

## ARGENTINE REPUBLIC Apostille Questionnaire 2021

*The official languages of the HCCH are English and French. A courtesy translation has been provided for responses in Spanish. The responses are otherwise reflected as provided by Contracting Parties, subject to minor typographical corrections.*

<b>Joining the Apostille Convention</b>	
1. Did you join the Convention after 2010?	[b] No.
2. Are foreign public documents exempted from legalisation by virtue of your internal law, practice, or any bilateral / multilateral agreements (excluding the Apostille Convention)?	[c] No.
<b>Competent Authorities</b>	
3. How many Competent Authorities have you designated under the Apostille Convention? <i>If unknown, please specify the reason for this and provide an approximate number.</i>	<p>The competent authority is the Ministry of Foreign Affairs, International Trade and Worship, with delegation of functions to the Associations of Notaries Public.</p> <p>ES: La autoridad competente es el Ministerio de Relaciones Exteriores, Comercio Internacional y Culto, con delegación de funciones en los Colegios de Escribanos.</p>
4. Do your diplomatic missions abroad play a role in the Apostille issuance process?	<p>[b] Yes, our diplomatic missions act as intermediaries between the applicants and the Competent Authority (e.g. forwarding applications and transmitting Apostilles once issued).</p> <p><i>Argentine consulates abroad receive requests to Apostille Argentine documents, verify them and manage them with the Ministry of Foreign Affairs, handing over the e-Apostille to the applicant. In this way the Argentine consular network assists in the applications for apostilles, being a channel of processing and nexus between the individual and the application body (The Ministry of Foreign Affairs, International Trade and Worship).</i></p> <p>ES: Los consulados argentinos en el exterior, reciben solicitudes de apostillas de documentos argentinos, las verifican y las gestionan con la Cancillería, entregando la e-Apostilla al solicitante. De esta manera la red consular argentina asiste las solicitudes de apostillas, siendo un canal de tramitación y nexo entre le particular y el organismo de aplicación (El Ministerio de Relaciones Exteriores, Comercio Internacional y Culto).</p>
<b>Substantive Scope</b>	
5. Is the concept of 'public document' defined in your internal law?	<p>[a] Yes.</p> <p><i>A public instrument is one authorised by a public official, or agent vested to exercise this function, who acts within the limits of jurisdiction. He is vested with public trust and observes the solemnities established by the law.</i></p> <p><i>It is of interest to distinguish public instruments according to the agent and content by their consequences and effects; but</i></p>

