



LEGALIZATION OF FOREIGN DOCUMENTS

Under international private law, “legalization” means the formality by which diplomatic or consular agents certify the authenticity of the signature on a document. Legalization is generally necessary for the use of the document in the jurisdiction of origin of the diplomatic or consular agent.

In the normal course of affairs, only signatures known to the consulate can be legalized. Thus it is usually necessary for a document to be legalized by a large number of bodies, so that the consul can certify the authenticity of a signature he/she is familiar with. The use of consular legalization has therefore become quite rare. The parties resort to consular legalization only if there is no international multilateral or bilateral convention applicable to the situation.

There are two major international multilateral conventions abolishing the consular legalization:

1) The Hague Convention of October 5, 1961, on the *apostille*, and

2) The Brussels Convention of May 25, 1987, between the member states of the European Union abolishing the need for the *apostille*.

There are many bilateral conventions between states simplifying the procedure for the recognition of documents outside the issuing state (for example, the Rome Convention between the Republic of Italy and the Federal Republic of Germany of June 7, 1969). Such conventions are outside the scope of this brief presentation, but the practitioner should always determine whether there is any bilateral convention applicable in the situation under review.

The purpose of this memorandum is to provide the layman with sufficient information for obtaining a legalized document for use in another state. This is not specific legal advice, and a lawyer should be consulted in all cases in which there is a need for clarification or to resolve any doubt on the interpretation of the applicable international conventions.

THE HAGUE CONVENTION OF OCTOBER 5, 1961: ABOLISHING THE REQUIREMENT OF LEGALIZATION FOR FOREIGN PUBLIC DOCUMENTS

General Information. The Hague Convention of October 5, 1961, abolished diplomatic and consular legalization requirements for public documents originating in one participating country and intended for use in another, and replaced these formalities with the simple addition of a certificate in a prescribed form known as an *apostille*, delivered by the competent authority of the state of origin. The purpose of the Hague Convention was to simplify the recognition of certain documents outside the issuing country.

Thus, under the Hague Convention, public documents issued in a participating country and certified by the *apostille* are entitled to recognition, without any further authentication requirements, in any other participating country, because of a principle of reciprocity.

The Apostille. The *apostille* certificate may be placed on the document itself or on a piece of paper, called an “*allonge*,” annexed to the document for the particular purpose of legalizing the same. In case of a multipage document, the *apostille* must be affixed to the signature page(s) of the same document; when an *allonge* is used, the *apostille* may be placed in front or in back of it.

Furthermore, the *apostille* certificate has to be in the form of a square whose sides are at least nine centimeters long, and the title “Apostille (Convention de La Haye du 5 octobre 1961)” must be in French. The rest of the information may be in the official language of the issuing authority.¹

As prescribed by the Convention, the preprinted form of the *apostille* must include the following information:

- 1) The name of the country from which the document emanates.
- 2) The name of the person signing the document.
- 3) The capacity in which the person signing the document has acted.

- 4) In the case of an unsigned document, the name of the authority that has affixed the seal or stamp.
- 5) The place of certification.
- 6) The date of certification.
- 7) The authority issuing the certificate.
- 8) The certificate number.
- 9) The seal or stamp of the authority issuing the certificate.
- 10) The signature of the authority issuing the certificate.

Please see the following examples of *apostilles* in English and French, as prescribed by the Convention.

Annexe à la Convention
Modèle d'apostille
L'apostille aura la forme d'un carré de 9 centimètres de côté au minimum

APOSTILLE
(Convention de La Haye du 5 octobre 1961)

1. Pays:
Le présent acte public

2. a été signé par

3. agissant en qualité de

4. est revêtu du sceau/timbre de

Attesté

5. à 6. le

7. par

8. sous N°

9. Sceau/timbre: 10. Signature:

Annex to the Convention
Model of certificate
The certificate will be in the form of a square with sides at least 9 centimetres long.

APOSTILLE
(Convention de La Haye du 5 octobre 1961)

1. Country:
This public document

2. has been signed by

3. acting in the capacity of

4. bears the seal/stamp of

Certified

5. at 6. the

7. by

8. N°

9. Seal/stamp: 10. Signature:

1. The use of another language is also accepted but does not replace the use of either French or English or the official language of the issuing country, as the first language.

Apostilles issued by the competent authorities should conform as closely as possible to the above models. However, variations in the form of an *apostille* by the issuing authority should not be a basis for rejection as long as the *apostille* is clearly identifiable as an *apostille* issued under the Hague Convention. This formal requirement allows a speedy and easy check of the *apostille's* regularity.

In addition, the Convention has arranged a supervision system to detect false information or signatures on the *apostille* and also to verify the authenticity of the certificate. Finally, each competent authority has to keep a register or card index in which it records the *apostilles* that it has issued.

At the request of any interested person, the issuing authority may verify *ex post* whether the particulars in the *apostille* certificate correspond with the registered information, as follows:

- The name and date of the certificate.
- The name of the person signing the public document and the capacity in which he/she has acted, or in the case of an unsigned document, the name of the authority that has affixed the seal or stamp.

Public Documents. The Hague Convention applies only to public documents. Since there is no general definition of this term in the *Apostille* Convention, it is important to establish, to the extent possible, what a “public document” is within the meaning of the Convention.

The Hague Convention specifies four categories of public documents to which an *apostille* may be affixed, but the intention of the Delegates to this Convention seems to have been the abolition of legalization for all the documents other than the ones signed by persons in their private capacities. The documents listed in the Convention are the following:²

- (a) Documents emanating from an authority or an official connected with the courts or tribunals of the state, including those emanating from a public prosecutor, a clerk of the court or a process server. The generic expression “courts or tribunals of the state” seems to include all judicial decisions given in a member country

of the Convention, thus not only the judgments of the courts, but also those given by other, special tribunals and even ecclesiastical courts if they are acting as tribunals of the state.

- (b) Administrative documents. Because of this, all documents issued by the administrative authorities of a member country are included (for example, certificates of birth, death and marriage, as well as extracts from the population register).
- (c) Notarial acts – instruments drawn up by a notary public.
- (d) Official certificates that are placed on documents signed by persons in their private capacities, such as official certificates recording the registration of a document or the fact that it was in existence on a certain date and official and notarial authentication of signatures. It is important to stress that the above provision does not refer to the document signed by a person acting in his/her private capacity (that is and remains a private instrument); only the official certificate placed on the document is deemed to be a public document and may have an *apostille* appended. Thus, the competent authority needs only to check the authenticity of the signature of the notary or another official, the capacity in which he/she signed the certificate and, where appropriate, the identity of the affixed seal. Furthermore, an *apostille* can be applied on a certified copy of a public document; however, in this case, individual states may decline to issue it on the basis of public policy.

