

Part B - Questions for Contracting States

Apostille sample

Please submit a **sample** (preferably in .PDF, .JPEG or .TIFF format) of the Apostille Certificate used by your Competent Authority(ies).

If YOUR STATE issues both paper and e-Apostilles please provide us with a sample of both.

➡ c.f. Q 8.2 a) of the 2012 questionnaire

✍ This Apostille Certificate will be used for internal purposes only.

Section 1 Joining the Apostille Convention

1.1 Changes to internal law

a) Was implementing legislation necessary to give the Apostille Convention force of law in YOUR STATE (including regulations relating to the establishment and functioning of Competent Authorities)?

➡ c.f. Q 1.1 a) of the 2012 questionnaire

Yes

Please specify the provision(s) or implementing legislation, and the date of entry into force:

Please specify how the legislation may be accessed (e.g., include a copy or provide a link to an online version):

No

Comments:

According to art. 2 of Government Ordinance no. 66/1999, as amended through art. V of Law no. 202/25.10.2010 on some measures for speeding up the judicial proceedings, the competent Romanian authorities in applying the Apostille stipulated by art. 3 para. 1 of the Convention are the following:

- district courts for the official documents stipulated under art. 1 letters a) and d),
- Public Notaries Chambers for the official documents stipulated under art. 1 letter c),
- Prefect's Offices for the official documents stipulated under art. 1 letter b)

As regards the public notary documents, the Order of the Minister of Justice no. 2922/2010 on amending and supplementing the Regulation for implementation of Law on Public Notaries and public notary activities no. 36/1995, approved through Order of the Minister of Justice no. 710/C/1995, with further amendments and supplements was issued in relationship to the Regulation on the methodology for applying the Apostille or the super-legalization by the Public Notaries Chambers on notarial acts, as approved by the Board of the National Union of Public Notaries through its Decision no. 349/17.12.2010, with further amendments. Currently, the activity of apostilization and super-legalization of notarial acts by the Public Notaries Chambers is undertaken in accordance with the following:

- Law on Public Notaries and public notary activities no. 36/1995, re-published,

	<p>- Regulation for implementation of Law on Public Notaries and public notary activities no. 36/1995, with further amendments and supplements,</p> <p>- Regulation on the methodology for applying the Apostille or super-legalization of notarial acts by the Public Notaries Chambers, as approved by the Board of the Public Notaries Chambers through Decision no. 75/06.08.2013</p> <p>As regards the administrative documents, the Instructions of the Minister of Administration and Interior no. 82/2010, on the organization and implementation of apostilization activity for official administrative documents, were drafted</p> <p>In terms of judicial documents, the documentation of 2004 was made available to the courts by the specialised department within the Ministry of Justice (Directorate for International Law and Judicial Cooperation)</p> <p>See http://legislatie.just.ro; www.uniuneanotarilor.ro</p>
1.2 Foreign direct investment	
<p>a) Is YOUR STATE aware that international organisations, such as the World Bank and the International Chamber of Commerce, have recognised the importance and efficacy of the Apostille Convention in the promotion and development of international trade and investment and have urged States that have not done so to join the Convention?</p> <p>➡ <i>c.f. Q 1.2 a) of the 2012 questionnaire</i> ✍ <i>See C&R No 4 of the 2012 SC.</i> ✍ <i>The International Finance Corporation (IFC) of the World Bank Group released the Investing Across Border Report, which is an initiative that compares the regulation of foreign direct investment ("FDI") around the world. One of the indicators used in the report to measure the ease with which a foreign company can start a business in a given economy was whether or not the Apostille Convention was in force for that economy. Accordingly, by being party to the Apostille Convention, a State can improve its FDI competitiveness. For more information, click here.</i> ✍ <i>The Chamber of Commerce released a news item urging States to join the Apostille Convention, click here.</i> ➡ <i>see also para. 23 of the Apostille HB</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>Comments:</i></p>

1.3 Other relevant instruments, laws and practices

a) Is the production of any types of foreign public documents in YOUR STATE exempted from / not subject to legalisation or similar formality, or otherwise facilitated, by virtue of:

- any internal law or practice that YOUR STATE has introduced or intends to introduce?
- or
- any bilateral, regional or global instrument to which YOUR STATE is party or to which it intends to become party?