	<p>every public instrument must meet certain requirements that are essential. The material, territorial and personal competence of the public official is especially relevant.</p> <p>The national Civil and Commercial Code regulates public instruments in the First Book: General Part, Title IV, Legal Acts, Chapter 5; Legal Acts, section 4; Public Instruments. The signature on public instruments and their projection in the digital and electronic document with a digital signature is relevant.</p> <p>The National Civil and Commercial Code states that: Article 289 of the Code says that the following are public instruments:</p> <p>a) Public deeds and their copies or testimonies. They are the instruments extended in the protocol of a notary public, or another official authorized to perform the same functions, containing one or more legal acts. The first original copy or testimony constitutes the public instrument, with the characteristics of a notarial public document, invested with validity, effectiveness and executive force, and enables the circulation of the act represented in that document. The Code admits the synonymy between the words “copy”, which is consigned by notarial laws when referring to such reproductions, and “testimony”, used in forensic and notarial practice, in order to end the controversy between them.</p> <p>b) Instruments extended by notary publics or public officials with the requirements established by the law. This statement covers the notarial documents that mention organic laws – which are different from the public deeds and acts regulated in the new Code (e.g. certifications and certificates, positions, etc.) - and consular, administrative and judicial instruments – e.g.. seats of public registers and certificates.</p> <p>c) Titles issued by the national, provincial or autonomous city of Buenos Aires, in accordance with the laws authorizing their issuance. It includes titles that are official instruments emanating from officials whose content is not typical of the public trust, but by their hierarchy enjoy a presumption of legitimacy and authenticity, which enables them to be included in this legal body as public instruments. Without a doubt, this facilitates its circulation, and gives the credibility and solvency that recipients deserve.</p> <p>ES: El instrumento público es el autorizado por un oficial público, o agente investido para el ejercicio de la función, que actúa en los límites la competencia. Está dotado de fe pública y observa las solemnidades que establece la ley. Resulta de interés distinguir los instrumentos públicos según el agente y el contenido por sus consecuencias y efectos; mas todo instrumento público debe reunir ciertos requisitos que son esenciales. En especial es relevante la competencia del oficial público en razón de la materia, territorio y persona.</p> <p>El Código Civil y Comercial de la Nación regula los instrumentos públicos en el Libro Primero: Parte General, título IV, Hechos y Actos Jurídicos, capítulo 5; Actos Jurídicos, sección 4; Instrumentos Públicos.</p> <p>Es de relevancia la firma en los instrumentos públicos y su proyección en el documento digital y electrónico con firma digital.</p> <p>Según el Código Civil y Comercial de la Nación establece que: El artículo 289 del Código en comento dice que son instrumentos públicos los siguientes:</p> <p>a) Las escrituras públicas y sus copias o testimonios. Son los instrumentos extendidos en el protocolo de un escribano público, u otro funcionario autorizado para ejercer las mismas funciones, que contiene uno o más actos jurídicos. La primera copia o testimonio de la matriz constituye el instrumento público, con las características propias del</p>
--	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<p>documento público notarial, dotado de validez, eficacia y fuerza ejecutoria, y posibilita la circulación del acto representado en dicho documento. El Código admite la sinonimia entre los vocablos copias o testimonios, a fin de terminar con la polémica entre la palabra copia, que consignan las leyes notariales, al referirse a esta clase de reproducciones, y la palabra testimonio que se utiliza en la práctica forense y notarial.<sup>2</sup></p> <p>b) Los instrumentos que extienden los escribanos o los funcionarios públicos con los requisitos que establecen las leyes. En este enunciado quedan comprendidos los documentos notariales que mencionan las leyes orgánicas -distintos de las escrituras y las actas reguladas en el Código nuevo (v. gr. las certificaciones y los certificados, cargos, etcétera)-, y los instrumentos consulares, administrativos -v. gr. asientos de registros públicos, certificados-, y judiciales.</p> <p>c) Los títulos emitidos por el Estado nacional, provincial o la Ciudad Autónoma de Buenos Aires, conforme a las leyes que autorizan su emisión. Quedan comprendidos los títulos que son instrumentos oficiales emanados de funcionarios cuyo contenido no es propio de la fe pública, empero por su jerarquía gozan de una presunción de legitimidad y de autenticidad, que los habilita para su inclusión en este cuerpo legal como instrumentos públicos. Sin duda, ello facilita su circulación, y da la credibilidad y solvencia que merecen los receptores.</p>
6. Have you experienced any difficulties in characterising a 'public document' for the purposes of the Apostille Convention?	[b] No.
7. Has the exclusion of 'documents executed by diplomatic or consular agents' (Art. 1(3)(a)) from the scope of the Apostille Convention given rise to any difficulties?	[c] No.
8. Do you think this Art. 1(3)(a) exclusion is justified in the context of the modern operation of the Convention?	[a] Yes.
9. Has the exclusion of 'administrative documents dealing directly with commercial or customs operations' (Art. 1(3)(b)) from the scope of the Apostille Convention given rise to any difficulties?	<p>[b] Yes, as the State of destination.</p> <p><i>In accordance with the concept of "administrative documents relating directly to a commercial or customs operation" not being sufficiently specific and therefore being up to the domestic law of the receiving country. For this reason, the Apostille is issued in these concepts according to the requirement of the receiver of the document involved.</i></p> <p><i>ES: Ello en virtud que lo que comprende específicamente el concepto "documentos administrativos que se refieran directamente a una operación comercial o aduanera" no es lo suficientemente específico y queda a consideración del derecho interno del país receptor. Por tal sentido, se emite la apostilla en estos conceptos de acuerdo con el requerimiento del receptor del documento involucrado.</i></p>