The Convention does not apply to:

- (a) Documents executed by consular and diplomatic agents. It would be inappropriate to subject such documents to the rules of the Hague Convention, because it would be necessary to send the document to the country of origin of the consular authority so that the *apostille* could be affixed and then return the document to the country where it was produced.
- (b) Administrative documents dealing directly with commercial transactions or customs formalities. This kind of document is expressly excluded from the scope of the *Apostille* Convention,³ because such documents are exempt from legalization in the majority of the

2. See Article 1(2) of the Hague Convention of 1961.

3. See Article 1(3) of the Hague Convention of 1961.

participating countries, and where a formality is required, usually it is a question of authentication of the document's content, not an issue of signature legalization.

Effects of an *Apostille*. The sole effect of an *apostille* is to certify:

- The authenticity of the signature.
- The capacity in which the person signing the document has acted.
- If applicable, the identity of the seal or stamp on the document.

It is important to stress that the effect of an *apostille* does not extend to the content of the public document to which it is annexed.

E-*Apostille*. There have been some recent attempts to modernize the system created by the Hague Convention, taking into consideration technological improvements.

In November 2003, a meeting of a Special Commission took place in The Hague to review the *Apostille* Convention's practical operation.

The Commission underlined that today's society is very different from the one existing at the time of the Hague Convention's enactment. At present, the Convention operates in an environment subject to important technical developments, the results of which could have many positive effects on the process of creating and registering *apostilles*, such as lowering the costs and increasing the efficiency of the same. In particular, electronic *apostilles* can improve usefulness in terms of reduced cost, higher speed and enhanced legal security of the transactions.

Considering the potential advantages of using new technologies and the growing inflow of applications for *apostilles*, it is legitimate to ask whether it is (or will be) possible to issue electronic *apostilles* under a Convention designed for paper documents. Although neither the text of the Hague Convention nor the Explanatory Report answers this question, the absence of any contrary provision and the broad terminology used seem to allow a positive answer, partly because a paper copy of an electronic *apostille* could be produced in any case.

The Commission identified the following four stages in the issuing of an *apostille*, in respect of which there is no reason in principle why information technology (IT) should not be applied:

- (a) Maintenance of a secure electronic database of signatures for the purpose of verifying the signatures appearing on public documents for which an *apostille* is requested.
- (b) Use of word-processing technology to complete the information to appear on the *apostille*.
- (c) Use of electronically reproduced signatures of the issuing authority to be inserted through secure electronic means and printed on the *apostille*.
- (d) Maintenance of an electronic register.

This last, in particular, could play an important role in the promotion of an *apostille* and the verification of its origin and may also provide a strong deterrent to fraud and abuse. Such a register could be made available online, so that the public could obtain verification by entering the number and date of the *apostille* they are interested in.

Some steps have already been taken in this direction. Certain competent authorities use electronic transmissions for the issuance of *apostilles*, and most countries of the Convention have enacted legislation recognizing the legal effect of electronic signatures and electronic documents. On the other hand, many states have dragged their feet in relation to the use of electronic signatures, and this represents a problem for generating electronic *apostilles*. In fact, an e-*apostille* would certainly need to be signed with an electronic signature certifying the role of the public official and one or more electronic signatures certifying the role of the competent authority. The e-*apostille* also needs a standard XML envelope that can tie together two electronic documents (the public document and the *apostille*).

Finally, electronic *apostilles* need to fulfill certain basic requirements to ensure nonrepudiation:

- (a) The issuance of the *apostilles* by the competent authority must be independently verifiable.
- (b) The *apostille* must be invalidated if the document to which it is affixed is improperly modified, as in the case of removal of the *apostille* from the same.

States Signatory to the Convention and Competent Authorities.

The Hague Convention has been signed and accepted by 87 states (as of September 30, 2005).

The *apostille* must be affixed to the document by a “competent authority” of the state in the territory in which the document has been issued; each member country of the Hague Convention therefore has to designate authorities competent to issue *apostilles* in their official capacities. The designation and any change in the designation of such authorities must be reported by each Foreign Ministry to the Ministry

of Foreign Affairs of the Netherlands, as depositary of the Convention.

Diplomatic and consular officers of countries that are members of the Hague Convention are prohibited from placing a certification over the *apostille*.

The actual title of the authorities issuing the *apostille* differs between countries. (See the table below for a list of such authorities in each member state.)

Country's Name	Entry into Force	Competent Authority(ies)
Albania	05.09.04	The Office of Authentications of the Consular Department of the Ministry of Foreign Affairs (<i>Drejtoria Konsullore, Zyra e Legalizimeve, Ministria e Puneve te Jashtme</i>)
Andorra	12.31.96	The Minister of Foreign Affairs; the Minister of the Presidency and Tourism; the Minister of Justice and Interior; the Secretary of State of Justice and Interior; the Director of Foreign Policy, Bilateral Affairs and European Union; the Director of Multilateral Affairs and Cooperation for Development
Antigua & Barbuda	11.01.81	The Registrar of the High Court of Antigua and Barbuda
Argentina	02.18.88	The Minister of Foreign Affairs and Religion (Ministerio de Relaciones Exteriores y Culto)
Armenia	08.14.94	The Ministry of Foreign Affairs and the Ministry of Justice
Australia	03.16.95	The Secretary to the Department of Foreign Affairs and Trade of the Commonwealth of Australia
Austria	01.13.68	<p>The Federal Ministry of Foreign Affairs for documents issued by: a) the Federal President and Chancellors; b) the President of the National Council and the President of the Federal Council or the Parliamentary Direction; c) the Federal Government; d) the Federal Minister; e) the Constitutional Court and Administrative Court; f) the Supreme Court; g) the State Auditors' Department (das Bundesministerium für Auswärtige Angelegenheiten hinsichtlich aller Urkunden, die: a) vom Bundespräsidenten oder von der Präsidentschatskanzlei; b) vom Präsidenten des Nationalrates, vom Vorsitzenden des Bundestages oder vom Bundestagspräsidenten; c) von der Bundesregierung; d) von einem Bundesministerium; e) vom Bundesverfassungsgericht oder vom Verwaltungsgerichtshof; f) Constitutional Court (Bundesverfassungsgericht); g) vom Rechnungshof, ausgestellt worden sind);</p> <p>The President of any Civil Court of First Instance, with the exception of the Commercial Court and the Juvenile Court of Vienna, or their representatives authorized to issue the <i>apostille</i>, for documents issued by other Courts different from the ones above nominated (see letters e and f), State authorities, notaries public, notary's chambers and legal departments – within the limits of federal duties – for documents issued in the Court having jurisdiction (die Präsidenten der mit Zivilrechtssachen befassten Gerichtshöfe erster Instanz oder ihre zur Ausstellung der Unterzeichnungsbestätigung (Apostille) bestimmten Stellvertreter, mit Ausnahme des Handelsgerichtes Wien und des Jugendgerichtshofes Wien, hinsichtlich aller Urkunden, die von einem anderen Gericht als den in Buchstaben e und f genannten, von einer staatsanwaltschaftlichen Behörde, von einem Notar, von einer Kammern dabei in Vollziehung behördlicher Aufgaben des Bundes tätig werden – im Wirkungsbereich des betreffenden Gerichtshofes ausgestellt worden sind);</p> <p>For all the other documents: a) the Governors of the Provinces; and b) the Governments of the Provinces for the documents of their federal district (hinsichtlich aller anderen Urkunden: a) die Ministerpräsidenten, soweit</p>

