

REPUBLIC OF CROATIA 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>[b] Yes, under bilateral / multilateral agreements.</p> <p><i>Bilateral agreements:</i></p> <p><i>AUSTRIA: Treaty on the Mutual Legal Traffic between THE Federal National Republic of Yugoslavia and Republic of Austria, 16 December 1954</i></p> <p><i>BELGIUM: The Convention on the Issuing of Birth Certificates and Liberation of Legalization, 24 September 1971</i></p> <p><i>Treaty between the Federal National Republic of Yugoslavia and Kingdom of Belgium on the Legal Assistance in Civil and Commercial Matters, 24 September 1971</i></p> <p><i>BOSNIA AND HERZEGOVINA: Treaty between the Governments of the Republic of Croatia, Bosnia and Herzegovina and Federation of Bosnia and Herzegovina on the Legal Assistance Concerning Civil and Criminal Matters from 26 February 1996 amended by the Treaty between the Republic of Croatia and Bosnia and Herzegovina on the the Modification of the Treaty between the Governments of the Republic of Croatia, Bosnia and Herzegovina and Federation of Bosnia and Herzegovina on the Legal Assistance Concerning Civil and Criminal Matters from 17 June 2002</i></p> <p><i>BULGARIA: Treaty between the Federative National Republic of Yugoslavia and National Republic of Bulgaria, 23 March 1956</i></p> <p><i>CZECH REPUBLIC: Treaty on the Regulation of Legal Relations Concerning Civil, Family and Criminal Matters between the Socialist Federative Republic of Yugoslavia and Czech Republic, 20 January 1964</i></p> <p><i>FRANCE: Treaty on the Issuing of Identity Papers and Liberation of Legalization, 29 October 1969</i></p> <p><i>GREECE: Convention between the Federal National Republic of Yugoslavia and Kingdom of Greece on the Mutual Legal Relations, 18 June 1959</i></p> <p><i>HUNGARY: Treaty between the Socialist Federative Republic of Yugoslavia and National Republic of Hungary on the Mutual Legal Traffic, 7 March 1968</i></p> <p><i>ITALY: Convention between the Federal National Republic of Yugoslavia and Italian Republic on the Mutual Legal Assistance in Civil and Administrative Matters, 3 December 1960</i></p> <p><i>MACEDONIA: Treaty between the Republic of Croatia and Republic of Macedonia on the Legal Assistance Concerning Civil and Criminal Matters, 2 September 1994</i></p> <p><i>MONTE NEGRO: Treaty between the Republic of Croatia and Federal Republic of Yugoslavia on the Legal Assistance Concerning Civil and Criminal Matters, 15 September 1997</i></p> <p><i>POLAND: Treaty between the Government of the Federal National Republic of Yugoslavia and the Government of the National Republic of Poland on Legal Actions Concerning Civil and Criminal Matters, 6 February 1960</i></p> <p><i>ROMANIA: Treaty between the Federal National Republic of Yugoslavia and National Republic of Romania on the Legal Assistance, 18 October 1960</i></p> <p><i>RUSSIAN FEDERATION: Treaty between the Federal National Republic of Yugoslavia and Union of Soviet Socialist</i></p>

	<p><i>Republics on the Legal Assistance Concerning Civil, Family and Criminal Matters, 24 February 1962</i></p> <p><i>SERBIA: Treaty between the Republic of Croatia and Federal Republic of Yugoslavia on the Legal Assistance Concerning Civil and Criminal Matters, 15 September 1997</i></p> <p><i>SLOVENIA: Treaty between the Republic of Croatia and Republic of Slovenia on the Legal Assistance Concerning Civil and Criminal Matters, 7 February 1994</i></p> <p><i>TURKEY: Treaty between the Republic of Croatia and Republic of Turkey on the Legal Assistance in Civil and Commercial Matters, 10 February 1999</i></p> <p><i>EUROPEAN UNION:</i> <i>Regulation (EU) 2016/1191 of the European Parliament and of the Council of 6 July 2016 on promoting the free movement of citizens by simplifying the requirements for presenting certain public documents ("Public Documents Regulation")</i></p>
Competent Authorities	
<p>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>	30 Municipal courts
<p>4. Do your diplomatic missions abroad play a role in the Apostille issuance process?</p>	<p>[b] Yes, our diplomatic missions act as intermediaries between the applicant and Competent Authority (e.g. forwarding applications and transmitting Apostilles once issued).</p> <p><i>Croatian diplomatic missions transmit applications from Croatian citizens abroad to the Ministry of Foreign and European Affairs which forwards them to the Ministry of Justice and Public Administration (Civil status department) to obtain documents from civil status registers with Apostilles from the Competent Authorities.</i></p> <p><i>Requested documents with Apostilles are then transmitted back in the same manner to the appropriate diplomatic mission.</i></p>
Substantive Scope	
<p>5. Is the concept of 'public document' defined in your internal law?</p>	<p>[a] Yes.</p> <p><i>Article 230, para 1 of the Civil Procedure Act</i> <i>A document issued in the prescribed form by a state body within its competence and a document issued in such form by a legal or natural person in the exercise of public authority entrusted to him by law or a regulation based on law (public document), proves the truth of what is by it confirmed or determined.</i></p>
<p>6. Have you experienced any difficulties in characterising a 'public document' for the purposes of the Apostille Convention?</p>	[b] No.
<p>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?</p>	[c] No.
<p>8. Do you think this Art. 1(3)(a) exclusion is justified in the context of the modern operation of the Convention?</p>	[a] Yes.
<p>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>	[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		
	End user certificates (i.e. documents certifying that the buyer is the end user of acquired goods)		
Commercial invoices			
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.		X
	[d] Through a website.		
	[e] Other.		
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
	On the same day	Within five working days	
16. Does your Competent Authority impose a fee for issuing an Apostille?	[b] Yes, but the price is dependent on, for example, the category of public document(s), the Competent Authority, or the type of application. <i>Ministry of Justice and Public Administration (Central Authority) from 1st of September 2021 no longer charges Apostilles.</i> <i>Municipal Courts charge court fees for Apostilles in the amount of 50 Croatian kunas (cca 6,6 euros) for documents on Croatian language and 60 kunas (cca 8 euros) for their translation.</i>		