<p><i>For Parties that answered yes to Q9.</i>                  9.1. How has previous guidance on the interpretation of the Art. 1(3)(b) exclusion assisted in resolving these difficulties? (E.g. the 'extremely narrow' construction referred to in C&amp;R No 10 of the 2016 SC).</p>	<p>Regarding the reception of foreign documents, the competent authorities of our country have internally adopted this interpretation. The Argentine consular network, however, understands the concept as a whole when legalizing documentation for our country. As far as document receivers abroad are concerned, we have seen no changes.</p> <p>ES: En lo que hace a la recepción de documentos extranjeros, internamente las autoridades competentes de nuestro país adoptaron dicha interpretación, a la vez que la red consular argentina al momento de legalizar documentación para nuestro país entiende el concepto en un todo. En lo que refiere a los receptores de documentos en el exterior, no hemos visto cambios.</p>		
<p>10. Do you think this Art. 1(3)(b) exclusion is justified in the context of the modern operation of the Convention?</p>	<p>[a] Yes.</p>		
<p>11. Do you issue (outgoing) or accept (incoming) Apostilles for any of the following categories of document?</p>		Issue	Accept
	Certificates of origin		
	Export licences		
	Import licences		
	Health and safety certificates issued by the relevant government authorities or agencies	X	X
	Certificates of products registration	X	X
	Certificates of conformity	X	X
	End user certificates (i.e. documents certifying that the buyer is the end user of acquired goods)		X
Commercial invoices			
<p><b>Apostille Process</b></p>			
<p><b>Certification of Public Documents</b></p>			
<p>12. Do any of your public documents require some other intermediate certification before the issuance of an Apostille?</p>	<p>[a] Yes, an intermediate certification is required for some categories of public documents.</p>		
<p><i>For Parties that answered yes to Q12.</i>                  12.1. What categories of public document require intermediate certification and why?</p>	<p>Category of public document</p>	<p>Why certification is required</p>	
	<p>Documents issued by provincial authorities with holographic signatures                  ES: Documentos emitidos por autoridades provinciales con firmas ológrafas</p>	<p>They require certification from the Ministry of the Interior by functional competence                  ES: Requieren certificación del Ministerio del Interior, por competencia funcional</p>	

	<p>Administrative documents signed by primary authorities                  ES: Documentos administrativos firmados por autoridades primarias</p>	<p>They require certification of the higher centralizing authority according to the structure of the dependence                  ES: Requieren certificación de autoridad superior centralizadora según la estructura de la dependencia</p>
	<p>Professional documents                  ES: Documentos profesionales</p>	<p>They require tuiton signature                  ES: Requieren firma de colegiatura</p>

Requesting an Apostille (Outgoing)			
13. How can an Apostille be requested?	[a] In person.		
	[b] By post.		
	[c] By email.		
	[d] Through a website.		X
	[e] Other. <i>At consular headquarters, personally or by mail according to type of document submitted. In Association of Notaries Public on-site or via mail depending on the type of document.</i>  <i>ES: En sede consular, en forma personal o bien por correo según tipo de documento presentado . En Colegio de Escribanos presencial o vía correo según tipo de documento.</i>		X
14. When issuing an Apostille, do you enquire about the State of destination?	[a] Yes, in the application form.		
15. How long does it take for an Apostille to be issued?	In-person request (paper Apostille)	Other requests (from the time of receipt) (paper Apostille)	e-Apostille requests
			<p>Other  <i>The management of Apostilles is carried out through a website - TAD "Trámites a Distancia", with periods of 30 days for public documents in general and 15 to 20 days for commercial documents. No apostilles in paper form are issued. In the arrangements of Apostilles carried out before the Association of Notaries Public, the deadlines are</i></p>