es sich um Urkunden handelt, die in ihrem Bundesland in Vollziehung behördlicher Aufgaben des Bundes ausgestellt worden sind; und b) die Landesregierungen, soweit es sich um Urkunden handelt, die in ihrem Bundesland in Vollziehung behördlicher Aufgaben des Landes ausgestellt worden sind

Azerbaijan	03.02.05	The Ministry of Foreign Affairs and Ministry of Justice
Bahamas	07.10.73	The Ministry of Foreign Affairs (the Permanent Secretary, Director General, Under Secretary, Senior Assistant Secretary, Deputy Permanent Secretary and First Assistant Secretary)
Barbados	11.30.66	The Solicitor-General, Deputy Solicitor-General, Registrar of the Supreme Court, Registrar of Corporate Affairs, Permanent Secretary in the Ministry responsible for Foreign Affairs, and Chief of Protocol
Belarus	05.31.92	The Ministry of Justice for documents issued by judicial authorities and courts; The Ministry of National Education for documents issued by relevant educational authorities; The Committee for Archives and Administration for documents issued by relevant state archives; The Ministry of Foreign Affairs for all other documents ⁴
Belgium	02.09.76	The Ministry of Foreign Affairs, Trade and Cooperation for Development (Ministère des Affaires étrangères, du Commerce extérieur et de la Coopération au Développement)
Belize	04.11.93	The Registrar General
Bosnia-Herzegovina	03.06.92	The Ministry of Justice of the Republic of Bosnia and Herzegovina
Botswana	09.30.66	The persons for the time being exercising the functions of Permanent Secretary, Registrar of High Court, and District Commissioner; any person appointed or empowered to hold a subordinate court of the first class; and such other persons as the President may appoint by notice in the Gazette
Brunei Darussalam	12.03.87	The Chief Registrar, Deputy Chief Registrar and Registrars of the Supreme Court; and the Chief Magistrate, Magistrates and Registrars of subordinate Courts of Brunei Darussalam
Bulgaria	04.29.01	The Ministry of Justice – in respect of the documents of the courts and notaries; The Ministry of Foreign Affairs – in respect of all other documents
China, People's Republic of ⁵	02.04.69	Macao: The Chief Executive, the Secretary for Administration and Justice and the Director of Justice Affairs Department
	01.24.65	Hong Kong: The Administrative Secretary, the Registrar of the High Court, the Deputy Registrar of the High Court and the Assistant Registrar of the High Court
Colombia	01.30.01	The Ministry of Foreign Affairs, Legalization Area (Ministerio de Relaciones Exteriores, Area de Legalizaciones)
Cook Islands	04.30.05	The Ministry of Foreign Affairs and Immigration
Croatia	10.08.91	The municipal courts or the Ministry of Justice and Administration of the Republic of Croatia
Cyprus	04.30.73	The Ministry of Justice of the Republic of Cyprus
Czech Republic	03.16.99	The Ministry of Justice, International Department (certificates issued by authorities of justice, including certificates issued or certified by notaries); The Ministry of Foreign Affairs, Consular Department (documents issued by authorities of State Administration or by the other ones)

4. In accordance with the communication of the Ministry of Foreign Affairs of the Republic of Belarus dated February 8, 1993.

5. It is important to stress that the People's Republic of China is party to the Hague Convention only within the limits of the territories of Macao and Hong Kong.

Dominica	11.03.78	The Attorney General, the Solicitor General, the Registrar and the Deputy Registrar
Ecuador	04.02.05	The Ministry of Foreign Affairs, Head Office of Consular Affairs and Legalization, and Legalization Department (Ministerio de Relaciones Exteriores, Dirección General de Asuntos Consulares y Legalizaciones y Departamento de Legalizaciones)
El Salvador	05.31.96	The Ministry of Foreign Affairs
Estonia	09.30.01	The Ministry of Foreign Affairs, Consular Department, Legal Division; the Ministry of Education and Research, Administrative Department; the Ministry of Justice, Courts' Department; the Ministry of Internal Affairs, Population Facts Department; and the Ministry of Social Affairs, Information Management Department
Fiji	10.10.70	The Chief Registrar of the Supreme Court of Fiji
Finland	08.26.85	The notary public of a local register
The Former Yugoslav Republic of Macedonia	01.24.65	The Ministry of Justice and all 27 First Instance Courts in the Republic of Macedonia
France	01.24.65	Departments in Europe and Overseas Departments (Guadeloupe, Guyana, Martinique and Réunion): Public prosecutor's offices at the Appellate Courts (<i>les Procureurs généraux près les cours d'appel</i>)
Germany	02.13.66	<p>1 Bund (Federal Authorities)</p> <p>a) Documents of the Federal Court (other than the ones at letter b) Urkunden aller Bundesbehörden und Gerichte (ausser den unter Buchstabe b erwähnten Urkunden) Federal Administrative Office (<i>Bundesverwaltungsamt</i> in Köln)</p> <p>b) Documents of the Federal Patent Court and the German Patent Office Urkunden des Bundespatentsgerichts und des Deutschen Patentamtes President of the German Patent Office (<i>Präsident des Deutschen Patentamtes</i>)</p> <p>2 Authorities of the Länder</p> <p>a) Documents of the authorities administering Justice, ordinary Civil and Commercial Courts and Notaries Urkunden der Justizverwaltungsbehörden, der ordentlichen Gerichte (Zivil- und Handelsgerichte) und der Notare The Minister of Justice (<i>Justizminister</i>) <i>Ministerium (Senator) für Justiz Land-, (Amts-) gerichtspräsident</i>)</p> <p>b) Documents of administering authorities (other than the authorities administering Justice) Urkunden aller Verwaltungsbehörden (ausser Justizverwaltungsbehörden) The Minister of Home Affairs (<i>Innenminister</i>) <i>Ministerium (Senator) für Inneres</i>), Head of the Provincial Government (<i>Regierungspräsident</i>), Head of the Administrative District (<i>Präsident des Verwaltungsbezirks</i>)</p> <p>c) Documents of not-ordinary courts (see letter a) Urkunden der anderer als der ordentlichen Gerichte (vgl. Buchstabe a) The Minister of Home Affairs (<i>Innenminister</i>) <i>Ministerium (Senator) für Inneres</i>), Head of the Provincial Government (<i>Regierungspräsident</i>), Head of the Administrative District (<i>Präsident des Verwaltungsbezirks</i>) The Minister of Justice (<i>Justizminister</i>) <i>Ministerium (Senator) für Justiz Land-, (Amts-) gerichtspräsident</i>)</p> <p>And, with the reunification of Germany on October 3, 1990, for the new federal <i>Länder</i> of Brandenburg, Mecklenburg-West Pomerania, Saxony, Saxony-Anhalt, Thuringia:</p> <p>a) Documents of the authorities administering Justice, ordinary Civil and Commercial Courts and Notaries Urkunden der Justizverwaltungsbehörden, der ordentlichen Gerichte (Zivil- und Handelsgerichte) und der Notare</p>

