

\* Did you know...?



• Interpolated proposition IV of the 3rd article of the Federal Constitution consecrates the promotion of all citizens' welfare, independently of sex.

• There is a difference between companionship and wedlock partnership: companionship means life in common, daily or frequent contact, privacy, familiarity; and wedlock partnership means the conjugal bond between man and woman; marriage, matrimony, any relation comparable to that of husband and wife.

• ... "The family is not exclusively defined as the bond between a man and a woman, or as the natural interaction of ascendants and descendants. Any same-sex or opposite-sex couple committed by true wedlock bonds must be acknowledged as a family unit. Thus, neither the absence of offspring nor the procreative incapacity of a cohabitating couple can make their relationship ineligible to receive legal protection, let alone exclude same-sex couples from the concept of family unit. All kinds of relationship and bonds of affection that present the identical required characteristics of life sharing, cohabitation and mutual assistance must be granted the same rights and imposed equal duties, without sexual discrimination". \*

(\*) Special participation of Dr. Miguel Baldez.

\*Appeals Court Judge of TJ-RS, Maria Berenice Dias.

4 Where should i register it?

DOCUMENT REGISTRY CENTRAL OFFICE

Rua do Carmo, 57 / Térreo (groundfloor)  
Centro (Downtown) - Rio de Janeiro / RJ  
Telephone number: (21) 3852-6641  
Site: [www.cerd-rj.com.br](http://www.cerd-rj.com.br)

ANY DOUBT? CONTACT US!

5th Titles and Documents Registry Office

Officer: Durval Hale  
e-mail: [5trdrj@mundivox.com.br](mailto:5trdrj@mundivox.com.br)  
Telephone: (21) 2507-5197

6th Titles and Documents Registry Office

Officer: Sônia Maria Andrade dos Santos  
E-mail: [oficiala@6trtd-rj.com.br](mailto:oficiala@6trtd-rj.com.br)  
Telephone number: (21) 2233-7878

Register your :::  
DOCUMENTS



SAME-SEX WEDLOCK  
AGREEMENT



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## ① What does it consist of?

Same-sex Wedlock Agreement is the informal accord in which two persons of the same sex legally acknowledge their cohabitation relationship, so as to guarantee the rightful share or heirloom of their common patrimony.

Although Brazilian legislation does not admit marriage between people of the same sex, it must forcibly recognize that this kind of partnership produces rights and duties, mainly of patrimonial nature, and that, in some cases, Brazilian Justice is being challenged to take a position concerning the effects prompted by the succession mortis causa, or by the breakup of the partnership itself.

In the pact, be it public or particular, it is very important that the partners try to determine the principles, the rules that will prevail when the relationship is terminated, between living partners or because one of them has died.

The document must be made in mutual agreement, either through a private document or through a notarial act. They must not forget the last step: no matter if the agreement is public or particular, it must be registered in the Titles and Documents Registry Office of the domicile of the partners, in order to acquire validity against third parties, and obtain the publicity that can only be granted by registration.

## ② Why should it be registered?

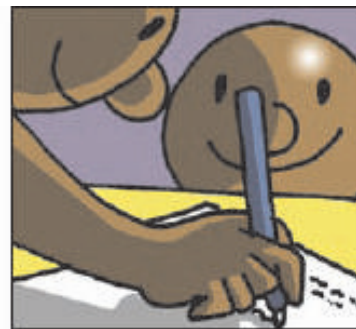
Because, since the Same-sex Wedlock Agreement is not yet legally recognized, its filing in a Titles and Documents Registry Office guarantees its publicity, conservation and perpetuity, besides serving as evidence instrument, at any time. In the document is lost or stolen, request a certificate, which will have the same legal value of the original document, before any instance or tribunal.\* All kinds of cohabitation partnership deserve being respected by society – and, consequently, by its laws.

## ③ How can i register it?



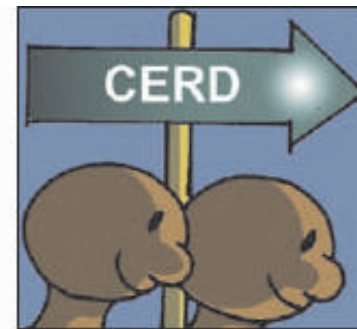
### 1 st STEP:

The agreement must be written according to what the partners accord, that must be specified in detail;



### 2 nd STEP:

The partners must sign the agreement, procedure in which the presence of witnesses is not mandatory;



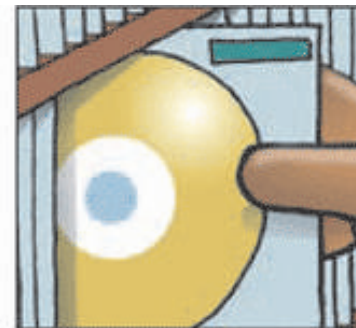
### 3 rd STEP:

Take the original documents and at least one copy of each to the Attendance Sector of Central de Registro de Documentos – CERD (the Documents Registry Central Office);



### 4 th STEP:

Pay for the registration according to the table of fees established by the Corregedoria-Geral da Justiça do Estado do Rio de Janeiro (Directorate-General of Justice of the State of Rio de Janeiro);



### 5 th STEP:

The document is sent to one of the six Registry Offices of Rio de Janeiro, where it will be stamped, sealed, signed and filed in microfilm and/or DVD;



### 6 th STEP:

Pick up your Same-sex Cohabitation Agreement duly registered, in up to 24 hours, at the Documents Management Sector of CERD.