			<p><i>varied depending on their internal organization.</i></p> <p><i>ES: La gestión de apostillas se efectúa mediante una página WEB - TAD "Trámites a Distancia", con plazos de 30 días para documentos públicos en general y de 15 a 20 días para documentos de índole comercial. No se emiten apostillas en soporte papel. En las gestiones de apostillas efectuadas ante los Colegios de Escribanos, los plazos son variados dependiendo sus organizaciones internas.</i></p>
16.	Does your Competent Authority impose a fee for issuing an Apostille?	<p>[b] Yes, but the price is dependent on, for example, the category of public document(s), the Competent Authority, or the type of application.</p> <p><i>Each Association of Notaries Public imposes a differential management rate depending on its internal tariff (such differential rate is not consistent in all Association of Notaries Public).</i></p> <p><i>ES: Cada Colegio de Escribanos, impone una tasa de gestión diferencial dependiendo de su tarifario interno (dicha tasa diferencial no es uniforme en todos los Colegios de Escribanos).</i></p>	
<b>Issuing an Apostille (Outgoing)</b>			
17.	How is the origin of a public document verified for the purpose of issuing an Apostille (i.e. verification of the authenticity of the signature, the capacity of the signer, and the identity of the seal / stamp (Art. 5(2))?	<p>[a] Single Competent Authority.</p> <p>[ii] An electronic database of sample signatures / seals / stamps.</p>	
18.	How does a Competent Authority address situations where it is unable to verify the origin of the public document?	[b] The Competent Authority will contact the issuing authority to confirm authenticity but will not issue the Apostille until the new signature, stamp or seal is added to the database.	
19.	In what language(s) are the 10 standard items of your Apostilles available?	<p>[c] In three languages.</p> <p><i>Spanish, English and French</i></p> <p><i>ES: Español, Inglés y Francés</i></p>	
20.	In what language(s) are the blank fields of your Apostilles filled in?	<p>[a] In one language.</p> <p><i>Spanish</i></p> <p><i>ES: Español</i></p>	
21.	How are the blank fields of your Apostilles filled in?	<p>[b] Using computer software.</p> <p><i>There is a software that combines the e-Register, the e-Register of signatures and the electronic signature.</i></p> <p><i>ES: Se cuenta con un software que convina el e-Registro, el e-Registro de firmas y la firma electrónica.</i></p>	

Apostille Registers		
22. How is your Apostille register, required by Article 7, maintained?	[a] Single Competent Authority. [i] Electronic form, publicly accessible online (e-Register).	
23. What particulars are contained in your Apostille register?	[a] Number and date of the Apostille (required).	X
	[b] Name and capacity of the person signing the document and / or the name of authority whose seal or stamp is affixed (required).	X
	[c] Name and / or type of underlying document.	X
	[d] Description of the contents of underlying document.	X
	[e] Name of the applicant.	
	[f] State of destination.	
	[g] Copy of the Apostille.	X
	[h] Copy of the underlying document.	X
	[i] Other. <i>The e-Register allows you to view on the official website the complete image of the Apostille and the apostilled attached document. In addition, the apostille displays the fields referring to the holder of the intervened document and a description of the document type.</i>  <i>ES: El e-Registro permite visualizar en la WEB oficial, la imagen íntegra de la Apositilla y el documento adjunto apostillado. Además en la apostilla se visualizan los campos referidos al titular del documento intervenido y descripción del tipo de documento.</i>	X
24. Is there a limit to how long records can be retained on the Apostille register?	[d] No.	
25. If your register is <i>not</i> publicly accessible, how frequently do your Competent Authorities receive requests to verify an Apostille they have issued in the register?	[g] Not applicable, register is publicly accessible.	
Technology & the e-APP		
26. Under your internal law, do you recognise electronic / digital signatures as functionally equivalent to handwritten signatures (i.e. can a public document be signed electronically)?	[a] Yes. <i>Law No. 25506 - Digital Signature - entered into force - 11 December 2001</i>  <i>Law No. 25506:</i> <i>DIGITAL SIGNATURE LAW</i>  <i>CHAPTER I</i>  <i>General Considerations</i>  <i>SECTION 1° – Object. It is recognized the use of a digital and an electronic signature and its judicial efficiency in the conditions that this hereby law establishes.</i>  <i>SECTION 2° – Digital Signature. A digital signature is the result of the application of a mathematical procedure that</i>	



