

5- Birth Registration of Iranians abroad

- **Clause 2 of Article 976 :**
- **Based on Clause 2, Article 976 of Civil Law:**

The children whose fathers are Iranian National are considered Iranian; either they were born in Iran or abroad.

- **Clause 12 of NOCR Law**
- **Based on article 12 of National Organization for Civil Registration Law:**

The birth of Iranian children residing outside Iran must be notified to the official of Iranian Consulate Affairs in country of residence, if possible; otherwise it should be notified to the nearest consular office or National Organization for Civil Registration.

- **Note of article 15 of NOCR Law:**

The deadline for birth notification is fifteen days as of child's birth date. The birthday and official holiday after the last day of deadline is not calculated. If a child is born during overland, air travel or sea voyage, the deadline is calculated as of arrival date to the destination.



• Competent Persons

The following persons may refer to agencies of the Islamic Republic of Iran outside the country or civil registration departments and notify childbirth and obtain identity card (booklet) for the newly born child.

- 1) Father

- 2) Paternal grandfather by presentation of identity card
 - 3) Mother, if her marriage has been legally registered (by marriage registry office inside the country or diplomatic missions in the Islamic Republic of Iran outside the country)
 - 4) Presence of parents is mandatory if their marriage has not been registered (see the necessary recommendations).
 - 5) Legal guardian (administrator or guardian or trustee) of minors and incapacitated persons, while submitting the relevant documents in which his/her position has been ascertained.
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• **Necessary Documents**

- 1- Original ID Card (booklet) of the father and mother
- 2- Original Foreign Birth Certificate legalized by the agencies of the Islamic Republic of Iran where the child was born.

Remarks: It should be noted that the original foreign birth certificate shall be returned after issuance of ID Card.

- 3- Payment of the relevant fees as per the current tariff, and if the ID Card (booklet) has been drawn up and issued by the agencies of the Islamic Republic of Iran, it shall be paid in accordance with the agency's tariff.
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• **Manner of Refer & Obtain ID Card (Booklet)**

In order to obtain ID Card (**booklet**) for the newly born child, you may refer to:

A) Outside Iran: To the agency of the Islamic Republic of Iran in country of residence or nearest consular office.

B) Inside Iran:

1- In Tehran: Civil Registration Department General of Foreign Affairs
(Address: Building No.6 of NOCR , Sheikh Hadi St., Imam Khomeini St.)

2- In Other Provinces: All local civil registration general offices

• **Naming:**

- The child's name shall be selected by the person who notifies the childbirth.

- A simple or compound name, which is commonly considered as one name, can be selected for a child.

- It is prohibited to select names which denigrate Islamic sanctities as well as repulsive and obscene titles, nicknames and names or unsuitable with the Gender.

- Selection of name concerning religious minorities approved by Constitutional Law shall be subject to their religious language and culture.

- It is mandatory to mention the word "Seyyed or Sadat" to the name of Seyyeds or Sadats whose descendance of the Prophet has been mentioned in ID Card of their father or paternal grandfather.

• **Necessary Recommendations**

- 1- It is most advisable to notify birth within the specified deadline (15 days).
- 2- For the purpose of prevention from any probable problem, it is mandatory to observe all the points related to naming as mentioned above; therefore, avoid seriously to obtain foreign documents for your children with the names contrary to law prior to obtaining Iranian ID Card (Booklet).
- 3- If you intend to obtain ID Card for your child inside Iran, please refer to Islamic Republic of Iran Agency prior to travel to Iran and register your marriage in your wife and your identity cards and cause to legalize the birth certificate through the agency of the Islamic Republic of Iran in your country of residence.
- 4- Issuance of ID Card (Booklet) for the children born outside Iran is possible if their father would be Iranian National.
- 5- Issuance of ID Card requires drawing up an civil document; considering the importance of the issue, it is essential to make sure of the authenticity of the contents prior to signing it.
- 6- Issuance of duplicate ID Card has legal restriction; so take care and protect your ID Card.
- 7- Any change or alteration in the contents of ID Card, in any way, is strictly forbidden, and the offender shall be treated in accordance with Law.
- 8- Insertion of any seal, sign and writing in ID Card is strictly forbidden, except the authorities mentioned in note 4, article 36 of National Organization for Civil Registration Law.
- 9- If the marriage of parents has not been registered and the mother has no Iranian ID Card, the child's ID Card shall be exclusively issued with full particulars of his/her father and just first name of his/her mother.