The Minister of Justice, as President of Courts of the *Länder* (*Die Ministerien für Justiz sowie die Präsidenten der Landgerichte (Bezirksgerichte)*)

b) Documents of administering authorities (other than the authorities administering Justice)

Urkunden aller Verwaltungsbehörden (ausser Justizverwaltungsbehörden)

The Head of the Provincial Government, as administrative office of the *Länder* (*Die Länderregierungen Ministerien für Inneres sowie die Länderverwaltungen Regierungspräsidenten (Bezirksregierungen) und das Landesverwaltungsamt (Thüringen)*)

c) Documents of not-ordinary courts (see letter a)

Urkunden anderer Gerichte als der ordentlichen Gerichte (vgl. Buchstabe a)

The Minister of Home Affairs (*Innenminister*) *Die Ministerien für Inneres* and Head of the Provincial Government (*Ministerpräsidenten*) *Die Regierungspräsidenten (Bezirksregierungen)*, the Minister of Justice, as President of Courts of the *Länder* (*Justizminister*) *die Ministerien für Justiz sowie die Präsidenten der Landgerichte (Bezirksgerichte)*)

The Land of Baden-Württemberg:⁶ The Ministry of Justice with regard to public documents issued by itself, an *Oberlandesgericht* (highest court of a *Land*) and public prosecutor's offices serving an *Oberlandesgericht*;

The President of a *Landesgericht* (district court of a *Land*) for the public documents issued in his district by the other normal courts and public prosecutor's offices, by the authorities to which tasks of the normal courts have been delegated, by notaries and district notaries, and for other documents issued in connection with the administration of justice;

The district council of Tübingen for public documents issued by the ministries, except for those issued by the Ministry of Justice;⁷ and

The district councils for the public documents issued in their districts by all other administrative bodies and by courts of all branches of the judicial system except for the normal courts.

Greece	05.18.85	The department (nómos) which is the seat of the authority issuing the document in the case of administrative documents; The court of the first instance in the district which is the seat of the authority issuing the document in the case of judicial documents
Grenada	02.07.74	The Ministry of Foreign Affairs and International Trade and the Permanent Secretary and the Senior Administrative Officer
Honduras	09.30.04	The Minister of Foreign Affairs, Secretary of the State in the Office for Foreign Relations (Secretaría de Estado en el Despacho de Relaciones Exteriores)
Hungary	01.18.73	The Minister of Justice of the Hungarian People's Republic in respect of public documents and legalizations executed by judicial authorities; The Minister for Foreign Affairs of the Hungarian People's Republic in respect of public documents and legalizations executed by other authorities
Iceland	11.27.04	The Ministry for Foreign Affairs (Utanríkisráðuneytið)
India	08.14.05	The Ministry of External Affairs of the Government of India
Ireland	03.09.99	The Department of Foreign Affairs
Israel	08.14.78	The Ministry of Foreign Affairs of the State of Israel and Registrars of Magistrates' Courts and Civil Servants appointed by the Minister of Justice under Notaries Law, 1976
Italy	02.11.78	For the judicial documents, issued by the municipal registry and notaries: the public prosecutor's office at the tribunal of the jurisdiction under which the documents are issued (Pour les actes judiciaires, de l'état civil et notariés: le Procureur de la République auprès des Tribunaux dans la juridiction desquels les actes sont émanés); For all other administrative documents provided for by the Convention: the prefect with territorial jurisdiction, for the <i>Vallée d'Aoste</i> the president