	<p><i>requires information that only the signatory knows to a digital document. The digital signature should be subject to verification by a third party, where said verification allows for the identification of the signatory and detecting any modification of the digital document after being signed.</i></p> <p><i>The signing and verification procedures will be determined by the Appellate Authority in accordance with the ongoing international technological standards.</i></p> <p><i>SECTION 3° – Required signature. When the law requires a handwritten signature, said requirement can also be met with a digital signature. This principle is applicable to the cases where the law establishes the obligation to sign and provides penalties for its absence.</i></p> <p><i>SECTION 4° – (Section repealed by sec. 1° of Law N° 27.446 B.O. 18/06/2018)</i></p> <p><i>SECTION 5° – Electronic signature. An electronic signature is a set of electronic data integrated or associated in a logical way with other electronic data, which the signatory uses as identification and lacks some of the legal requirements to be considered a digital signature. If the electronic signature is unknown it belongs to whoever requests its validation.</i></p> <p><i>SECTION 6° – Digital document. A digital document is the digital representation of acts, regardless of the support used for its storage or archive. It also meets the requirement for a public deed.</i></p> <p><i>SECTION 7° – Presumption of authorship. It is presumed that the digital signature belongs to the holder of the digital certificate that allows for the verification of said signature, unless proven otherwise.</i></p> <p><i>SECTION 8° – Presumption of integrity. If the result of the verification of a digital signature on a digital document is positive it is presumed that said document has not been altered after being signed.</i></p> <p><i>SECTION 9° – Validation. A digital signature will be valid if it meets the following requirements:</i></p> <ul style="list-style-type: none"> <li><i>a) Having been created during the period where the digital certificate of the signatory is valid;</i></li> <li><i>b) Being fully verified by the verification data of the digital signature indicated in said certificate according to the correspondent certification procedure;</i></li> <li><i>c) The certificate has been issued or recognised, in accordance with Article 16, by a licensed certifier.</i></li> </ul> <p><i>SECTION 10. – Issuer. Presumption. When an electronic document is signed by an application certificate it will be presumed that said signed document belongs to the holder of the certificate, unless proven otherwise.</i></p> <p><i>(Section substituted by sec. 2° of Law N° 27.446 B.O. 18/06/2018)</i></p> <p><i>SECTION 11. – Original. The electronic documents that have been digitally signed and the documents reproduced from originals to digital form and signed digitally will also be considered originals and, as consequence, have evidential value as such, according to the procedures that the regulation establishes.</i></p>
--	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