➤ c.f. Q 1.3 a) of the 2012 questionnaire

➤ see also paras 18-20 of the [Apostille HB](#)

Yes – *please specify:*

No

Comments:

According to the Civil Procedure Code, republished, with further amendments and supplements, art. 1093 stipulates that:

"(1) Public documents that are drafted or legalized by a foreign authority or by a foreign public agent may be produced in front of Romanian courts only if they are also super-legalized, following the administrative hierarchy of the country of origin and then by the Romanian diplomatic mission or consulate, in order to certify the authenticity of signatures and seals applied onto these.

(2) Super-legalisation performed on administrative channels is subjected to the procedure established by the country of origin for that document, followed by the super-legalization performed either by the Romanian diplomatic mission or by the Romanian consulate in that country, or by the diplomatic mission or the consulate of the country of origin in Romania, followed, in any of the two situations above, by the Ministry of Foreign Affairs

(3) Exemption from super-legalization is allowed, according to the law, to an international treaty that Romania is a part of or based on reciprocity.

(4) Super-legalization of documents drafted or legalized by Romanian courts is performed, on behalf of Romanian authorities, by the Ministry of Justice and the Ministry of Foreign Affairs, in this specific order."

An exception is applied from the procedure of applying the Apostille or super-legalization to those notarial acts which are to be used in countries that Romania has concluded treaties or agreements with, on mutual recognition of such acts (Albania, Bosnia & Herzegovina, Bulgaria, Czech Republic, Croatia, Russian Federation, Former Yugoslav Republic of Macedonia, France, Mongolia, Montenegro, Poland, People's Republic of China, Republic of Moldova, Serbia, Slovakia, Slovenia, Ukraine and Hungary).

All official documents drafted on Romanian soil which are used on the soil of another contracting state to the Convention are subjected to legalisation, so that translations of official documents before apostilization are legalised by the public notary.

In relationship to EU Member States, in the field of international judicial cooperation in civil and commercial matters, translations of documents are exempted from legalization, as well as from any similar formality (Apostille or super-legalisation), whenever these are submitted:

	<p>- based on Community instruments used within the procedures for serving judicial or extra-judicial documents, taking evidence, provision of free of charge legal assistance, recognition of court decisions in civil and commercial matters, recognition of court decisions in matrimonial matters and matters of parental responsibility etc.</p> <p>- based on bilateral conventions/treaties (those applicable especially prior to 01.01.2007, in the period before Romania's accession to EU) within the procedures for serving judicial or extra-judicial documents, taking evidence, provision of free of charge legal assistance, recognition of court decisions in civil and commercial matters, recognition of court decisions in matrimonial matters and in matters of parental responsibility</p> <p>In relationship to non-EU Member States, in the field of judicial cooperation in civil and commercial matters, translations of documents are also exempted from legalisation, as well as from any similar formality (Apostille or super-legalisation), when these are submitted:</p> <p>- based on multilateral instruments within the procedures for serving judicial or extra-judicial documents, taking evidence, international access to justice, recognition of court decisions in civil and commercial matters, recognition and enforcement of court decisions in matters of parental responsibility etc.</p> <p>- based on bilateral conventions or treaties.</p> <p>Official documents issued by Romanian authorities that district courts apply Apostille on are, usually and in most of the cases, used by applicants abroad, in front of foreign administrative authorities, in order to undertake some administrative procedures (visa issuance, permit-of-stay issuance, work permit, citizenship, entering marriage, equivalence of educational degrees, registration of companies, border-crossing, customs, receiving retirement benefits from banks, conclusion of a notarized contract etc.). Thus, some foreign authorities which are parties to the Hague Convention of 1961 and that Romania has concluded with a bilateral treaty which stipulates an exemption from legalisation and any similar formality (Apostille) still require for the Apostille to be applied. The reason for this is that these foreign administrative authorities interpret in a restrictive manner the provisions included in bilateral agreements, in the sense that such provisions would create an exemption from legalization and any other similar formality (Apostille) only for those documents issued by the judicial authorities within the international cooperation procedures (service of documents, international rogatory letters, exequatur etc.)</p> <p>Starting from 16.02.2019, the Apostille application shall become optional according to 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.</p>
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	documents in the European Union and amending Regulation (EU) No 1024/2012
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Section 2 Objections to accessions