6. In accordance with the declaration of August 2, 2004.

7. Hitherto, the Ministry for the Interior was named as the competent authority for issuing certificates.

		of the region and for the provinces of <i>Trento</i> and <i>Bolzano</i> the government official (Pour tous les autres actes administratifs prévus par la Convention: les Préfets territorialement compétents, pour la Vallée d'Aoste le Président de la Région et pour les provinces de Trente et Bolzano le Commissaire du Gouvernement)
Japan	07.27.70	The Ministry of Foreign Affairs in Tokyo
Kazakhstan	01.30.01	<p>The Ministry of Justice of the Republic of Kazakhstan – for official documents issued by the bodies for justice and other state bodies, including the notary offices;</p> <p>The Ministry of Education and Science of the Republic of Kazakhstan – for official documents issued by the bodies for education, science and the educational institutions of the Republic;</p> <p>The Ministry of Internal Affairs of the Republic of Kazakhstan – for official documents issued by the structural subdivisions of the Migration Police;</p> <p>The Committee on administration of the archives and documentation to the Ministry of Culture, Information and Public Consent of the Republic of Kazakhstan – for archive certificates and copies of archive documents issued by the state archives of the Republic of Kazakhstan;</p> <p>The Committee for forensic (legal) administration to the Supreme Court (to be coordinated) for official documents issued by the law-enforcement bodies and the bodies for execution of law;</p> <p>The Ministry on State Income of the Republic of Kazakhstan – for official documents issued by the structural and territorial subdivisions of the Ministry on State Income of the Republic of Kazakhstan;</p> <p>The General Office of Public Prosecutors of the Republic of Kazakhstan (to be coordinated) – for official documents issued by the bodies of Public Prosecutors, investigation agencies and inquest;</p> <p>The Ministry of Defense of the Republic of Kazakhstan – for archive certificates and copies of archive documents issued by the special state archives of the Ministry of Defense of the Republic of Kazakhstan;</p> <p>The Committee for National Security of the Republic of Kazakhstan (to be coordinated) – for archive certificates and copies of archive documents issued by the special archives of the Committee for National Security of the Republic of Kazakhstan;</p> <p>The designated bodies are entitled to delegate the authority to their territorial bodies to issue the <i>apostille</i></p>
Latvia	01.30.96	The Ministry of Foreign Affairs
Lesotho	10.04.66	The Attorney General; the Permanent Secretary of a Ministry or Department; the Registrar of the High Court; a Resident Magistrate; a Magistrate of the First Class; and such other person as the Minister may appoint and whose appointment notice has been published in the Gazette
Liberia	02.08.96	The Minister of Foreign Affairs, Deputies and Assistant Ministers; the Minister of Justice, the Deputies and Assistant Ministers; the Clerk and Deputy Clerk(s) of the Supreme and Circuit Court(s); the Registrars and Deputy Registrars of Corporations; and the Commissioner and Deputy Commissioners of Maritime Affairs or Special Agents thereof
Liechtenstein	07.19.72	The chancellery of the regency (die Regierungskanzlei der fürstlichen Regierung)
Lithuania	07.19.97	The Consular Department of the Ministry of Foreign Affairs
Luxembourg	06.03.79	The Ministry of Foreign Affairs
Malawi	12.01.67	The Attorney General or Solicitor General, the Permanent Secretary of a Government Ministry, the Registrar of the High Court, the Registrar General, a Government Agent, a notary public and a Resident Magistrate
Malta	03.02.68	The Ministry of Foreign Affairs
Marshall Islands	08.14.92	The Minister of Foreign Affairs of the Marshall Islands, the Attorney General and Acting Attorney General, the Clerk and Deputy Clerk of the High Court, Registrars and Deputy Registrars of Corporations, the Maritime Administrator and Special Agents thereof, and the Commissioner and Deputy Commissioners of Maritime Affairs or Special Agents thereof

Mauritius	03.12.68	The Permanent Secretary, or in his absence, a Principal Assistant Secretary, of the Prime Minister's Office
Mexico	08.14.95	Apostille for Federal Documents: Direction of political coordination with the Powers of the Union, and Subdirection of Formalization and Control (Dirección de Coordinación Política con los Poderes de la Unión, and Subdirección de Formalización y Control) Apostille for State Documents: There are 32 competent authorities designated to issue <i>Apostilles</i> for state documents
Monaco	12.31.02	Direction of Judicial Services (Direction des Services Judiciaires)
Namibia	01.30.01	Any magistrate, including a regional magistrate and an additional magistrate; the Registrar of the High Court; and the Permanent Secretary and the Deputy Permanent Secretary: Ministry of Justice and Office of the Attorney General
Netherlands	10.08.65	The Kingdom in Europe: Local Rechtbank
Netherlands Antilles	04.30.67	The Netherland Antilles: The Lieutenant Governor of an island or a group of islands. The authority designated for the island of Curaçao – the Lieutenant Governor of the island of Curaçao – has delegated his competence to issue the certificate referred to in Article 3, first paragraph, of the Convention to: The Head of the Births, Deaths and Marriages, Population and Electoral Registers of the island of Curaçao, and The acting Head of the Births, Deaths and Marriages, Population and Electoral Registers of the island of Curaçao Aruba: The Director of the Central Bureau for Legal and General Affairs (de Directeur van het Centraal Bureau Juridische en Algemene Zaken)
New Zealand	11.22.01	The Department of Internal Affairs, Authentication Unit
Niue	03.02.99	The Attorney General; the Financial Secretary; Crown Counsel; the Registrar International Business Companies; Deputy Registrar International Business Companies; the Registrar, High Court of Niue; and the Secretary to Government
Norway	07.29.83	The Royal Norwegian Ministry of Foreign Affairs and the "County Governors" (Fylkesmennene)
Panama	08.04.91	Concerning the documents authorized by competent court authorities or officials, the Secretary of the Supreme Court or his legal substitutes; Concerning deeds drawn up by a notary or private documents authenticated by a notary, the officials of the department of administrative service of the Ministry of Justice; Regarding other documents issued by any central government bodies, any autonomous or semi-autonomous bodies, municipal or police authorities or a Public Ministry, the officials of the consular and legalization department of the Ministry of Foreign Affairs; Regarding all other public documents, any of the three preceding procedures are allowed
Poland	08.14.05	The Ministry of Foreign Affairs
Portugal	02.04.69	The general public prosecutor's office and public prosecutor's offices at the Appellate Courts (Le Procureur Général de la République et les Procureurs de la République auprès des Cours d'Appel)
Romania	03.16.01	The Appellate Courts for the certificates referred to in Article 1 a, c, d and the Prefectures for the official certificates referred to in Article 1 b of the Convention ⁸
Russian Federation	05.31.92	The General Prosecutor's Office of the Russian Federation, the Ministry for Internal Affairs of the Russian Federation, the Federal Registration Service (<i>Rosregistratsia</i>) and its territorial bodies in subjects of the Russian Federation, the Register Offices of the executive bodies in subjects of the Russian Federation, the Federal Supervision Service for Education and

8. This designation is applicable from November 1, 2004. Until this term, the *apostille* had been applied by the Ministry of Justice, for the documents in accordance with art. 1 a), b) and c), and by the Ministry of Foreign Affairs, for the documents in accordance with art. 1 b) of the Convention.

