

LITHUANIA

Apostille Questionnaire 2021

The responses are reflected as provided by Contracting Parties subject to minor typographical corrections.

Joining the Apostille Convention	
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)?	<p>[a] Yes, under internal law. <i>According to Art. 30 of the Consular Statute of the Republic of Lithuania documents issued by Embassies and Consulates accredited to Lithuania are exempted of the legalisation.</i></p> <p>[b] Yes, under bilateral / multilateral agreements. <i>According to provisions of bilateral agreements on Legal Assistance and Legal Relations in Civil, Family and Criminal cases with Belarus, Estonia, Latvia, Moldova, Russia and Ukraine all official documents are exempted of legalisation and certification by Apostille.</i> <i>According Art. 8 of the Convention on the issue of multilingual extracts from civil status records extracts are exempted of legalisation and certification by Apostille.</i> <i>Documents exempted of legalisation and certification by Apostille according to EU Law.</i></p>
Competent Authorities	
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>	Lithuanian Chamber of Notaries Ministry of Foreign Affairs
4. Do your diplomatic missions abroad play a role in the Apostille issuance process?	[b] Yes, our diplomatic missions act as intermediaries between the applicant and Competent Authority (e.g. forwarding applications and transmitting Apostilles once issued). <i>Diplomatic missions collect applications for Apostille and forward them to the Consular Department of the Ministry of Foreign Affairs which issues the Apostille.</i>
Substantive Scope	
5. Is the concept of 'public document' defined in your internal law?	[a] Yes. <i>The concept of OFFICIAL document is defined in the Law on Documents and Archives of the Republic of Lithuania: https://www.e-tar.lt/portal/lt/legalAct/TAR.1FEF229DA7C6/yxpTggxkDb and Resolution No. 1079 (10 October 2006) of the Government of the Republic of Lithuania on Procedure of Legalisation and certification (Apostille).</i> <i>The Law mentioned above sets that an official document is a document issued or received by state or local (municipality) authorities. In addition the above mentioned Resolution sets provision that official document must be sealed by state or local (municipality) authority.</i>
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?	[c]	No.		
10.	Do you think this Art. 1(3)(b) exclusion is justified in the context of the modern operation of the Convention?	[a]	Yes.		
11.	Do you issue (outgoing) or accept (incoming) Apostilles for any of the following categories of document?			Issue	Accept
			Certificates of origin	X	X
			Export licences	X	X
			Import licences	X	X
			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	X
	Commercial invoices	X	X		
Apostille Process					
Certification of Public Documents					
12.	Do any of your public documents require some other intermediate certification before the issuance of an Apostille?	[b]	No, an intermediate certification is not required for any public document; Apostilles are issued directly upon the public document.		
Requesting an Apostille (Outgoing)					
13.	How can an Apostille be requested?	[a]	In person.		X
		[b]	By post.		X
		[c]	By email.		
		[d]	Through a website.		
		[e]	Other. <i>Persons being abroad may submit an application for approval certificate (Apostille) of documents issued by the institutions of Lithuania, to a diplomatic mission or consular post of Lithuania.</i>		
14.	When issuing an Apostille, do you enquire about the State of destination?	[c]	Sometimes. <i>If this is important for any reason or when in doubt of.</i>		

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
	On the spot	Within five working days	
16. Does your Competent Authority impose a fee for issuing an Apostille?	[a] Yes, a single price for all Apostilles. 12 € + 21 % VAT		
Issuing an Apostille (Outgoing)			
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))?	[b] Multiple Competent Authorities. [v] Multiple separate databases of sample signatures / seals / stamps, some in paper form, some electronic.		
18. How does a Competent Authority address situations where it is unable to verify the origin of the public document?	[a] The Competent Authority will contact the issuing authority to confirm authenticity, issue the Apostille, and then add the new signature, stamp or seal to the database.		
19. In what language(s) are the 10 standard items of your Apostilles available?	[b] In two languages. <i>English and Lithuanian</i>		
20. In what language(s) are the blank fields of your Apostilles filled in?	[a] In one language. <i>English</i>		
21. How are the blank fields of your Apostilles filled in?	[b] Using computer software. <i>Text of the document is filled in by computer, using dedicated computer application.</i>		
Apostille Registers			
22. How is your Apostille register, required by Article 7, maintained?	[b] Multiple Competent Authorities. [iv] A separate register for each Competent Authority, all in electronic form, but not all publicly accessible online.		
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.		X
	[f] State of destination.		X
	[g] Copy of the Apostille.		
	[h] Copy of the underlying document.		
	[i] Other.		
24. Is there a limit to how long records can be retained on the Apostille register?	[c] Yes, other. <i>According to the fact that the register of Apostille is together a notarial register (of all performed notarial acts), the records are kept for 100 years.</i>		

