

LAW ON PERSONAL NAME

15 February 1995

Article 1

The personal name is an individual right of citizens.

Citizens shall use personal names entered in the Register of Births.

Article 2

The personal name is composed of a name and surname, the name and surname themselves may be composed of several words.

The personal name may not offend the public moral.

Article 3

Parents shall determine the name of their child by way of an agreement.

The surname of the child shall be determined according to the surname of one or of both parents, unless the parents determine that the child shall carry some other surname.

If the parent is not alive or is unable to exercise parental rights or is not known, the other parent shall determine the personal name of the child.

If the parents are not alive, or are not able to exercise their parental rights the competent guardianship organ i.e. the guardian in accordance with the competent guardianship organ, shall determine the personal name of the child, according to the surname of one or of both parents.

In cases when parents do not reach an agreement on the determination of the personal name of the child or are not known, the competent guardianship organ, i.e., the guardian in accordance with the competent guardianship organ, shall determine the personal name of the child.

Article 4

Adoptive parents shall determine the personal name of the adopted child.

If the adopted child already has a personal name, upon adoption the adoptive parents may determine that child carry their surname or some other surname unless the adoption act does not envisage that the adopted child shall retain his/her surname or add to his/her surname the surname of the adoptive parents.

Article 5

Citizens have the right to change their personal name, i.e., only the name or only the surname.

A minor may change his/her personal name, i.e. only name or only surname, upon request of the parents or adoptive parents, i.e. upon request of the guardian in accordance with the competent guardianship organ.

If a change of personal name is requested for a child who has attained 10 years of age, the consent of the child shall be requested.

Article 6

A change of the personal name, i.e. only name or only surname shall not be allowed to a person prosecuted for a crime prosecuted ex officio or to a person who has been convicted for such a crime, until the end of the sentence or until the legal consequences of the conviction last and to a person for whom it shall be established that applies for a change of the personal name to avoid legally prescribed obligations.

Article 7

The application for a change of the personal name shall be submitted to the Ministry of Internal Affairs.

The final decision on the change of the personal name shall be submitted to organs and organization, which are obliged by law to keep records of personal data about citizens.

Article 8

A fine of one fifth to one half of the salary shall be imposed upon a person for the offense of not using the personal name entered in the Registry of Births. (Article 1, paragraph 2 of this Law).

Article 9

With the entry into force of this Law, the Law on Personal Name (Official Gazette of the Socialist Republic of Macedonia No. 30/72, 41/85, 51/88 and 19/90) shall cease to apply.

Article 10

This Law shall enter into force on the eighth day of its publishing in the Official Gazette of the Republic of Macedonia.