Definitions & Concepts

1- Civil Document: It is an official document in which the individuals' birth is registered and based on which the ID card is issued.

2- ID Card (**booklet**): ID Card is considered as the identity and nationality document for each Iranian **individuals**.

4) Change of Name and Surname

a) Selection and change of name

According to the Article 20 of NOCR Law:

- The child's name shall be selected by the person who notifies the childbirth. A simple or compound name (e.g. Hossein, Mohammad Mehdi, etc.), which is usually considered as one name, can be selected for a child.
- It is prohibited to select names which denigrate Islamic sanctities as well as repulsive and obscene titles, nicknames and names or unsuitable with the gender.

- Recognition of the fact that the chosen name is prohibited or not is at the discretion of NOCR Supreme Council and this council shall prepare a list of acceptable and non-prohibited names and furnish to the Organization.
 - Selection of name concerning religious minorities approved by Constitutional Law shall be subject to their religious language and culture.
 - It is mandatory to mention the word "Seyyed or Sadat" to the name of Seyyeds or Sadats whose descendance of the Prophet has been mentioned in ID Card of their father or paternal grandfather, or their descendance of the Prophet has been proved by religious reasons; except for those who do not deem themselves as "Seyyed or Sadat" or lack of this familial relationship will be religiously proved.
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Modifiable names are as follows:

According to Article 20 of NOCR Law and its notes, selection of the following names is forbidden and holders of such names can change their name by observance of the relevant regulations.

1- Names which denigrate Islamic sanctities, such as " Abd-al-Lat, Abd-al-Ozza "

(Lat and Ozza are the names of two idols worshiped in Holy Mecca before Islam)

2- Compound names which are not commonly considered as a single name (unusual compound names) such as: "Saeed Behzad, Shohreh Fatemeh, Hossein known as Kambiz and"

3- Titles, either civil or military or a combination of name and title, such as "Sarvan , Sartip, Doctor, Shahrदार or Sarvan Mohammad and Shahrदार Ali"

4- Nicknames, either simple or compound, such as: " Malek-al-Dolah, Khan, or Shokat-al-Molouk, and Hajieh Sultan and Soltan Ali"

5- Repulsive and obscene names: repulsive and obscene names are the names which are repulsive and obscene for the holders in terms of time, location or the following reasons and aspects and selection of them shall be verified by Supreme Council.

5-1- The names indicate disagreeable qualities and contradictory to human exalted values, "like Gorg (wolf), Qouchi (mouflon) and"

5-2 Names which are contradictory to people's dominant norm and culture and religious sanctities, e.g.: Lat (hooligan), Khoonriz (vampire), Changiz etc.

5-3 Names which spread and encourage foreign culture. E.g. Vanooshka, Jacardo, Shahdoost etc,

5-4- The names which humiliate and degrade people or their literal meaning are not acceptable by the society, such as "Sad Tomani, Gotagha, Kaniz, Geda and ..."

6- Inappropriate names to gender. Like selection of Mashallah for female and/ or Ashraf and or Akram for male people.

7- Deletion of extra and non essential words in persons' names. Like: Gholi, Gholam, Gorg, Zolf and Qouch.

8- Correction of the dictation misspellings in individuals' name due to unfamiliarity of the officer of civil registration department with local and native accents and terms and meanings or due to pronunciation, such as Zahrab to Sohrab or Manigeh to Manijeh and or ...

9- Having similar name with father or mother in a family.

10- Having similar name with brothers or sisters in a family.

11- Amendment of names from Arabic writing form to Persian writing form such as رحمان to رحمن , اسماعيل to اسماعيل , اسحاق to اسحق and ...

12- Changing the names of peoples who converted to Islam upon confirmation of competent authorities.

13- Changing the name of persons whose names are the name of weekdays.

14- Changing the name of persons who changed their sex and the competent court has ordered the change of their gender in identity documents and ID Card.

Since prefix “Abd“ is specific to God’s names and existent intuitive characters , the applicants can request for its deletion in other cases.

The following persons may refer to the departments of NOCR and request for change or amendment of their names as mentioned above.

1- Persons aged over 18

2- Persons aged lower 18 by presenting Growth Award

3- Father or paternal grandfather while submitting identity card, for children below 18 years old

4- Legal guardian (guardian, trustee, administrator) of minors and incapacitated persons, while submitting the relevant documents in which his/her position has been ascertained.

