

## UKRAINE 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)?	[b] Yes, under bilateral / multilateral agreements. <i>The requirement of legalization of the public documents is abolished under the provisions of bilateral international treaties of Ukraine on legal relations and legal assistance in civil matters. All the documents which are submitted for the purposes of legal aid in civil matters are accepted without any legalization. Moreover, with several countries the application of the bilateral agreements is quite broad and all public documents even those, which are submitted not for the purposes of legal aid in civil matters, could be accepted without legalization.</i>
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>	There 3 competent authorities in Ukraine: Ministry of Education and Science of Ukraine, Ministry of Justice of Ukraine, and Ministry of Foreign Affairs of Ukraine
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 of Ukraine act as intermediaries when applicants claim apostille-certified archival certificates (transcripts) and documents on civil registration.</i>
Substantive Scope	
5. Is the concept of 'public document' defined in your internal law?	[b] No.
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	
	Export licences	X	
	Import licences	X	
	Health and safety certificates issued by the relevant government authorities or agencies	X	
	Certificates of products registration	X	
	Certificates of conformity	X	
	End user certificates (i.e. documents certifying that the buyer is the end user of acquired goods)	X	
Commercial invoices	X		
<b>Apostille Process</b>			
<b>Certification of Public Documents</b>			
12. Do any of your public documents require some other intermediate certification before the issuance of an Apostille?	[a] Yes, an intermediate certification is required for some categories of public documents.		
<i>For Parties that answered yes to Q12.</i> 12.1. What categories of public document require intermediate certification and why?	Category of public document	Why certification is required	
	Archival reference (transcript)	Confirmation of the validity of the certificate	
<b>Requesting an Apostille (Outgoing)</b>			
13. How can an Apostille be requested?	[a] In person.		X
	[b] By post.		X
	[c] By email.		
	[d] Through a website.		X
	[e] Other.		
14. When issuing an Apostille, do you enquire about the State of destination?	[a] Yes, in the application form.		

<p>15. How long does it take for an Apostille to be issued?</p>	<p>In-person request (paper Apostille)</p>	<p>Other requests (from the time of receipt) (paper Apostille)</p>	<p>e-Apostille requests</p>
	<p><i>Other Possible terms of processing: from 2 hours to 30 working days, depending on the type of educational document and the choice of applicant. The processing time may be extended if it is necessary to obtain sample of the signature / seal. Issuing of Apostille shall be carried out within 2 working days. If necessary to obtain a sample signature, seal and / or stamp, as well as the verification of documents on state registration of acts of civil status in cases of lack of information about them in the State Register acts of civil status of citizens and / or doubts about their authenticity the term for consideration of documents for affixing an apostille may be extended to 20 working days.</i></p>	<p><i>Other Possible terms of processing: from 2 hours to 30 working days, depending on the type of educational document and the choice of applicant. The processing time may be extended if it is necessary to obtain sample of the signature / seal. Issuing of Apostille shall be carried out within 2 working days. If necessary to obtain a sample signature, seal and / or stamp, as well as the verification of documents on state registration of acts of civil status in cases of lack of information about them in the State Register acts of civil status of citizens and / or doubts about their authenticity the term for consideration of documents for affixing an apostille may be extended to 20 working days.</i></p>	