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?	[f] Unknown.	
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 on Document and Archives of the Republic of Lithuania, entered into force in December 5, 1995. It establishes that a document is information recorded in the course of activities of a legal person established in the Republic of Lithuania or a foreign state, another organization or their subdivision (hereinafter - legal person) or a natural person, regardless of the method, form and medium of its submission.</i> https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.23066/asr	
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><i>For Parties that answered yes to Q27.</i></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.	
	[b] Civil status documents (e.g. birth, death and marriage certificates) and certificates of non-impediment.	X
	[c] Other administrative documents (including decisions from administrative tribunals or decision-making bodies).	X
	[d] Extracts from commercial registers and other registers.	X
	[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>	Competent authorities do not collect data	
28. Do you issue e-Apostilles?	<p>[b] No. [i] We are studying the use of e-Apostilles and plan to implement the e-Apostille component. <i>Future provisions of this service are under consideration.</i></p>	
<p><i>For Parties that answered no to Q28.</i> 28.1. What challenges are you facing that may prevent you from implementing the e-Apostille?</p>	[a] Internal law limitations.	X
	[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 no to Q28.</i> 28.2. How do you issue an Apostille for a public document executed in electronic form?</p>	[b] By paper Apostille, attached to a hard copy of the electronic public document.	
29. Are your authorities equipped to accept incoming e-Apostilles?	[a] Yes, all e-Apostilles can be processed.	
30. Do you maintain an e-Register?	<p>[b] No. [i] We are studying the use of an e-Register and plan to implement the e-Register component. <i>Future provisions of this service are under consideration.</i></p>	
<p><i>For Parties that answered no to Q30.</i> 30.1. What challenges are you facing that may prevent you from implementing the e-Register?</p>	[a] Internal law limitations.	X
	[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.	
31. Have you been in contact with other Competent Authorities that operate an e-APP component and exchanged information and / or relevant experience?	<p>[a] Yes. <i>If necessary, information shall be exchanged with representatives of the countries where such systems already exist.</i></p>	
Issues with Apostilles		
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:	[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.	X
	[k] No / Not applicable.	
33. Has your Competent Authority ever been requested by external Competent Authorities to certify or confirm your procedure for issuing Apostilles?	[b] No.	
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 (<i>an e-Apostille</i>).	
	[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.	X

	[i] No / Not applicable.	
Miscellaneous		
35. Would you be interested in attending the 2021 meeting of the Special Commission on the practical operation of the Apostille Convention?	[b] Yes, via videoconference.	
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? <i>If yes, would you like your answer to this question to be published without reference to your authority or State?</i>	[b] No.	
37. Do you have any suggestions that could assist in the promotion, implementation, or operation of the Apostille Convention? <i>If yes, would you like your answer to this question to be published without reference to your authority or State?</i>	[b] No.	
38. Would you be interested in attending the 12 th International Forum on the e-APP (to be held in conjunction with the meeting of the Special Commission)?	[b] Yes, via videoconference.	
39. Are there any specific topics or practical issues that you would like discussed at the e-APP Forum? <i>If yes, would you like your answer to this question to be published without reference to your authority or State?</i>	[b] No.	
40. The Permanent Bureau is in the process of drafting a 2 nd edition of the Apostille Handbook. Are there any specific topics, suggestions for presentation or formatting, or any other proposals for inclusion? <i>Please note that answers to this question will not be incorporated into the first draft of the 2nd edition. The PB will take them into account in preparing subsequent drafts.</i> <i>If yes, would you like your answer to this question to be published without reference to your authority or State?</i>	[b] No.	