yaoundé 1, Yaoundé, March 2019; Secondary Centre, Yaoundé 6, Yaoundé, March 2019

²³ Main Centre Yaoundé 1, Yaoundé, March 2019.

²⁴ Main Centre Yaoundé 1, Yaoundé, March 2019; National Civil Status Registration Office, Yaoundé, March 2019.

²⁵ Secondary Centre, Yaoundé 6, Yaoundé, March 2019; Main Centre Yaoundé 1, Yaoundé, March 2019; Ordinance No. 81 – 2 of 29 June 1981, 54; National Civil Status Registration Office, Yaoundé, March 2019.

²⁶ Main Centre Yaoundé 1, Yaoundé, March 2019.

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PUBLICATION DE MARIAGE
PUBLICATION OF MARRIAGE

Il y a promesse entre :
M.
Agé de _____ ans, fils de _____
Aged _____ son of _____
Et de _____ profession _____
And _____ occupation _____
Né à _____ arrondissement _____ subdivision _____
Département _____ Division, domicilié à _____
resident at _____

Et Mlle
And Miss
Agée de _____ ans, fille de _____
Aged _____ daughter of _____
Et de _____ profession _____
And _____ occupation _____
Née à _____ arrondissement _____ subdivision _____
Born at _____
Département _____ Division, domiciliée à _____
Resident at _____

Par là ils annoncent leur intention de s'unir dans le mariage.
Hereby announce their intention to unite wedlock.
Toute opposition à ce mariage devra être formulée dans un délai d'un mois à dater de ce jour.
Any objection to this marriage must be made known within one month from this day.

Yaoundé, le _____
L'Officier de l'Etat-Civil
Civil Status Registrar,

Example of a publication of marriage (NIDC reference material)

According to the representatives from main centre Yaoundé 1, the head of the family is no longer required to sign the marriage registration form, because of a change in the law in 2011. The head of the family still needs to consent when one of the parties is a minor.²⁷

It is not mandatory for the couple to be present in Cameroon when the marriage is published.²⁸

Marriage certificate

If there are no objections to the publication of marriage, the marriage can be registered. The publication is then removed from the wall of the civil status register, and a certificate of non-opposition is published.²⁹

Registers and documents are printed in both English and French, but the document will only be filled in in one language. It is essentially up to the official filling in the certificate to decide between English and French.³⁰

²⁷ Main Centre Yaoundé 1, Yaoundé, March 2019; National Civil Status Registration Office, Yaoundé, March 2019.

²⁸ National Civil Status Registration Office, Yaoundé, March 2019.

²⁹ Main Centre Yaoundé 1, Yaoundé, March 2019.

³⁰ National Civil Status Registration Office, Yaoundé, March 2019.

When a marriage is registered, it is registered in three books. The registration book covering the marriage registration certificate consist of three sets, totalising nine marriage registration certificates filled in per marriage. Every copy is filled in by hand with the same information in every one of the nine certificates. Two of the certificates from one of the books are issued to the spouses.³¹ Both husband and wife receives a copy of the marriage registration certificate.³² The remaining certificate from the first book is kept at the civil status registry's archive. Of the two remaining full books, consisting of six certificates in total, one is archived at BUNEC and one at the court.³³

According to representatives from Main Centre Yaoundé 1, the registrar solemnising the marriage assisted by the secretary, and the secretary fills in the marriage registration certificate. At Main Centre Yaoundé 6, the secretary had several assistants preparing the certificate by filling in the personal information at his behalf.³⁴

The document is signed by the secretary and signed and stamped by the mayor.³⁵

³¹ Main Centre Yaoundé 1, Yaoundé, March 2019.

³² Secondary Centre, Yaoundé 6, Yaoundé, March 2019.

³³ Main Centre Yaoundé 1, Yaoundé, March 2019.

³⁴ Main Centre Yaoundé 1, Yaoundé, March 2019; Secondary Centre, Yaoundé 6, Yaoundé, March 2019.

³⁵ Main Centre Yaoundé 6, Yaoundé, March 2019

Picture of a genuine marriage certificate (NIDC reference material)

The certificate bears the same layout all over Cameroon. The certificates do not have any security elements.³⁶ The registration books are always opened by the court, and each copy therefore contains a stamp or a signature from the court.³⁷

According to the ordinance the marriage certificate is only valid if it bears six signatures from the two spouses, the two witnesses, the mayor or registrar and the secretary. The two signatures from officials are a requirement for the document to be valid.³⁸ However, during the fact-finding mission in March 2019, the Danish National ID Centre saw a case where the archived marriage certificate only had one signature and one stamp apart from signatures from the witnesses and the two registrants.