2.1 Revisiting objections

<p>Only for States that have objected to one or more accessions</p> <p>a) If YOUR STATE has objected to the accession of one (or more) Contracting State(s) under Article 12 of the Convention, has your State revisited its position on this issue in the last five years, or does YOUR STATE intend to do so in the near future?</p> <p>➡ c.f. Q 2.1 a) of the 2012 questionnaire <i>✍ The Special Commission has invited States that have objected to continue assessing whether conditions for withdrawing their objections are met (see C&R No 7 of the 2012 SC).</i> ➡ see also paras 91-95 of the Apostille HB</p>	<p><input type="checkbox"/> Yes – please specify:</p> <p><input checked="" type="checkbox"/> No</p> <p>Comments:</p>
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Section 3 The Apostille Section and publications

3.1 Content of the Apostille Section

<p>a) How useful is the information provided on the Apostille Section of the Hague Conference website?</p> <p>➡ c.f. Q 3.1 a) of the 2012 questionnaire <i>✍ In addition to English and French, the Apostille Section is available in German, Portuguese and Spanish (click on the link "other languages" – not all documents have been translated).</i> <i>✍ The Special Commission has noted that the Apostille Section continues to be a most useful resource of information (see C&R No 8 of the 2012 SC).</i> ➡ see also para. 33 of the Apostille HB</p>	<p><input checked="" type="checkbox"/> Very useful <input type="checkbox"/> Useful <input type="checkbox"/> Not useful</p> <p>Comments or suggestions for improvement:</p>
<p>b) How often do staff of the Competent Authority(ies) of YOUR STATE consult the Apostille Handbook?</p> <p><i>✍ The Apostille Handbook was published in 2013 and is available in English and French on the Apostille Section. A revised Spanish version will be available soon on the Apostille Section (for a provisional version, click here).</i></p>	<p><input checked="" type="checkbox"/> Daily <input checked="" type="checkbox"/> Frequently <input checked="" type="checkbox"/> Seldom <input checked="" type="checkbox"/> Never</p> <p>Comments or suggestions: Almost 50 % from the respondents "frequently"; Almost 50 % from the respondents "seldom".</p>
<p>c) Does YOUR STATE have any suggestions or comments concerning the publications of the Permanent Bureau, the ABCs of Apostilles, the Brief Implementation Guide, or the Apostille Handbook, available on the Apostille Section of the Hague Conference website?</p> <p>➡ c.f. Q 3.1 b) of the 2012 questionnaire</p>	<p><input type="checkbox"/> Yes – please specify:</p> <p><input checked="" type="checkbox"/> No</p>

<p>d) Does YOUR STATE have any suggestions for future publications that could assist the promotion, implementation, or operation of the Apostille Convention?</p> <p>➔ c.f. Q 3.1 c) of the 2012 questionnaire</p>	<p><input type="checkbox"/> Yes – <i>please specify:</i></p> <p><input checked="" type="checkbox"/> No</p>
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Section 4 Operation and statistics

4.1 General evaluation

<p>a) How does YOUR STATE rate the overall operation of the Apostille Convention?</p> <p>➔ c.f. Q 4.1 a) of the 2012 questionnaire</p>	<p><input checked="" type="checkbox"/> Excellent</p> <p><input type="checkbox"/> Good</p> <p><input type="checkbox"/> Satisfactory</p> <p><input type="checkbox"/> Unsatisfactory</p> <p><i>Comments or suggestions for improvement:</i> Some courts ask, at national level, to have a handbook drafted for a unitary application of the Convention.</p>
<p>b) Has YOUR STATE encountered any persistent difficulties, issues or challenges in the operation of the Apostille Convention?</p> <p>➔ c.f. Q 4.1 b) of the 2012 questionnaire ➔ see also para. 36 of the Apostille HB</p>	<p><input checked="" type="checkbox"/> Yes – <i>please specify:</i> 5 % ask for the clarification of terms such as "actes publics" (French) or as "public documents" (English) as they are found within the Convention.</p> <p><input checked="" type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Unknown</p> <p><i>Comments:</i> 90 % from the respondents "No" 5 % from the respondents "Unknown"</p>