- **Necessary Documents**

1- Original and two copies of ID Card

2- Completion of Application Form for Name Change (Form No.5)

3- Payment of relevant fees as per current tariff.

- **How to Refer**

1- For modification or amendment of name, all departments of National Organization for Civil Registration may receive the above mentioned documents within office hours and days.

Meanwhile, submission of request for changing a name in a place other than issuance place of the ID Card is of no restriction; in this case, after receiving the request and sending to the relevant department (issuance place of the ID Card) and being discussed at Conciliation Board (Form No. 6), the necessary measure shall be taken and the result to be notified to the sending department for the applicant's information.

2- Since the request for name change must be investigated and decided by Dispute Settlement Board of the relevant department (issuance place of ID Card) by observing the relevant rules and regulations; therefore, agreement with the request shall be subject to the verdict issued by Dispute Settlement Board.

3- The following measures shall be taken after notification of the verdict issued by Dispute Settlement Board:

a) If the verdict is in agreement with the applicant's relief, the ID Card shall be issued with the new name after notification of applicant and application for execution of verdict.

b) If the verdict is against the applicant's relief, he/she may refer to the court of his/her place of residence and submit his/or objection within the specified moratorium (10 days of notification) based on article 4 of National Organization for Civil Registration Law.

- **Necessary Recommendations:**

Tradition descended from the Prophet: Parents are bound to select good name for their children.

2- Selection and Change of Surname

According to Article 997 Of Civil Law:

Everyone should have a surname.

According to Article 40 of civil registration law:

Any change in surname shall be exclusively made upon approval of NOCR.

According to Article 41 civil registration law:

- The child's surname shall be the same surname of his/her father.
- The surname priority right holder is a person that a specific surname has been registered for him/her for the first time with an independent civil registration department and that surname is particular to him/her.
- The surname priority right is transferred to deceased's legal heirs, after the death of person.

The surname priority right holder and or his/her legal heirs may authorize other persons to use their surname, provided that their identity cards have been issued by one civil registration department.

• We may request for change of our surname in the following cases:

- 1- Surname has been consisted of more than two words and or more than one word and a letter or number or suffix or would be merely and additionally the name of a

place , such as: Do Asl Tehrani, Ali Nejad Motlagh, Adnan Tekan Tapeh Tehrani, A Hosseini Pour, Tabatabaei T.

2- Surname has been compounded of obscene and indecent words, such as: Geda Pour, Pedar Soukhteh, Lash.

3- Surname is foreign words, such as: Aliyev for non-immigrant Iranian or Arakelian for Moslems.

4- Disagreeable surnames which are contradictory to values of Islamic Culture.

5- The words which are merely and additionally the name of a place, such as Karaji, Afkhami Tabrizi.

Note 1- Deletion of the name of a place is done from the surname notwithstanding the provisions pertaining to holder of surname priority right, such as Hosseini Shirazi to Hosseini or Akbari Aliabadi to Akbari.

Note 2- Note 2- Deletion of the name of tribes and occupations from the surname is done notwithstanding the provisions pertaining to holder of surname priority right, such as Kuravand to Rasuli or Mohammadi Naghash(Painter) to Mohammadi.

6- If the surname has been merely consisted of titles and names of academic titles, either ranks or academic institutes, such as Doctor, University, or governmental positions, including civil or military, such as Sarhang (Colonel in English), Shahrदार (Mayor in English).

7- It is authorized to use the husband's surname for the wife as long as she has marital relationship with the husband while presenting the husband's permission notwithstanding the provisions of surname priority right.

In case of divorce, the wife's civil document as well as her ID Card are changed to her initial surname upon the husband's objection.

If the husband passes away, the wife shall be entitled to use the surname of her deceased' husband as long as she has not married or change her surname to her initial surname.

8. Father, upon to his surname change , can request to change his under 18 age children's surname and the adult children can change their surnames by presenting father's permit and without regarding to priority right.\

9- If a father changes his surname and passes away, each one of the deceased's children shall be entitled to change his/her surname to the father's surname in accordance with article 41 of National Organization for Civil Registration Law.

The following persons, who have a changeable surname, may refer to civil registration department of their place of residence and request for changingtheir surname.