		Science, the Federal Archives Agency and the authorized bodies for archives of the executive power in subjects of the Russian Federation
Saint Kitts & Nevis	12.14.94	<p>For Saint Kitts and Nevis or the Island of Saint Kitts: The Attorney General, the Solicitor General, the Chief Secretary in the Office of the Prime Minister, the Permanent Secretary in the Ministry of Foreign Affairs, or the Registrar of the Supreme Court</p> <p>For the Island of Nevis: The Chief Secretary in the Office of the Premier, the Legal Adviser in the Legal Department or the Deputy Registrar of the Supreme Court</p>
Saint Lucia	07.31.02	The Permanent Secretary, Ministry of Foreign Affairs and International Trade; the Deputy Permanent Secretary, Ministry of Foreign Affairs and International Trade; the Permanent Secretary, Ministry of Finance; the Deputy Permanent Secretary, Ministry of Finance; the Registrar of Companies and Intellectual Property; the Registrar of the Supreme Court; and the Solicitor General
Saint Vincent and the Grenadines	10.27.79	The Permanent Secretary, Ministry of Foreign Affairs; the Registrar, High Court; and the Senior Crown Counsel, Ministry of Legal Affairs
Samoa	09.13.99	The Ministry of Foreign Affairs, the Secretary for Foreign Affairs
San Marino	02.13.95	The Minister for Foreign Affairs (<i>il Segretario di Stato per gli Affari Esteri della Repubblica di San Marino</i>) or a person delegated and officially authorized by him/her to sign and authenticate legal instruments and documents issued by the Department of Foreign Affairs and other of the Republic's public bodies
Serbia and Montenegro	01.24.65	The Ministry of Justice and Local Self-Government of the Republic of Serbia; The Ministry of Justice of the Republic of Montenegro Sector for Justice
Seychelles	03.31.79	The Minister responsible for Foreign Affairs, or any person designated and officially authorized by him/her; the Attorney General, or any person designated and officially authorized by him/her; the Secretary to the Cabinet; and the Registrar of the Supreme Court
Slovak Republic	02.18.02	<p>The Ministry of Justice of the Slovak Republic (<i>Ministerstvo spravodlivosti Slovenskej republiky</i>) and all Regional Courts (<i>Krajský súd</i>) for: a) public documents issued or certified by courts, notaries, huissiers de justice or other judicial officers; b) translations executed by official (court-appointed) translators;</p> <p>The Ministry of Interior of the Slovak Republic (<i>Ministerstvo vnútra Slovenskej republiky</i>) for public documents emanating from authorities within its jurisdiction with the exception of documents specified in letter a below;</p> <p>The Ministry of Education of the Slovak Republic (<i>Ministerstvo školstva Slovenskej republiky</i>) for public documents emanating from authorities within its jurisdiction;</p> <p>The Ministry of Health of the Slovak Republic (<i>Ministerstvo zdravotníctva Slovenskej republiky</i>) for public documents emanating from authorities within its jurisdiction with the exception of documents specified in letter b below;</p> <p>The Ministry of Defense of the Slovak Republic (<i>Ministerstvo obrany Slovenskej republiky</i>) for public documents emanating from authorities within its jurisdiction;</p> <p>Office of Regional Administration (<i>Krajský úrad</i>) for: a) documents from the Register of Births, Deaths and Marriages (<i>matrika</i>) with the exception of decisions on civil status; b) documents issued by health facilities established by the Office of Regional Administration; c) documents issued by the authorities of local self-government;</p> <p>The Ministry of Foreign Affairs of the Slovak Republic (<i>Ministerstvo zahraničných vecí Slovenskej republiky</i>) for any other public document issued in the Slovak Republic not specified above</p>
Slovenia	10.08.91	The Ministry of Justice and Administration of the Republic of Slovenia
South Africa	04.30.95	Any magistrate or additional magistrate, any registrar or assistant registrar of the Supreme Court of South Africa; any person designated by the Director-General: Justice; and any person designated by the Director-General: Foreign Affairs

Spain	09.25.78	<p>For documents drawn up by competent judicial authorities or officials: the Secretaries of the "Territorial Courts" (<i>Secretarios de Gobierno de las Audiencias</i>) or their deputies;</p> <p>For documents authenticated by a notary public, or private documents where the signatures have been authenticated by a notary public: the President of the relevant Association of Notaries Public or the person legally responsible for its affairs;</p> <p>For other public documents, excepting those issued by central administrative bodies: any of the officials referred to above;</p> <p>For documents issued by authorities of the central administration: the Head of the Central Section (<i>Jefe de la Sección Central de la Subsecretaría</i>) of the Ministry of Justice</p>
Suriname	11.25.75	The Registrar of the Court of Justice of Suriname
Swaziland	09.06.68	The Principal Secretary's Office in the Ministry of Foreign Affairs and Trade
Sweden	05.01.99	All Notaries Public
Switzerland	03.11.73	<p>Appenzelle Rhodes-Extérieures: Kantonskanzlei A.Rh., Service Center. Appenzelle Rhodes-Intérieures: Ratskanzlei Appenzell I.Rh. Argovie: Pass- und Patentamt Aarau. Bâle-Campagne: Landeskantlei des Kantons, Landschaft. Bâle-Ville: Staatskanzlei des Kantons Basel-Stadt, Rathaus. Berne: Staatskanzlei des Kantons Bern, Beglaubigungen. Fribourg: Chancellerie d'Etat du canton de Fribourg. Genève: Département de justice, police et sécurité, Service des passeports et de la nationalité, Légalisations. Glaris: Regierungskanzlei des Kantons Glarus, Rathaus. Grisons: Standeskanzlei Graubünden, Legalisationen/Beglaubigungen. Jura: Chancellerie d'Etat. Lucerne: Staatskanzlei Luzern, Beglaubigungen. Neuchâtel: Chancellerie d'Etat, Château. Nidwald: Staatskanzlei Nidwalden. Obwald: Staatskanzlei, Rathaus. Saint-Gall: Staatskanzlei des Kantons St. Gallen, Regierungsgebäude, Legalisationen. Schaffhouse: Staatskanzlei Kanton Schaffhausen. Schwyz: Staatskanzlei des Kantons Schwyz. Soleure: Staatskanzlei Solothurn, Rathaus. Tessin: Cancelleria dello Stato, Residenza governativa. Thurgovie: Departement für Justiz und Sicherheit des Kantons Thurgau, Ausweisstelle. Uri: Standeskanzlei, Rathaus. Valais: Chancellerie d'Etat du canton du Valais, Palais du Gouvernement. Vaud: Bureau des passeports et légalisations. Zug: Staatskanzlei des Kantons Zug, Regierungsgebäude am Postplatz. Zurich: Direktion für Soziales und Sicherheit des Kantons Zürich, Beglaubigungen.</p>
Tonga	06.04.70	Prime Minister's Office, the Secretary to Government
Trinidad & Tobago	07.14.00	The Registrar General (in Port of Spain); the Permanent Secretary, Ministry of Education; the Chief of Protocol, Ministry of Enterprise Development, Foreign Affairs and Tourism; each competent authority may delegate his function to a deputy or deputies as circumstances warrant
Turkey	09.29.85	<p>Administrative documents:</p> <p>In provinces: The Governor, Deputy-Governor, Director of Juridical Matters</p> <p>In towns: The Vice-Governor</p> <p>Judicial documents: Presidencies of the Judicial Commissions where the high criminal courts exist</p>
Ukraine	12.22.03	The Ministry of Education and Science of Ukraine, the Ministry of Foreign Affairs of Ukraine, and the Ministry of Justice of Ukraine
United Kingdom of Great Britain and Northern Ireland	01.24.65	Foreign and Commonwealth Office and the Legalisation Office

For the UK Overseas Territories:

Anguilla: Government House.

Bermuda: The Parliamentary Registrar, The Parliamentary Registry Office.

British Antarctic Territories: Overseas Territories Department, Foreign and Commonwealth Office.

