

## HONDURAS 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.*

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)?	[c] No.
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>	One authority, Secretariat for Foreign Affairs and International Cooperation  ES: Una autoridad, Secretaría de Relaciones Exteriores y Cooperación Internacional
4. Do your diplomatic missions abroad play a role in the Apostille issuance process?	[d] No.
Substantive Scope	
5. Is the concept of 'public document' defined in your internal law?	[a] Yes. <i>Article 1497 of the Civil Code; Public documents are ones that are authorized by a notary public or competent public employee, with the solemnities required by law.</i>  ES: Artículo 1497 del Código Civil; Son documentos públicos los autorizados por un Notario o empleado público competente, con las solemnidades requeridas por la ley.
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?	[b] No.
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?	[b] No.

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		
	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	X
Commercial invoices	X	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	
	Birth Certificates ES: Certificados de Nacimiento	Domestic Law Art. 30 General Law on Public Administration ES: Derecho Interno Art. 30 Ley General de la Administración Pública	
	Death Certificates ES: Certificados de Defunción	Domestic Law Art. 30 General Law on Public Administration ES: Derecho Interno Art. 30 Ley General de la Administración Pública	
	Certificate of Unmarried Status ES: Certificados de soltería	Domestic Law Art. 30 General Law on Public Administration ES: Derecho Interno Art. 30 Ley General de la Administración Pública	
	Criminal record ES: Antecedentes Penales	Domestic Law Art. 30 General Law on Public Administration ES: Derecho Interno Art. 30 Ley General de la Administración Pública	
	Police record ES: Antecedentes Policiales	Domestic Law Art. 30 General Law on Public Administration ES: Derecho Interno Art. 30 Ley General de la Administración Pública	
<b>Requesting an Apostille (Outgoing)</b>			
13. How can an Apostille be requested?	[a] In person.		X
	[b] By post.		
	[c] By email.		
	[d] Through a website.		X

	[e] Other.	
14. When issuing an Apostille, do you enquire about the State of destination?	[b] Yes, the enquiry is made orally.	
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)
	On the same day	On the following working day
16. Does your Competent Authority impose a fee for issuing an Apostille?	[a] Yes, a single price for all Apostilles. L 150.00 \$6.00	
<b>Issuing an Apostille (Outgoing)</b>		
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))?	[a] Single Competent Authority. [i] A paper-based database of sample signatures / seals / stamps.	
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?	[b] In two languages. <i>Spanish, English</i> ES: <i>Español, Ingles</i>	
20. In what language(s) are the blank fields of your Apostilles filled in?	[b] In two languages. <i>Spanish, English</i> ES: <i>Español, Ingles</i>	
21. How are the blank fields of your Apostilles filled in?	[b] Using computer software. <i>Internal System</i> ES: <i>Sistema Interno</i>	
<b>Apostille Registers</b>		
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 ( <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.	
	[e] Name of the applicant.	X
	[f] State of destination.	X
	[g] Copy of the Apostille.	X
	[h] Copy of the underlying document.	
	[i] Other.	
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.	
<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)?	<p>[a] Yes.</p> <p><i>a) Electronic Signatures Law Gazette 33,301 dated 11 December 2013, Reformed by Legislative Decree 33-2020, Gazette 35,217 dated 3 April 2020;</i></p> <p><i>b) Regulation on E-Government, Gazette 35,383 dated 26 September 2020;</i></p> <p><i>c) Regulations for the Implementation of Digital Platform for the Use of Reliable Identification Media and Certified Institutional Electronic Signature Systems, Gazette 35,469 dated 24 December 2020.</i></p> <p><i>Scope to all documents signed by competent authority in application of Article 30 of the Public Administration Law.</i></p> <p><i>No exclusions.</i></p> <p><i>ES:</i></p> <p><i>a) Ley de Firmas Electrónicas Gaceta 33,301 de fecha 11 de diciembre de 2013, Reformada por el Decreto Legislativo 33-2020, Gaceta 35,217 de fecha 3 de abril de 2020;</i></p> <p><i>b) Reglamento sobre Gobierno Electrónico, Gaceta 35,383 de fecha 26 de Septiembre de 2020;</i></p> <p><i>c) Reglamento para la Implementación de Plataforma Digital para el Uso de los Medios de Identificación Confiable y Sistemas de Firma Electrónica Institucional Certificada, Gaceta 35,469 de fecha 24 de diciembre de 2020.</i></p> <p><i>Alcance a todos los documentos firmados por autoridad competente en función del artículo 30 de la Ley de la Administración Pública.</i></p> <p><i>No hay exclusiones.</i></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>	<p>[a] All public documents.</p> <p>[b] Civil status documents (e.g. birth, death and marriage certificates) and certificates of non-impediment.</p> <p>[c] Other administrative documents (including decisions from administrative tribunals or decision-making bodies).</p> <p>[d] Extracts from commercial registers and other registers.</p> <p>[e] Notarial authentications of signatures.</p> <p>[f] Other notarial acts.</p> <p>[g] Diplomas and other education documents.</p> <p>[h] Court documents, including judgments.</p> <p>[i] Patents or other documents pertaining to intellectual property rights.</p>	<p></p> <p>X</p> <p></p> <p>X</p> <p></p> <p></p> <p>X</p> <p></p> <p>X</p>

	[j] Documents relating to adoptions.	
	[k] Translations.	X
	[l] Medical or health certificates.	
	[m] Criminal records.	X
	[n] Import or export licences.	X
	[o] Certificates of origin.	
	[p] Certificates of conformity.	
	[q] Other.	
<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)?	5% of Public Documents ES: 5% de los Documentos Públicos	
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?	[a] Electronic public documents. [c] Paper public documents that have been scanned by applicants.	
<i>For Parties that answered yes to Q28.</i> 28.4. How is an e-Apostille signed ( <i>i.e.</i> what technology is used to apply an electronic / digital signature)?	[a] A government-built certificate.	
<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?	The underlying document is associated by indicating the number of the public document on the apostille.	
<i>For Parties that answered yes to Q28.</i> 28.6. Once issued, how is the e-Apostille transmitted to the applicant?	[c] Electronic transmission via online platform administered by the government.	
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.	
<i>For Parties that answered yes to Q30.</i> 30.2. What technology is used to maintain your e-Register?	[a] A government-built platform.	
31. Have you been in contact with other Competent Authorities that operate an e-APP component and exchanged information and / or relevant experience?	[a] Yes. <i>All the institutions of the Executive Power.</i> ES: <i>Todas las instituciones del Poder Ejecutivo.</i>	
<b>Issues with Apostilles</b>		
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> ).	X
	[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.	
For Parties that answered other than "No" to Q32. 32.2. If an Apostille was rejected, what action did you take?	[a] The Apostille was reissued.	X
	[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.	X
	[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?	[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.	X
	[i] The underlying document was not a public document under the law of the destination.	X
	[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?	[a] Yes, if possible, in person.	
36. 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.	
37. 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)?	[a] Yes, if possible, in person.	
38. 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? <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> <i>If yes, would you like your answer to this question to be published without reference to your authority or State?</i>	[b] No.	