4.2 Statistics on issued Apostilles

<p>a) How many Apostilles were issued in YOUR STATE for each of the following years?</p> <p><i>Under Art. 7(1) of the Apostille Convention, each Competent Authority must keep a register in which to record each Apostille issued.</i></p> <p>➔ c.f. Q 4.2 a) of the 2012 questionnaire ➔ see also para. 46 of the Apostille HB</p>	<p><i>Year</i></p>	<p><i>Number</i></p> <p><i>If you wish to provide detailed information per Competent Authority, please identify the number of Apostilles separately in the space below, or attach a detailed breakdown of the statistics as a separate document.</i></p>
	<p>2015</p>	<p>Administrative: 115,317 Public Notary: 84,868 Judicial: 4438</p>
	<p>2014</p>	<p>Administrative: 106,660 Public Notary: 83,978 Judicial: 5053</p>
	<p>2013</p>	<p>Administrative: 102,048 Public Notary: 92,506 Judicial: 5188</p>
	<p>2012</p>	<p>Administrative: 120,950 Public Notary: 103,491 Judicial: 5083</p>
	<p><input type="checkbox"/> Unknown – <i>please explain:</i></p> <p><i>Comments:</i></p>	

<p>b) Can any trend(s) be discerned from these statistics?</p> <p>➔ c.f. Q 4.2 b) of the 2012 questionnaire</p>	<p><input checked="" type="checkbox"/> Yes – <i>please specify, including possible reasons for the trend(s):</i></p> <p>As regards public notary documents, a regular level of activity is maintained, even if the Law for adhesion of Romania to Convention no. 16 of the International Commission on Civil Status on the issue of multilingual extracts from civil status records, signed in Vienna on 8 September 1976, ratified through Law no. 65/2012, entered into force on 5 June 2013, for which the Government Decision no. 727/2013 for the approval of Methodological Rules for the application of Convention provisions was drafted.</p> <p>As regards judicial documents, some of the courts mentioned that a decrease/preservation of the same level of activity has been recorded, while other courts mentioned an increase by a maximum of 10%.</p> <p>The answer is no as regards the administrative documents.</p> <p><input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown</p>										
<p>c) What are the principal States of destination for Apostilles issued in YOUR STATE?</p> <p>➔ c.f. Q 4.2 c) of the 2012 questionnaire</p>	<p><i>If possible, please indicate an estimation of the proportion/percentage of total Apostilles issued by YOUR STATE that are for use in these States of destination.</i></p> <p>Administrative: Italy, Germany, Spain, Belgium, United Kingdom, Greece, France etc.</p> <p>Public Notary: Italy, Spain, Greece, Germany, United Kingdom etc.</p> <p>Judicial: Italy, Germany, Spain, Greece, United Kingdom, Switzerland, Israel, Belgium, France, Portugal, Netherlands, USA, Austria, Ireland, Russia, Cyprus, Hungary, Sweden, Finland, Argentina, Slovenia, South Africa, Mexico, Norway, Belarus, Turkey, Canada etc.</p>										
<p>Only for States that issue e-Apostilles</p> <p>d) How many e-Apostilles were issued in YOUR STATE for each of the following years?</p> <p>➔ c.f. Q 4.2 d) of the 2012 questionnaire</p>	<table border="1"> <thead> <tr> <th data-bbox="826 1451 927 1552">Year</th> <th data-bbox="935 1451 1445 1552">Number</th> </tr> </thead> <tbody> <tr> <td data-bbox="826 1563 927 1597">2015</td> <td data-bbox="935 1563 1445 1597"></td> </tr> <tr> <td data-bbox="826 1608 927 1641">2014</td> <td data-bbox="935 1608 1445 1641"></td> </tr> <tr> <td data-bbox="826 1653 927 1686">2013</td> <td data-bbox="935 1653 1445 1686"></td> </tr> <tr> <td data-bbox="826 1697 927 1731">2012</td> <td data-bbox="935 1697 1445 1731"></td> </tr> </tbody> </table> <p><input type="checkbox"/> Unknown – <i>please explain:</i></p> <p>Comments:</p>	Year	Number	2015		2014		2013		2012	
Year	Number										
2015											
2014											
2013											
2012											
<p>Only for States that issue e-Apostilles</p> <p>e) What are the principal States of destination for e-Apostilles issued in YOUR STATE?</p> <p>➔ c.f. Q 4.2 e) of the 2012 questionnaire</p>											