- 1) Individuals above 18 years
- 2) Persons below 18 years old by presenting Growth Award.
- 3) Father or paternal grandfather while submitting identity card, for children below 18 years old if their father's surname has been changed.
- 4) Legal guardian or administrator of minor children, while submitting the relevant documents in which his/her position has been ascertained.

Necessary Documents:

- 1) Completed surname change applicant form (Form No. 7)

- 2) Original ID Card and two copies of all pages
- 3) Notarial permit on behalf of the father or paternal grandfather for the major children who are going to use their surname.
- 4) Notarial permit on behalf of the holder of priority right of the requested surname.

Note: It is also possible to draw up the above mentioned permits at civil registration departments.

- 5) Women who intend to adopt her husbands' surname should present the following documents:
 - a) surname change applicant form
 - b) The original & copy of applicant's ID card (booklet).
 - c) Husband's permit
 - d) The original & copy of all pages of husband's ID card and marriage certificate.

Surname change application procedure

- 1- For modification or amendment of surname, all departments of National Organization for Civil Registration may receive the above mentioned documents within office hours and days. Submission of surname change application in a place other than issuance place of the ID Card is of no restriction; in this case, after receiving the request and sending to the relevant department (issuance place of the ID Card), the necessary measure shall be taken and the result to be notified to the sending department for the applicant's information.

- 2- Since the request for changing surname must be approved by National Organization for Civil Registration, therefore, any change in the surname shall be subject to the approval of this organization.
- 3- Upon agreement with change of surname, the following measures shall be taken.
- 4- The agreement concerning change of surname shall be notified to the applicant by the concerned civil registration department.
- 5- Written request for execution of surname change in the civil documents by the applicant and request for replacement of the existing identity card
- 6- Payment of the relevant fees as per the current tariff.

Necessary Recommendations:

It is not possible to change the secondary surname to the former surname; so please select your new surname carefully.

5) Correction of Birth Date

On the strength of Single Article of the Law pertaining to securing credit of identity documents and prevention from their insecurity (ratified by Islamic Parliament of Iran on 22/01/1989) , “Change in date of birth is forbidden for all persons ”.

Note: Owner of ID card (booklet) is allowed only once in his/ her life to correct his/ her age if difference between the real age and the recorded age on identity document is more than five years, based on discerning by the related commission.

Persons are permitted to request for correction of their date of birth, if their real age differs from the recorded age at the identity documents and ID card (booklet) more than five years.

The following persons can request for correction of their date of birth by referring to civil registration department of the issuance place of their ID card.

- 1- Persons aged over 18
- 2- Persons under 18 years old by presentation of Growth Award
- 3- Father or paternal grandfather while submitting identity card, for children under 18 years old

4-Guardian and legal administrator for persons who are under his/ her guardianship by presentation of the reliable documents in which his/ her position has been verified.

- **Necessary Documents:**

- 1- Written request in a special form by owner of document or legal guardian (Form No. 8)
 - 2- Photo- affixed ID card (booklet) and its copy
 - 3- One piece of photo which has been recently taken
 - 4- The original and copy of Growth Award for persons under age 18 who refer personally
 - 5- The original copy of documents relating to guardian and legal administrator for persons under his/ her guardianship
 - 6- Bank slip for sum of Rls. 100,000 remitted to the account of National Organization for Civil Registration with any branch of Bank Melli Iran
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Method of reference and measure:

- 1- To correct date of birth, the applicant shall refer to the secretariat of NOCR Age Ascertainment Commission at the issuance place of his/ her ID card (booklet) and submit the required documents against receipt.
- 2- The date of convening a session for investigating this issue by Age Ascertainment Commission at the issuance place of his/ her ID will be notified to plaintiff (applicant).

3- Applicant (plaintiff) shall attend Age Ascertainment Commission while having photo- affixed ID card (booklet) at the due time.

4- If plaintiff (applicant) does not attend the meeting, the commission will made decision provided that the file was ready for comment; otherwise, his/ her plea is rejected, but plaintiff can submit another request to the commission.

5- If it necessary, the commission is entitled to introduce the applicant to forensic medicine for medical examination and determination of age.

6- The decision made by Age Ascertainment Commission will not be objectionable.

7- The issued decision by Age Ascertainment Commission is announced to applicant (plaintiff).

8- If the commission does not agree to correct date of birth for document holder, new request will not be accepted.

9- Execution of the decision issued by Age Ascertainment Commission in identity document and ID card (booklet) requires written request of the applicant).