British Virgin Islands: Government House.

Cayman Islands: 4th floor, Government Administration Building.

Falkland Islands: Government House.

Gibraltar: The Convent.

Guernsey: The Legalisation Office.

Isle of Man: Isle of Man Courts of Justice.

Jersey: The Legalisation Office.

Montserrat: Lancaster House.

St. Helena: The Castle.

South Georgia and South Sandwich Islands: Government House.

Turcs and Caicos Islands: Waterloo, Government House.

United States of America 10.15.81

I. Authentication Officer, Acting Authentication Officer and Assistant Authentication Officer, United States Department of State.

II.⁹ All clerks and deputy clerks for the following:

Supreme Court of the United States

United States Court of Claims

United States Court of Customs and Patent Appeals

United States Court of International Trade

United States Courts of Appeals for the following circuits:

District of Columbia Circuit

First Circuit, Second Circuit, Third Circuit, Fourth Circuit, Fifth Circuit, Sixth

Circuit, Seventh Circuit, Eighth Circuit, Ninth Circuit, Tenth Circuit and

Eleventh Circuit.

United States District Courts for the following districts:

Middle, Northern and Southern Districts of Alabama

District of Alaska

District of Arizona

Eastern and Western Districts of Arkansas

Central, Eastern, Northern, and Southern Districts of California

District of Colorado

District of Connecticut

District of Delaware

District of Columbia

Middle, Northern and Southern Districts of Florida

Middle, Northern and Southern Districts of Georgia¹⁰

District of Hawaii

District of Idaho

Central, Northern and Southern Districts of Illinois

Northern and Southern Districts of Indiana

Northern and Southern Districts of Iowa

District of Kansas

Eastern and Western Districts of Kentucky

Eastern, Middle and Western Districts of Louisiana

District of Maine

District of Maryland

District of Massachusetts

Eastern and Western Districts of Michigan

District of Minnesota

Northern and Southern Districts of Mississippi

Eastern and Western Districts of Missouri

9. A short, all-encompassing and more manageable description for II would be: "Clerks and deputy clerks of the following: The Supreme Court of the United States, the Courts of Appeals for the First through the Eleventh Circuits and the District of Columbia Circuit, the United States District Courts, the United States Court of Claims, the United States Court of Customs and Patent Appeals, the United States Court of International Trade, the United States District Court for the District of the Canal Zone, the District Court of Guam, the District Court of the Virgin Islands, and the District Court for the Northern Mariana Islands."

10. By Note dated November 12, 1997, the Embassy of the United States of America in The Hague informed the depositary that in accordance with Article 6, paragraph 2, the Legislature of the State of Georgia had designated the Georgia Superior Court Clerks' Cooperative Authority as the only appropriate entity to issue *apostilles* in the State of Georgia effective February 1, 1998.

District of Montana
District of Nebraska
District of Nevada
District of New Hampshire
District of New Jersey
District of New Mexico
Eastern, Northern, Southern and Western Districts of New York
Eastern, Middle and Western Districts of North Carolina
District of North Dakota
Northern and Southern Districts of Ohio
Eastern, Northern and Western Districts of Oklahoma
District of Oregon
Eastern, Middle and Western Districts of Pennsylvania
District of Puerto Rico
District of Rhode Island
District of South Carolina
District of South Dakota
Eastern, Middle and Western Districts of Tennessee
Eastern, Northern, Southern and Western Districts of Texas
District of Utah
District of Vermont
Eastern and Western Districts of Virginia
Eastern and Western Districts of Washington
Northern and Southern Districts of West Virginia
Eastern and Western Districts of Wisconsin
District of Wyoming

District Courts for the following territories:

District of the Canal Zone, Guam, Northern Mariana Islands and Virgin Islands.

III. Officers of the individual States and other subdivisions as indicated:

Alabama: Secretary of State.

Alaska: Lieutenant Governor; Attorney General and Clerk of the Appellate Courts.

Arizona: Secretary of State; Assistant Secretary of State.

Arkansas: Secretary of State; Chief Deputy Secretary of State.

California: Secretary of State; any Assistant Secretary of State; any Deputy Secretary of State.

Colorado: Secretary of State; Deputy Secretary of State.

Connecticut: Secretary of the State; Deputy Secretary of the State.

Delaware: Secretary of State; Acting Secretary of State.

Florida: Secretary of State.

Georgia:¹¹ Secretary of State; Notary Public Division Director.

Hawaii: Lieutenant Governor of the State of Hawaii.

Idaho: Secretary of State; Chief Deputy Secretary of State; Deputy Secretary of State; Notary Public Clerk.

Illinois: Secretary of State; Assistant Secretary of State; Deputy Secretary of State.

Indiana: Secretary of State; Deputy Secretary of State.

Iowa: Secretary of State; Deputy Secretary of State.

Kansas: Secretary of State; Assistant Secretary of State; any Deputy Assistant Secretary of State.

Kentucky: Secretary of State; Assistant Secretary of State.

Louisiana: Secretary of State.

Maine: Secretary of State; Deputy Secretary of State.

Maryland: Secretary of State.

Massachusetts: Deputy Secretary of the Commonwealth of Massachusetts for Public Records (*beginning in 1981 through January 13, 1995*); Deputy Secretary of State of the Commonwealth of Massachusetts (*beginning January 16, 1995, through November 16, 1995*); Secretary of the Commonwealth of Massachusetts (*from November 17, 1995*).

Michigan: Secretary of State; Deputy Secretary of State.

Minnesota: Secretary of State; Deputy Secretary of State.

11. Please see note No. 10.

Mississippi: Secretary of State; any Assistant Secretary of State.
Missouri: Secretary of State; Deputy Secretary of State.
Montana: Secretary of State; Chief Deputy Secretary of State; Government Affairs Bureau Chief.
Nebraska: Secretary of State; Deputy Secretary of State.
Nevada: Secretary of State; Chief Deputy Secretary of State; Deputy Secretary of State.
New Hampshire: Secretary of State; Deputy Secretary of State.
New Jersey: Secretary of State; Assistant Secretary of State.
New Mexico: Secretary of State.
New York: Secretary of State; Executive Deputy Secretary of State; any Deputy Secretary of State; any Special Deputy Secretary of State.
North Carolina: Secretary of State; Deputy Secretary of State.
North Dakota: Secretary of State; Deputy Secretary of State.
Ohio: Secretary of State; Assistant Secretary of State.
Oklahoma: Secretary of State; Assistant Secretary of State; Budget Officer of the Secretary of State.
Oregon: Secretary of State; Acting Secretary of State; Deputy Secretary of State; and Assistant to the Secretary of State.
Pennsylvania: Secretary of the Commonwealth; any Deputy Secretary of the Commonwealth; Commissioner of the Bureau of Commissions, Elections and Legislation.
Rhode Island: Secretary of State; First Deputy Secretary of State; Second Deputy Secretary of State.
South Carolina: Secretary of State.
South Dakota: Secretary of State; Deputy Secretary of State.
Tennessee: Secretary of State.
Texas: Secretary of State; Assistant Secretary of State.
Utah: Lieutenant Governor; Deputy Lieutenant Governor; Administrative Assistant.
Vermont: Secretary of State; Deputy Secretary of State.
Virginia: Secretary of the Commonwealth; Chief Clerk, Office of the Secretary of the Commonwealth.
Washington (State): Secretary of State; Assistant Secretary of State; Director, Department of Licensing.
West Virginia: Secretary of State; Under Secretary of State; any Deputy Secretary of State.
Wisconsin: Secretary of State; Assistant Secretary of State.
Wyoming: Secretary of State; Deputy Secretary of State.