	<p><i>SECTION 12. – Conservation. The legal requirement for the conservation of documents, records or data, is also met by the conservation of the correspondent digitally signed digital documents, according to the procedures that the regulation establishes and as long as they are accessible for later consultation and allow someone to check the origin, destination, date and time of its making, shipping and/or reception.</i></p> <p><a href="http://servicios.infoleg.gob.ar/infolegInternet/anexos/70000-74999/70749/texact.htm">http://servicios.infoleg.gob.ar/infolegInternet/anexos/70000-74999/70749/texact.htm</a></p> <p><a href="http://servicios.infoleg.gob.ar/infolegInternet/anexos/235000-239999/235975/norma.htm">http://servicios.infoleg.gob.ar/infolegInternet/anexos/235000-239999/235975/norma.htm</a></p> <p><i>ES: Ley 25506 -Firma Digital - entrada en vigencia - 11 de diciembre del 2001</i></p> <p><i>Ley 25506: LEY DE FIRMA DIGITAL</i></p> <p><i>CAPITULO I</i></p> <p><i>Consideraciones generales</i></p> <p><i>ARTICULO 1° – Objeto. Se reconoce el empleo de la firma electrónica y de la firma digital y su eficacia jurídica en las condiciones que establece la presente ley.</i></p> <p><i>ARTICULO 2° – Firma Digital. Se entiende por firma digital al resultado de aplicar a un documento digital un procedimiento matemático que requiere información de exclusivo conocimiento del firmante, encontrándose ésta bajo su absoluto control. La firma digital debe ser susceptible de verificación por terceras partes, tal que dicha verificación simultáneamente permita identificar al firmante y detectar cualquier alteración del documento digital posterior a su firma.</i></p> <p><i>Los procedimientos de firma y verificación a ser utilizados para tales fines serán los determinados por la Autoridad de Aplicación en consonancia con estándares tecnológicos internacionales vigentes.</i></p> <p><i>ARTICULO 3° – Del requerimiento de firma. Cuando la ley requiera una firma manuscrita, esa exigencia también queda satisfecha por una firma digital. Este principio es aplicable a los casos en que la ley establece la obligación de firmar o prescribe consecuencias para su ausencia.</i></p> <p><i>ARTICULO 4° – (Artículo derogado por art. 1° de la Ley N° 27.446 B.O. 18/06/2018)</i></p> <p><i>ARTICULO 5° – Firma electrónica. Se entiende por firma electrónica al conjunto de datos electrónicos integrados, ligados o asociados de manera lógica a otros datos electrónicos, utilizado por el signatario como su medio de identificación, que carezca de alguno de los requisitos legales para ser considerada firma digital. En caso de ser desconocida la firma electrónica corresponde a quien la invoca acreditar su validez.</i></p> <p><i>ARTICULO 6° – Documento digital. Se entiende por documento digital a la representación digital de actos o hechos, con independencia del soporte utilizado para su fijación, almacenamiento o archivo. Un documento digital también satisface el requerimiento de escritura.</i></p> <p><i>ARTICULO 7° – Presunción de autoría. Se presume, salvo prueba en contrario, que toda firma digital pertenece al</i></p>
--	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<p>titular del certificado digital que permite la verificación de dicha firma.</p> <p>ARTICULO 8° – Presunción de integridad. Si el resultado de un procedimiento de verificación de una firma digital aplicado a un documento digital es verdadero, se presume, salvo prueba en contrario, que este documento digital no ha sido modificado desde el momento de su firma.</p> <p>ARTICULO 9° – Validez. Una firma digital es válida si cumple con los siguientes requisitos:</p> <p>a) Haber sido creada durante el período de vigencia del certificado digital válido del firmante;</p> <p>b) Ser debidamente verificada por la referencia a los datos de verificación de firma digital indicados en dicho certificado según el procedimiento de verificación correspondiente;</p> <p>c) Que dicho certificado haya sido emitido o reconocido, según el artículo 16 de la presente, por un certificador licenciado.</p> <p>ARTICULO 10. – Remitente. Presunción. Cuando un documento electrónico sea firmado por un certificado de aplicación, se presumirá, salvo prueba en contrario, que el documento firmado proviene de la persona titular del certificado.</p> <p>(Artículo sustituido por art. 2° de la Ley N° 27.446 B.O. 18/06/2018)</p> <p>ARTICULO 11. – Original. Los documentos electrónicos firmados digitalmente y los reproducidos en formato digital firmados digitalmente a partir de originales de primera generación en cualquier otro soporte, también serán considerados originales y poseen, como consecuencia de ello, valor probatorio como tales, según los procedimientos que determine la reglamentación.</p> <p>ARTICULO 12. – Conservación. La exigencia legal de conservar documentos, registros o datos, también queda satisfecha con la conservación de los correspondientes documentos digitales firmados digitalmente, según los procedimientos que determine la reglamentación, siempre que sean accesibles para su posterior consulta y permitan determinar fehacientemente el origen, destino, fecha y hora de su generación, envío y/o recepción.</p> <p><a href="http://servicios.infoleg.gob.ar/infolegInternet/anexos/70000-74999/70749/texact.htm">http://servicios.infoleg.gob.ar/infolegInternet/anexos/70000-74999/70749/texact.htm</a></p> <p><a href="http://servicios.infoleg.gob.ar/infolegInternet/anexos/235000-239999/235975/norma.htm">http://servicios.infoleg.gob.ar/infolegInternet/anexos/235000-239999/235975/norma.htm</a></p>	
27. Under your internal law, are public documents executed, or able to be executed, in electronic form (whether or not they are to be used abroad under the Convention)?	[a] Yes.	
<p>For Parties that answered yes to Q27.</p> <p>27.1. What categories of public documents are executed, or able to be executed, in electronic form (whether or not they are to be used abroad under the Convention)?</p>	[a] All public documents.	X
	[b] Civil status documents (e.g. birth, death and marriage certificates) and certificates of non-impediment.	
	[c] Other administrative documents (including decisions from administrative tribunals or decision-making bodies).	

