

J. Y. Interpretation No.34 (April 28, 1954) *

ISSUE: Is the marriage between the adopter's son and the adopted daughter of the adopter's mother prohibited?

RELEVANT LAWS:

Article 983 of the Civil Code (民法第九百八十三條) ; J.Y. Interpretation No. 12 (司法院釋字第十二號解釋) .

KEYWORDS:

one's mother's adopted daughter (母之養女) , one's adopted son (養子) , marriage (婚姻) , statutory blood relatives (擬制血親) .**

HOLDING: According to the provision of Article 983, Paragraph 1, Subparagraph 2, of the Civil Code, the marriage between one's mother's adopted daughter and adopted son is prohibited because the parties involved are subject to statutory blood relations between different generations. J. Y. Interpretation No. 12 is not applicable in this case since the circumstances are dissimilar.

解釋文：母之養女與本身之養子係輩分不相同之擬制血親，依民法第九百八十三條第一項第二款之規定，不得結婚，本院釋字第十二號解釋與此情形有異，自不能援用。

* Translated by Chi-chang Yu.

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