<p>f) Please identify the three categories of public document that are most frequently requested to be apostilled in YOUR STATE.</p> <p>Please indicate these from "1" to "3" in descending order of frequency, with "1" being the most frequent.</p> <p>If a category of document is not listed, please specify it at the bottom of the list in the space provided.</p> <p>➡ c.f. Q 4.2 f) of the 2012 questionnaire</p>	1	Civil status documents (e.g., birth, death and marriage certificates) and certificates of non-impediment
	2	Other administrative documents (including decisions from administrative tribunals or decision making bodies)
	2	Extracts from commercial registers and other registers
	1	Notarial authentications of signatures
	2	Other notarial acts
	2	Diplomas and other education documents
		Court documents, including judgments
		Patents or other documents pertaining to intellectual property rights
	3	Documents relating to adoptions
	1	Translations
	3	Medical or health certificates
	3	Criminal records
		Import or export licences
		Certificates of origin
	3	Certificates of conformity
	Other documents – please specify	
	3	Documents that are drafted and issued by the Court Enforcement Officers
2	Legalised copies	
<p>g) Please mark with an "X" the categories of documents that are issued in YOUR STATE in <i>electronic</i> format (even if this is the case for only a few documents within that category) and for which an Apostille is issued (whether as an e-Apostille or in paper form)?</p> <p>If a category of document is not listed, please specify it at the bottom of the list in the space provided.</p> <p>✍ see also Section 6.8 Electronic documents and electronic signatures</p> <p>➡ see also paras 170-171 of the Apostille HB</p>		Civil status documents (e.g., birth, death and marriage certificates) and certificates of non-impediment
	X	Other administrative documents (including decisions from administrative tribunals or decision making bodies)
	X	Extracts from commercial registers and other registers
		Notarial authentications of signatures
		Other notarial acts
		Diplomas and other education documents
	X	Court documents, including judgments
		Patents or other documents pertaining to intellectual property rights
	X	Documents relating to adoptions
		Translations
		Medical or health certificates
		Criminal records
		Import or export licences
	Certificates of origin	
X	Certificates of conformity	


	Other documents / more information – <i>please specify</i>	
4.3 Legalisations		
<p>a) How many legalisations were performed in 2015 by the authorities of YOUR STATE?</p> <p><i>If no statistics are kept, please provide a rough estimate</i></p> <p>➔ c.f. Q 4.3 a) of the 2012 questionnaire</p>	<p><i>Outgoing documents</i></p> <p><i>Legalisations performed by the Ministry of Foreign Affairs on documents executed in YOUR STATE and bound for a non-Contracting State to the Apostille Convention</i></p> <p>Public Notary documents: 8.618</p> <p>Documents super-legalised by the Ministry of Foreign Affairs: 11,650</p>	<p><i>Incoming documents</i></p> <p><i>Legalisations performed by consulates/embassies of YOUR STATE located in another State on documents executed in that State and bound for a non-Contracting State to the Apostille Convention</i></p>
4.4 Public information		
<p>a) Is practical information (such as informational brochures or information provided on government websites) on the operation of the Apostille Convention made available to Apostille users?</p> <p>➔ c.f. Q 4.4 a) of the 2012 questionnaire</p> <p>➔ see also paras 55-57 of the Apostille HB</p>	<p><input checked="" type="checkbox"/> Yes</p> <p><i>Please specify how this information is made available (if available online, include URL):</i></p> <p>X National Union of Public Notaries: http://www.uniuneanotarilor.ro/?p=4.3 and on the website of Public Notaries Chambers</p> <p>X Ministry of Internal Affairs: www.mai.gov.ro/Documente/info_Apostile_DGRIP; www.just.ro www.apostile.ro</p> <p>X courts: district courts websites; posters with practical information published on the courts Internet web pages (web portal) or on the bulletin board of the Public Relations office/the bulletin board of the court.</p> <p><i>If not accessible online, please submit a copy of this information</i></p> <p><input type="checkbox"/> No</p>	
4.5 Published works on the Apostille Convention		
<p>a) Has the Apostille Convention been the subject of any articles, books or other works published in YOUR STATE?</p> <p>➔ c.f. Q 4.5 a) of the 2012 questionnaire</p>	<p><input checked="" type="checkbox"/> Yes – <i>please provide full citation (if possible please provide a summary in English or French):</i></p> <p>Guidelines for using the Apostille, updated edition, National Union of Public Notaries from Romania (UNNPR), 2009, Notarom Publishing House, Bucharest</p> <p>Note on the Application of the apostille and super-legalisation, in compliance with the provisions of Law no. 202/2010 on some measures for speeding up the judicial proceedings (the "Small Judicial Reform") - counsellor Valeria Neagu, UNNPR http://www.uniuneanotarilor.ro/?p=4.9</p> <p>A new Guideline on applying the Apostille - Elena Marinica, Public Notaries Bulletin Review no. 3/2011, Notarom Publishing House, Bucharest</p> <p>Documents made available in 2014 by the specialised department within the Ministry of</p>	