Issuing an Apostille (Outgoing)		
17. How is the origin of a public document verified for the purpose of issuing an Apostille (<i>i.e.</i> 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?	[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?	[a] In one language. <i>Croatian language.</i>	
20. In what language(s) are the blank fields of your Apostilles filled in?	[a] In one language. <i>Croatian language.</i>	
21. How are the blank fields of your Apostilles filled in?	[b] Using computer software. <i>Microsoft Word.</i>	
Apostille Registers		
22. How is your Apostille register, required by Article 7, maintained?	[b] Multiple Competent Authorities. [v] A separate register for each Competent Authority, some in paper form, some electronic.	
23. What particulars are contained in your Apostille register?	[a] Number and date of the Apostille (<i>required</i>).	X
	[b] Name and capacity of the person signing the document and / or the name of authority whose seal or stamp is affixed (<i>required</i>).	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>Notes that fee is payed and the document with Apostille handed to applicant.</i>	X
24. Is there a limit to how long records can be retained on the Apostille register?	[c] Yes, other. <i>Limit is 10 years in accordance with Rules of Procedure, but electronic system in courts (e-File) keeps the data permanently.</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?	[b] Once per year.	

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)?	<p>[a] Yes.</p> <p><i>Amendment to the Rules of Procedure for Courts from 15 September 2021, Article 1a, Point 2:</i> <i>Electronic court document is every letter, summons, request, certificate, decision and act of the court administration in .pdf format, signed by a qualified electronic signature of a judge or authorized court clerk, certified by a qualified electronic seal or application signature of the information system used in court and represents the original and contains the appropriate barcode or QR code, control number and website to verify the authenticity of the letter. A qualified electronic signature has the same legal effect as a handwritten signature and a stamp.</i></p> <p><i>Rules of Procedure for Courts apply to domestic procedures, i.e. Republic of Croatia does not issue Apostilles on electronic documents or documents with electronic signatures.</i></p> <p>https://narodne-novine.nn.hr/clanci/sluzbeni/2021_09_99_1786.html</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><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).	
	[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.	X
	[n] Import or export licences.	
[o] Certificates of origin.		
[p] Certificates of conformity.		

	[q] Other. <i>Residence, employment status and pension records, all from the electronic government system called e-Citizen.</i>	X
<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)?	Unknown, but more and more common practice, especially during the Covid-19 pandemic.	
28. Do you issue e-Apostilles?	[b] No. [ii] We are not currently planning to implement the e-Apostille component.	
<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?	[a] Internal law limitations.	X
	[b] Judicial or administrative structure.	
	[c] Implementation challenges (e.g. lack of resources, lack of infrastructure).	X
	[d] Cost.	X
	[e] System interoperability / compatibility.	X
	[f] Security concerns.	X
	[g] Other.	
<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?	[c] Other. <i>We do not issue (paper) Apostilles for electronic documents or documents with electronic signatures, as we do not issue Apostilles on hard copies (printouts) of electronic documents since they are considered simple copies, not certified copies for which Apostilles are only issued.</i>	
29. Are your authorities equipped to accept incoming e-Apostilles?	[b] Yes, but on certain conditions. <i>e-Apostille must have a link to the e-Register of the issuing authority in the State of Origin where it can be checked and underlying document must be attached to it.</i>	
30. Do you maintain an e-Register?	[b] No. [ii] We are not currently planning to implement the e-Register component.	
<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?	[a] Internal law limitations.	X
	[b] Judicial or administrative structure.	
	[c] Implementation challenges (e.g. lack of resources, lack of infrastructure).	X
	[d] Cost.	X
	[e] System interoperability / compatibility.	X
	[f] Security concerns.	X
	[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?	[b] No.	

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.	
	[k]	No / Not applicable.	X
33. Has your Competent Authority ever been requested by external Competent Authorities to certify or confirm your procedure for issuing Apostilles?	[a]	Yes. <i>Certain South American states have requested us to provide information on our process of issuing and accepting Apostilles, including e-Apostilles.</i>	
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. <i>Our civil status register did not accept paper Apostille on a printed electronic document since the signature and stamp were not verified in accordance with the Convention, it only stated "N/A" as not applicable because the electronic system has issued the document.</i>	X
	[k] Unknown.	
	[l] No / Not applicable.	