

## PERUVIAN STATE

### 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)?	[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>	An authority has been assigned.
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>LAW No 27444 - LAW OF PROCEDURE - SUPREME GENERAL ADMINISTRATIVE DECREE No. 004-2019-JUS</i>  <i>Article 50.- Value of public and private documents 50.1. Public treated documents are those validly issued by the bodies of the entities</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	
<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.		
For Parties that answered yes to Q12. 12.1. What categories of public document require intermediate certification and why?	Category of public document	Why certification is required	
	DOCUMENTS ISSUED BY JUDICIAL AGENT	THE SIGNATURE OF A HIERARCHICAL SUPERIOR IS REQUIRED FOR LEGAL SECURITY	
	NOTARY DOCUMENTS	ARE SUBJECT TO THE COLLEGE OF NOTARIES	
	DOCUMENTS EMANATING FROM AN AUTHORITY LINKED TO A JURISDICTION OF THE GOVERNMENT	THE SIGNATURE OF THE DULY REGISTERED INSTITUTION OFFICIAL IS REQUIRED	
<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)	e-Apostille requests
	Within five working days	Within five working days	Within five working days
16. Does your Competent Authority impose a fee for issuing an Apostille?	[a] Yes, a single price for all Apostilles. <i>THIRTY-TWO NEW SOLES (S/32.00)</i>		
<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))?	[a] Single Competent Authority. [ii] An electronic 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>IN ENGLISH AND SPANISH</i>		
20. In what language(s) are the blank fields of your Apostilles filled in?	[a] In one language. <i>SPANISH</i>		
21. How are the blank fields of your Apostilles filled in?	[b] Using computer software. <i>WEB APPLICATION OF THE MINISTRY OF FOREIGN AFFAIRS-RESLA (REINFORCEMENT OF THE LEGALIZATION AND APOSTILLE SYSTEM)</i>		
<b>Apostille Registers</b>			
22. How is your Apostille register, required by Article 7, maintained?	[a] Single Competent Authority. [iii] Paper form.		
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.		
	[e] Name of the applicant.		
	[f] State of destination.		
	[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?	[b] Yes, between five and ten 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.		

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>LAW No. 27269 SIGNATURES AND CERTIFICATES LAW DIGITAL</i>  <i>LIMA, AT TWENTY-SIX DAY OF THE MONTH OF MAY OF THE YEAR TWO THOUSAND.</i></p> <p><i>ART.01. OBJECT OF THE LAW- THE PURPOSE OF THIS LAW IS TO REGULATE THE USE OF THE ELECTRONIC SIGNATURE GIVING IT THE SAME VALIDITY AND EFFECTIVENESS LEGAL THAT THE USE OF A HANDWRITTEN SIGNATURE OR SIMILAR THAT IMPLIES A MANIFESTATION OF WILL</i></p> <p><a href="https://cdn.www.gob.pe/uploads/document/file/356833/NORMA_1887_LEY_27269_Modificada_por_LEY_27310.pdf">https://cdn.www.gob.pe/uploads/document/file/356833/NORMA_1887_LEY_27269_Modificada_por_LEY_27310.pdf</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><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.	X
	[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.	X
	[f] Other notarial acts.	X
	[g] Diplomas and other education documents.	X
	[h] Court documents, including judgments.	X
	[i] Patents or other documents pertaining to intellectual property rights.	X
	[j] Documents relating to adoptions.	X
	[k] Translations.	X
	[l] Medical or health certificates.	X
	[m] Criminal records.	X
	[n] Import or export licences.	X
[o] Certificates of origin.	X	
[p] Certificates of conformity.	X	
[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>THIRTY PERCENT OF PUBLIC DOCUMENTS ISSUED IN DIGITAL FORMAT</p>	
<p>28. Do you issue e-Apostilles?</p>	<p>[a] Yes.</p>	
<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.</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>	<p>[b] Technology from a commercial provider (e.g. Adobe). SYSTEM CREATED BY THE MINISTRY OF FOREIGN AFFAIRS - ELECTRONIC CERTIFICATION OF SIGNATURES.</p>	
<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 ELECTRONIC SIGNATURE CERTIFICATION SYSTEM GENERATES A FILE THAT INCLUDES THE UNDERLYING PUBLIC DOCUMENT AND THE ISSUED APOSTILLE</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>	<p>[d] Electronic transmission via online platform administered by a private service provider.</p>	
<p>29. Are your authorities equipped to accept incoming e-Apostilles?</p>	<p>[a] Yes, all e-Apostilles can be processed.</p>	
<p>30. Do you maintain an e-Register?</p>	<p>[a] Yes.</p>	
<p><i>For Parties that answered yes to Q30.</i> 30.2. What technology is used to maintain your e-Register?</p>	<p>[b] Technology from a commercial provider. THE ELECTRONIC SIGNATURE CERTIFICATION SYSTEM GENERATES A FILE THAT INCLUDES THE UNDERLYING PUBLIC DOCUMENT AND THE ISSUED APOSTILLE</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>	<p>[a] Yes. INFORMATION WAS SHARED WITH THE STATE OF BOLIVIA</p>	
<p><b>Issues with Apostilles</b></p>		
<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>	<p>[a] Form requirements (e.g. square-shaped, sides of at least nine centimetres, border, ink, etc).</p>	
	<p>[b] The manner in which the Apostille was affixed / attached to the underlying document.</p>	
	<p>[c] The Apostille was not signed.</p>	
	<p>[d] One or more of the standard informational items were not filled in.</p>	
	<p>[e] The Apostille was in electronic form (an e-Apostille).</p>	<p>X</p>
	<p>[f] The underlying public document was in electronic form.</p>	
	<p>[g] The underlying public document had expired / was not issued within a certain timeframe.</p>	

	[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. 32.1. If an Apostille was rejected, what action did you take?	[a] The Apostille was reissued.	
	[b] Contacted the receiving authority.	X
	[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?	[a] Yes. <a href="#">THE CONSULATE OF CUBA IN PERU CONSULTATION ON THE ELECTRONIC APOSTILLE CONSIGNED IN UNIVERSITY DOCUMENTS.</a>	
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.	
<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?	[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 <sup>th</sup> International Forum on the e-APP (to be held in conjunction with the meeting of the Special Commission)?	[b] Yes, via videoconference.	