	[d] Extracts from commercial registers and other registers.	
	[e] Notarial authentications of signatures.	
	[f] Other notarial acts.	
	[g] Diplomas and other education documents.	
	[h] Court documents, including judgments.	
	[i] Patents or other documents pertaining to intellectual property rights.	
	[j] Documents relating to adoptions.	
	[k] Translations.	
	[l] Medical or health certificates.	
	[m] Criminal records.	
	[n] Import or export licences.	
	[o] Certificates of origin.	
	[p] Certificates of conformity.	
	[q] Other.	
<p><i>For Parties that answered yes to Q27.</i> 27.2. Approximately what percentage of your public documents are originally executed in electronic form (whether or not they are to be used abroad under the Convention)?</p>	<p>Organizations are in a constant process of digitization, having made great progress during 2020.</p> <p>ES: Actualmente, las organizaciones se encuentran en un proceso de digitalización constante, con gran avance durante el año 2020.</p>	
28. Do you issue e-Apostilles?	[a] Yes.	
<p><i>For Parties that answered yes to Q28.</i> 28.3. Under your internal law, which of the following do you consider public documents for the purpose of issuing e-Apostilles?</p>	<p>[a] Electronic public documents. [b] Paper public documents that have been scanned by a public official. [c] Paper public documents that have been scanned by applicants.</p>	
<p><i>For Parties that answered yes to Q28.</i> 28.4. How is an e-Apostille signed (i.e. what technology is used to apply an electronic / digital signature)?</p>	[a] A government-built certificate.	
<p><i>For Parties that answered yes to Q28.</i> 28.5. How is an e-Apostille affixed to / associated with the underlying public document to ensure it is not tampered with?</p>	<p>The e-Apostille has the attached documents as well as the fields of the type of document and its holders, which the receiver can see at the official website.</p> <p>ES: La e-Apostilla cuenta con el documento embebido, ambos visualizados en la WEB oficial por el receptor. Adicionalmente la e-Apostilla incorporó los campos de tipo de documento y titulares del mismo.</p>	
<p><i>For Parties that answered yes to Q28.</i> 28.6. Once issued, how is the e-Apostille transmitted to the applicant?</p>	[c] Electronic transmission via online platform administered by the government.	
29. Are your authorities equipped to accept incoming e-Apostilles?		
30. Do you maintain an e-Register?		