	<p>Justice (Directorate for International Law and Judicial Cooperation).</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Unknown</p>
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Section 5 Competent Authorities	
5.1 Contact details	
<p>a) Please indicate how many Competent Authorities YOUR STATE has designated under the Apostille Convention (see also Questions 7.2 and 7.3).</p> <p><i>If your State is unable to specify the exact number, please provide a rough estimate.</i></p>	<p>Public Notaries Chambers (15)</p> <p>Prefect's Offices (42)</p> <p>District Courts (42)</p>
<p>b) Are the contact details and practical information provided on the Apostille Section for the Competent Authorities of YOUR STATE accurate and complete?</p> <p>➡ <i>c.f. Q 5.1 a) of the 2012 questionnaire</i></p> <p>✍ <i>The Special Commission has strongly encouraged States Parties to provide the Permanent Bureau with annual updates of information relating to their State which is made available on the Apostille Section (see C&R No 70 of the 2009 SC and C&R No 8 of the 2012 SC).</i></p> <p>➡ <i>see also para. 67 of the Apostille HB</i></p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No – <i>please supply the correct information to be uploaded to the Apostille Section in Annex A or in a separate Word or PDF file:</i></p>
5.2 Training and support	
<p>a) Have guidelines, desk instructions, or similar documentation been prepared to assist staff at Competent Authorities in the performance of their functions under the Apostille Convention?</p> <p>➡ <i>c.f. Q 5.2 a) of the 2012 questionnaire</i></p> <p>➡ <i>see also para. 47 of the Apostille HB</i></p>	<p><input checked="" type="checkbox"/> Yes - <i>please submit a copy of this documentation, if possible, with a summary in English or French (for internal use only)</i></p> <p><input type="checkbox"/> No</p>
<p>b) How often does YOUR STATE provide training to staff at Competent Authorities?</p> <p>➡ <i>c.f. Q 5.2 b) of the 2012 questionnaire</i></p> <p>➡ <i>see also para. 48 of the Apostille HB</i></p>	<p><input type="checkbox"/> Regularly</p> <p><input type="checkbox"/> As required</p> <p><input checked="" type="checkbox"/> Seldom</p> <p><input type="checkbox"/> Never</p> <p>Comments:</p>
Section 6 Substantive scope of the Apostille Convention	
6.1 Definition of "public document"	
<p>a) Is the concept of a "public document" defined in the internal law of YOUR STATE?</p> <p>➡ <i>c.f. Q 6.1 a) of the 2012 questionnaire</i></p> <p>✍ <i>The Apostille Convention applies to "public documents". Art. 1(2) lists certain categories of documents that are deemed to be public documents. The Special Commission has noted that it is for the law of the State of origin to determine the public nature of a</i></p>	<p><input checked="" type="checkbox"/> Yes – <i>please specify (including reference to the relevant law(s)):</i></p> <p>Law no. 36/1995 of public notaries and notarial activities specifies under art. 4 that "the act fulfilled by the Public Notary, bearing his/her seal and signature, purports public authority and exerts the evidentiary value stipulated by law".</p> <p><input type="checkbox"/> No – <i>please explain:</i></p>