6) Issuance of the certificate celibacy (No Record of Marriage)

Certificate of Celibacy is a verification that issued only for owner of document and upon his/ her request based on the information recorded on his/ her identity document.

Persons who are allowed to refer for taking certificate of celibacy:

1- Any person can request for issuance of certificate of celibacy by referring to NOCR of the issuance place of his/ her ID card and or Department of Personal Identities Document at Ministry of Foreign Affairs in Tehran and or IRI Consulates abroad.

Necessary Documents:

- 1- Original copy of the applicant's ID card
 - 2- Copies of the first and second pages of ID card
 - 3- Filling out the application form for issuance of certificate of celibacy (Form No. 9)
 - 4- Payment of fee according to the current tariff
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How to issue certificate of celibacy:

a) If applicant for certificate of celibacy resides inside the country, he/ she shall refer to the following address and/ or the nearest registry office of his/ her place of residence and submit his/ her request.

Address: # 108, Building No. 6 General Bureau of Identity Affairs of the Iranians Abroad (Ministry of Foreign Affairs), Corner of Sheikh Hadi St, Imam Khomeini Ave, Tehran, Iran.

b) If the applicant for certificate of celibacy resides abroad, he/ she should refer to the nearest IRI consulate and submit his/ her request.

Note 1: Certificate of celibacy is solely issued by NOCR at Ministry of Foreign Affairs within a day.

Note 2- In case a person rather than holder of ID card intends to take certificate of celibacy for him/ her, the mentioned person shall have an official power of attorney in which obtaining the certificate of celibacy had been explicitly mentioned.

Note 3- Issuance of certificate of celibacy is subjected to presentation of the original ID card of the holder.

7) *Death Registration & Issuance of Death Certificate for Iranian abroad*

NOCR Law, Article 22:

The death of Iranian nationals residing abroad must be notified to the officials of Iranian Consulate Affairs in country of residence, or nearest Iranian Consulate Office or one of the offices of National Iranian for Civil Registration.

The following persons may notify death event of the Iranian nationals residing abroad and obtain death certificate:

- 1- The deceased's closest relatives
- 2- The proprietor or owner of the place where death event has been occurred or his/her representative.
- 3- Any person who was present at the time of death

A) Manner of refer and documents required for death registration outside Iran:

- 1- The deceased's ID card and National ID card (if any)
- 2- Original copy of foreign death certificate of the late person

Note: Death certificate (Death Abstract Copy) can be obtained from the Islamic Republic of Iran agency after death registration.

Manner of refer and documents required for death registration in Iran

- In order to register death event and obtain Death Certificate, the applicant may refer to all departments of National Organization for Civil Registration across Iran.

Required Documents:

- 1- Original copy of the ID Card (booklet) and National Identification Card of the deceased (if they have been stamped)
 - 2- Original copy of foreign death certificate legalized by the agency of the Islamic Republic of Iran at the deceased's place of residence
 - 3- A certificate evidencing death non-registration issued by the agency of the Islamic Republic of Iran at the deceased's place of residence
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Note: In case of non-submission of the death non-registration certificate, the departments of National Organization for Civil Registration are bound to take necessary measures through General Bureau of Identity Affairs of the Iranians Abroad (Ministry of Foreign Affairs).

- 4- Payment of the relevant fee for each death certificate according to current tariff

Necessary Recommendations:

- 1- It is most advisable to notify death event to NOCR agency or National Organization for Civil Registration within the specified deadline (10 days).
- 2- Issuance of Death Certificate in the next phases requires submission of the deceased's Identity Card or notification of death registration number and date.
- 3- Issuance of Death Certificate necessitates registration of death event; considering the importance of the subject, it is essential to make sure of the authenticity of the contents mentioned in the relevant document before its signature.
- 4- At the time of obtaining Death Certificate, please ensure from the authenticity of the contents.
- 5- After death, Death Certificate supersedes the deceased's ID Card; this certificate is submitted if necessary.
- 6- Those who intend to register death event outside Iran are advised to obtain required number of death certificate from Islamic Republic of Iran Agency for the purpose of performance of legal affairs.
- 7- Death Certificate shall be submitted to any person for any number of copies.

Definitions & Concepts:

1- Death Document

Death Document is an official document in which the individuals' death is registered and based on which the Death Certificate is issued.

2- Death Certificate

Death certificate is the same as death abstract copy and based on which death document contents will be drawn up and submitted.