<p><i>For Parties that answered no to Q30.</i></p> <p>30.1. What challenges are you facing that may prevent you from implementing the e-Register?</p>	[a]	Internal law limitations.	
	[b]	Judicial or administrative structure.	
	[c]	Implementation challenges (e.g. lack of resources, lack of infrastructure).	
	[d]	Cost.	
	[e]	System interoperability / compatibility.	
	[f]	Security concerns.	
	[g]	Other.	
<p><i>For Parties that answered yes to Q30.</i></p> <p>30.2. What technology is used to maintain your e-Register?</p>			
<p>31. Have you been in contact with other Competent Authorities that operate an e-APP component and exchanged information and / or relevant experience?</p>			
<b>Issues with Apostilles</b>			
<p>32. Has an Apostille <i>issued</i> by your Competent Authority ever been refused by the authorities of another Contracting Party on the following grounds:</p>	[a]	Form requirements (e.g. square-shaped, sides of at least nine centimetres, border, ink, etc).	
	[b]	The manner in which the Apostille was affixed / attached to the underlying document.	
	[c]	The Apostille was not signed.	
	[d]	One or more of the standard informational items were not filled in.	
	[e]	The Apostille was in electronic form ( <i>an e-Apostille</i> ).	
	[f]	The underlying public document was in electronic form.	
	[g]	The underlying public document had expired / was not issued within a certain timeframe.	
	[h]	The underlying document was not a public document under the law of the destination.	
	[i]	Other.	
	[j]	Unknown.	
	[k]	No / Not applicable.	
<p><i>For Parties that answered other than "No" to Q32.</i></p> <p>32.1. If an Apostille was rejected, what action did you take?</p>	[a]	The Apostille was reissued.	
	[b]	Contacted the receiving authority.	
	[c]	Contacted the Competent Authority of the place of destination.	

	[d] Contacted nearest diplomatic mission of the place of destination.	
	[e] Contacted own diplomatic mission accredited to the place of destination.	
	[f] Contacted the Permanent Bureau.	
	[g] No action taken.	
	[h] Other.	
	[i] Unknown.	
33. Has your Competent Authority ever been requested by external Competent Authorities to certify or confirm your procedure for issuing Apostilles?		
34. Has an Apostille <i>received</i> by your authorities ever been refused on the following grounds:	[a] The issuing State was not a Contracting Party to the Apostille Convention.	
	[b] Form requirements (e.g. square-shaped, sides of at least nine centimetres, border, ink, etc).	
	[c] The manner in which the Apostille was affixed / attached to the underlying document.	
	[d] The Apostille was not signed.	
	[e] One or more of the standard informational items were not filled in.	
	[f] The Apostille was in electronic form (an e-Apostille).	
	[g] The underlying public document was in electronic form.	
	[h] The underlying public document had expired / was not issued within a certain timeframe.	
	[i] The underlying document was not a public document under the law of the destination.	
	[j] Other.	
	[k] Unknown.	
[l] No / Not applicable.		
<b>Miscellaneous</b>		
35. Would you be interested in attending the 2021 meeting of the Special Commission on the practical operation of the Apostille Convention?		

<p>36. Have you encountered any persistent difficulties, issues, or challenges in the operation of the Apostille Convention that you would like discussed at the 2021 Special Commission?</p> <p><i>If yes, would you like your answer to this question to be published without reference to your authority or State?</i></p>	
<p>37. Do you have any suggestions that could assist in the promotion, implementation, or operation of the Apostille Convention?</p> <p><i>If yes, would you like your answer to this question to be published without reference to your authority or State?</i></p>	
<p>38. Would you be interested in attending the 12<sup>th</sup> International Forum on the e-APP (to be held in conjunction with the meeting of the Special Commission)?</p>	
<p>39. Are there any specific topics or practical issues that you would like discussed at the e-APP Forum?</p> <p><i>If yes, would you like your answer to this question to be published without reference to your authority or State?</i></p>	
<p>40. The Permanent Bureau is in the process of drafting a 2<sup>nd</sup> edition of the Apostille Handbook. Are there any specific topics, suggestions for presentation or formatting, or any other proposals for inclusion?</p> <p><i>Please note that answers to this question will not be incorporated into the first draft of the 2<sup>nd</sup> edition. The PB will take them into account in preparing subsequent drafts.</i></p> <p><i>If yes, would you like your answer to this question to be published without reference to your authority or State?</i></p>	