<p>16. Does your Competent Authority impose a fee for issuing an Apostille?</p>	<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>The cost of Apostille issued by the Ministry for Foreign Affairs of Ukraine is:</i></p> <p><i>Standard procedure (Apostille is issued on the 5th business day):</i></p> <p><i>for physical persons - equivalent - 5 euros (150 UAH);</i></p> <p><i>for juridical persons - equivalent - 10 euros (300 UAH).</i></p> <p><i>Expedited procedure (Apostille is issued in less than 5 business days):</i></p> <p><i>for physical persons - equivalent - 15 euros (450 UAH);</i></p> <p><i>for juridical persons - equivalent - 30 euros (900 UAH).</i></p> <p><i>Ministry of Education and Science of Ukraine, the cost is:</i></p> <p><i>for physical persons - equivalent - 1.5 euros (51 UAH);</i></p> <p><i>for juridical persons - equivalent - 2.5 euros (85 UAH).</i></p> <p><i>Additionally the applicant can choose services (remote submission, processing of order from abroad, order delivery, etc.). The fee for urgency or additional services is in the range: the equivalent of 5.3-29.2 euros (180-990 UAH).</i></p> <p><i>Ministry of Justice of Ukraine, the cost is:</i></p> <p><i>for physical persons - equivalent - 1.5 euros (51 UAH);</i></p> <p><i>for juridical persons - equivalent - 2.5 euros (85 UAH).</i></p>
<b>Issuing an Apostille (Outgoing)</b>	
<p>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>	<p>[b] Multiple Competent Authorities.</p> <p>[v] Multiple separate databases of sample signatures / seals / stamps, some in paper form, some electronic.</p>
<p>18. How does a Competent Authority address situations where it is unable to verify the origin of the public document?</p>	<p>[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.</p>
<p>19. In what language(s) are the 10 standard items of your Apostilles available?</p>	<p>[a] In one language.</p> <p><i>The Apostille stamp is filled out in the official language of Ukraine – Ukrainian.</i></p>
<p>20. In what language(s) are the blank fields of your Apostilles filled in?</p>	<p>[a] In one language.</p> <p><i>The Apostille stamp is filled out in the official language of Ukraine – Ukrainian.</i></p>
<p>21. How are the blank fields of your Apostilles filled in?</p>	<p>[b] Using computer software.</p> <p><i>In the Ministry for Foreign Affairs of Ukraine there is special software for registration of Apostille-certified documents and printing out the Apostilles.</i></p> <p><i>In the Ministry of Education and Science of Ukraine Apostille is formed using an automated database of documents since the end of November 2012.</i></p> <p><i>The Ministry of Justice of Ukraine uses e-Register.</i></p>
<b>Apostille Registers</b>	
<p>22. How is your Apostille register, required by Article 7, maintained?</p>	<p>[b] Multiple Competent Authorities.</p> <p>[vi] Other.</p> <p><i>The Ministry of Justice of Ukraine uses e-Register which is publicly accessible online. The Ministry for Foreign Affairs of Ukraine and the Ministry of Education and Science of Ukraine use the separate electronic registers.</i></p>

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.	X
	[h] Copy of the underlying document.	X
	[i] Other. <i>Payment amount, payment date and receipt number. The name of the educational institution or institution that issued the educational document and record details of the educational document.</i>	X
24. Is there a limit to how long records can be retained on the Apostille register?	[c] Yes, other. 25 years	
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.	
<b>Technology &amp; the e-APP</b>		
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>The Law of Ukraine "On electronic documents and electronic document management" was adopted on May, 22, 2003. In the meantime, the Law of Ukraine «On Electronic Trust Services» determines that the document signed with the qualified electronic signature by its legal validity is equivalent to the handwritten signature was adopted on October, 05, 2017 .</i>  <i>The Law of Ukraine "On electronic documents and electronic document management" establishes the basic organizational and legal principles of electronic document management and use of electronic documents. The electronic document cannot be used as an original: 1) for certificates of inheritance; 2) a document that in accordance with the legislation can be created only in one original copy, except in cases of existence of a centralized repository of originals of electronic documents; 3) in other cases provided by law.</i>	
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)?	[b] No, public documents are never executed in electronic form.	
28. Do you issue e-Apostilles?	[a] Yes.	
<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?	[c] Paper public documents that have been scanned by applicants.	

For Parties that answered yes to Q28. 28.4. How is an e-Apostille signed (i.e. what technology is used to apply an electronic / digital signature)?	[a] A government-built certificate.	
For Parties that answered yes to Q28. 28.5. How is an e-Apostille affixed to / associated with the underlying public document to ensure it is not tampered with?	The Apostille is printed on paper, bound to the document and sealed with signature and seal.	
For Parties that answered yes to Q28. 28.6. Once issued, how is the e-Apostille transmitted to the applicant?	[e] Other. <i>The electronic transmission is not foreseen. The e-Apostille should be received in the same order that the paper Apostille, usually by the applicant personally.</i>	
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?	[a] Yes.	
For Parties that answered yes to Q30. 30.2. What technology is used to maintain your e-Register?	[c] Other. <i>Document Verifier (Ministry of Education and Science of Ukraine)</i> <i>A government-built platform (Ministry of Justice of Ukraine, Ministry for Foreign Affairs)</i>	
31. Have you been in contact with other Competent Authorities that operate an e-APP component and exchanged information and / or relevant experience?	[b] No.	
<b>Issues with Apostilles</b>		
32. Has an Apostille <b>issued</b> 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 (an e-Apostille).	
	[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> ).	X
	[g] The underlying public document was in electronic form.	X
	[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.	