Other Subdivisions:
American Samoa: Secretary of American Samoa; Attorney General of American Samoa.
District of Columbia (Washington, D.C.): Executive Secretary; Assistant Executive Secretary; Mayor's Special Assistant and Assistant to the Executive Secretary; Secretary of the District of Columbia.
Guam (Territory of): Director, Department of Administration; Acting Director, Department of Administration; Deputy Director, Department of Administration; Acting Deputy Director, Department of Administration.
Northern Mariana Islands (Commonwealth of the): Attorney General; Acting Attorney General; Clerk of the Court, Commonwealth Trial Court; Deputy Clerk, Commonwealth Trial Court.
Puerto Rico (Commonwealth of): Under Secretary of State; Assistant Secretary of State for External Affairs; Assistant Secretary of State; Chief, Certifications Office; Director, Office of Protocol; Assistant Secretary of State for International Affairs; Chief, Certification Office.
Virgin Islands of the United States: No authority designated.

Venezuela¹²

03.16.99

The Ministry of Foreign Affairs, Directorate General of Consular Affairs

12. The list has been updated as of October 4, 2005.

For the complete, final version of this list, see the web site of the Hague Conference on Private International Law, at http://hcch.e-vision.nl/index_en.php?act=conventions.authorities&cid=41.

THE BRUSSELS CONVENTION OF MAY 25, 1987: ABOLISHING THE LEGALIZATION OF DOCUMENTS IN THE MEMBER STATES OF THE EUROPEAN COMMUNITIES

General Information. With the aim of “ensuring the free movement of documents” between the member states of the European Union, the Brussels Convention of May 25, 1987, abolished all forms of legalization for “public documents” duly drawn up under the legislation of one participating country for use in another. Thus, no distinction can be made by public authorities between public documents drawn up in their country and the ones that originated in the other member states.

As of September 30, 2005, only Belgium, Denmark, France, Ireland and Italy have ratified the Convention and are bound by its provisions. The Brussels Convention of 1987 will enter into force 90 days after the date of deposit of the ratification, acceptance or approval instruments by all the member states of the European Community.

The uniform rules under the Convention replace any pre-existing treaties, conventions or agreements between the participating countries, with the important exception of the treaties, conventions or agreements concerning documents outside the scope of the Convention or documents drawn up in a nonparticipating country. Therefore, it is important to specify the kind of documents that fall within the scope of “public documents” to which the Convention applies.

With the exception of *documents drawn up by a participating country's diplomatic or consular agent acting in his official capacity*, a category expressly excluded from the scope of the *Apostille* Convention, the types of documents that are deemed to be “public documents,” as defined by the Brussels Convention, include:

- (a) Documents emanating from an authority or an official connected with the courts or tribunals of the state (including those documents issued by a public prosecutor, a clerk of the court or a process server). So legalization formalities are not required for decisions, orders and decrees of judicial authorities to be effective abroad.¹³
- (b) Administrative documents.
- (c) Notarial acts. In the two latter cases, it is clear that the nature of the public official of the issuing authority justifies the fact that there is no need of any further certification.
- (d) Official certificates that are placed on documents signed by persons in their private capacities (*i.e.*, official certificates recording the registration of a document or the fact that it was in existence on a certain date, and official and notarial authentication of the signatures).

The documents under the Convention are exempt from the formal procedures for certifying:

- 1) The authenticity of a signature.
- 2) The capacity in which the person signing the document has acted.
- 3) The identity of the seal or the stamp that it bears.
- 4) Any equivalent or similar formalities.

Exceptions to this provision will be allowed only where there are “serious doubts, with good reason” about the validity or legitimacy of a public document. After clearly setting out the grounds for doing so, with regard to the Convention's purpose of facilitating the free movement of documents in the European Union, the authority to which the document has been presented may request international assistance directly from the central authority, designated by the participating country and responsible for receiving and forwarding such requests, in the country in which the document was created. Instead, in cases lacking the conditions for a request of information, the authority receiving the foreign document will have to recognize its validity.

13. This matter is already partially regulated by the Brussels Convention of 1968 regarding decisions about civil and commercial matters.

The Foreign Ministry of Belgium maintains the archive of the ratification, acceptances, approvals or accessions for each participating country. Any declaration of intent to extend the Convention to a participating country's territory or declaration of intent to be withdrawn from the Convention is also addressed to the Ministry of Foreign Affairs of Belgium.

States Signatory of the Convention.

Countries That Have Ratified the Convention

Country	Date of Ratification	Central Authority
Belgium	12.16.96	Ministry of Foreign Affairs
Denmark	07.26.89	Ministry of Justice
France	12.12.91	Office of International Law and Judicial Assistance in civil and commercial matters
Ireland	12.08.98	Ministry of Foreign Affairs
Italy	10.11.90	Ministry of Justice, General Direction of Civil Affairs

The Convention is entered into force only between the states previously listed. The provisional effective dates are as follows: 10.26.89 (Denmark), 01.01.91 (Italy), 03.10.92 (France), 03.16.97 (Belgium) and 03.08.99 (Ireland).

Countries That Have Adhered to the Convention

Country	Date of Adherence
Cyprus	04.29.05
Latvia	06.21.04

Countries That Have Signed, But Not Ratified, the Convention

Country	Date of Signing
Germany	05.25.87
Greece	06.05.92
The Netherlands	05.25.87
Luxembourg	05.25.87
Portugal	05.25.87
United Kingdom of Great Britain and Northern Ireland	05.25.87

LAWYER CONTACT

For further information, please contact your principal Firm representative or the lawyer listed below. General e-mail messages may be sent using our "Contact Us" form, which can be found at www.jonesday.com.

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