³⁶ Secondary Centre, Yaoundé 6, Yaoundé, March 2019.

³⁷ Main Centre Yaoundé 1, Yaoundé, March 2019.

³⁸ Main Centre Yaoundé 1, Yaoundé, March 2019; Ordinance No. 81 – 2 of 29 June 1981, 69 (2).

A picture showing husband and wife is often required for the certificate. According to representatives from National Civil Status Registration Office, this is a local practice and not an obligation according to the law.³⁹

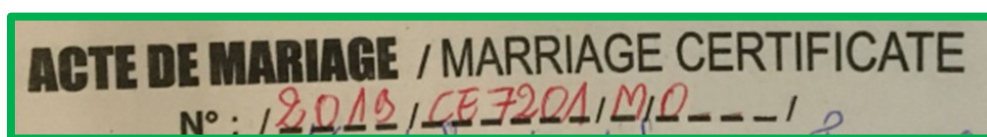
Matriculation code

Following the legislative changes after 2011 concerning civil registrations, a new matriculation code was introduced on civil status documents.⁴⁰

The serial number at the old certificate refers to the number of event at the particular civil registration office and the year of registration.⁴¹



Example of a serial number on an older marriage certificate. The serial number indicates that it is marriage number 125 registered at this particular civil registration office in 1988. (NIDC reference material)



Example of a matriculation code on a marriage certificate from 2019. (NIDC reference material)

The Danish National ID Centre is in possession of further details regarding the matriculation code.

Late registration and reissuance

It is possible to have a marriage registered after a wedding ceremony. However, the date of issuance must never be backdated to when the marriage ceremony took place. The date at the marriage certificate must always correspond with the date of registration.⁴²

If a marriage certificate is lost it is possible to have the document reissued. The applicant must obtain a reconstruction order from the court and present it at the civil status register in order to obtain a reissued document. If the original

³⁹ National Civil Status Registration Office, Yaoundé, March 2019.

⁴⁰ Secondary Centre, Yaoundé 6, Yaoundé, March 2019.

⁴¹ Main Centre Yaoundé 1, Yaoundé, March 2019.

⁴² Main Centre Yaoundé 1, Yaoundé, March 2019.

certificate can be found in the archives, a copy of the archive is brought by the applicant to the court in order for the reconstruction order to be issued.⁴³

Upon receiving the court order, the civil status registrar issues a new marriage certificate and cancels the old one. The new certificate is drawn up with a new matriculation code. The reconstruction order from the court will be mentioned in the certificate. The date of the marriage will remain the original marriage date, but the date of issuance will be the date of the registration of this new document. The document has to be reconstituted in the same council where the original registration is. The first certificate will be annulled in the archive. The reissued copy will not have the signatures of the witnesses or the couple.⁴⁴

Divorce

Divorce is handled by the court, which issues a court order with the decision of divorce. According to the legislation, a divorce shall be registered on the back of the marriage certificate. However, the applicants shall come and apply for this mention. The applicant must submit the court order, and the number of the court decision will be mentioned in the registration. The divorce must be written at the margin at the marriage certificate left at the archive, but according to representatives from BUNEC this does not always happens.⁴⁵

Legalisation

A document is legalised in Cameroun by the Ministry of External Relations. The applicant submits the original document together with a certified copy, where after the certified copy is legalised.⁴⁶

According to representatives from the Ministry of External Relations, the publication of marriage and the certificate of non-objective must be submitted together with the original marriage certificate in order for the copy of the marriage certificate to be legalised. If one of the spouses is a foreigner, a copy of the passport is required. The entry and exit stamp at the passport is matched with the date of marriage registration, to see if the person has been in Cameroon at the time of registration.⁴⁷

⁴³ Main Centre Yaoundé 1, Yaoundé, March 2019; National Civil Status Registration Office, Yaoundé, March 2019.

⁴⁴ Main Centre Yaoundé 1, Yaoundé, March 2019; National Civil Status Registration Office, Yaoundé, March 2019.

⁴⁵ National Civil Status Registration Office, Yaoundé, March 2019.

⁴⁶ Ministry of External Relations, Yaoundé, March 2019.

⁴⁷ Ministry of External Relations, Yaoundé, March 2019.

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