<p>document. It also recalled that the list of public documents in Art. 1(2) is not exhaustive (see C&R No 72 of the 2009 SC and C&R No 12 of the 2012 SC).</p> <p>➔ see also para. 110 et seq. of the Apostille HB</p>	<p>Comments:</p>
<p>b) Has YOUR STATE experienced any difficulties with characterising a document as a “public document” for the purposes of the Apostille Convention (see also Questions 6.2 and 6.3)?</p> <p>➔ c.f. Q 6.1 d) of the 2012 questionnaire ✍ Keeping in mind the purpose of the Apostille Convention, the Special Commission has suggested that States Parties should give a broad interpretation to the category of public documents (see C&R No 72 of the 2009 SC and C&R No 12 of the 2012 SC).</p>	<p><input checked="" type="checkbox"/> Yes – please specify which documents have led to difficulties and how such difficulties have been addressed:</p> <p>Documents certifying graduation of studies issued by private educational institutions; documents of private companies; banking documents, fiscal registration certificates and VAT certificates issued by the Ministry of Public Finance - National Agency for Tax Administration, whose template and contents are regulated through Order no. 262/2007 for the approval of fiscal registration forms for taxpayers (75% from the respondents):</p> <p><input checked="" type="checkbox"/> No</p> <p>Comments: 25 % from the respondents “No”;</p>
<p>6.2 Exclusion of documents executed by diplomatic or consular agents</p>	
<p>a) Has the exclusion of “documents executed by diplomatic or consular agents” from the scope of the Apostille Convention given rise to any difficulties in YOUR STATE, either as a State of origin or a State of destination?</p> <p>➔ c.f. Q 6.2 a) of the 2012 questionnaire ✍ The Special Commission has confirmed that the exception for “documents executed by diplomatic or consular agents” is to be interpreted narrowly (see C&R No 77 of the 2009 SC and C&R No 15 of the 2012 SC). ➔ see also paras 135-139 et seq. of the Apostille HB</p>	<p><input checked="" type="checkbox"/> Yes – please specify:</p> <p>Ministry of Internal Affairs stipulated that there are situations when issuance of the Apostille is demanded for such documents, including in countries that have ratified the London Convention (e.g., in Spain), but especially in those situations when the country where the document is to be used is not a signing party to the London Convention (European Convention on the Abolition of Legalisation of Documents executed by Diplomatic Agents or Consular Officers adopted in London on 7 June 1968).</p> <p><input checked="" type="checkbox"/> No</p> <p>Comments: 50 % from the respondents “No”; a few courts mentioned that sometimes there were requests on apostilization of copies or of legalised translations of such copies and this is the reason why, for the future, a decision should be taken in relationship to the possibility to apply the Apostille to the copies and/or legalised translations of documents executed by diplomatic agents or consular officers”.</p>
<p>6.3 Exclusion of administrative documents dealing directly with commercial or customs operations</p>	
<p>a) Has the exclusion of “administrative documents dealing directly with commercial or customs operations” from the scope of the Apostille Convention given rise to any difficulties in YOUR STATE, either as a State of origin or a State of destination?</p>	<p><input checked="" type="checkbox"/> Yes – please specify (including the category of document concerned and the steps taken to address the difficulty/ies):</p> <p><input checked="" type="checkbox"/> No</p> <p>Comments:</p>

<p>➤ c.f. Q 6.3 a) of the 2012 questionnaire</p> <p>✍ The Special Commission has noted that some States issue Apostilles for import/export licences, health certificates or certificates of origin/conformity (see C&R No 77 of the 2009 SC and C&R No 15 of the 2012 SC).</p> <p>➤ see also paras 135-138, 146 et seq. of the Apostille HB</p>	<p>50 % from the respondents "No"; There are frequent requests regarding application of the Apostille for copies and/or legalised translations of commercial invoices, import/export licences, waybills, sales records, weighing tickets etc.</p>
<p>b) Does YOUR STATE issue Apostilles for any of the following documents? This question concerns outgoing documents</p> <p>➤ c.f. Q 6.3 b) of the 2012 questionnaire</p> <p>✍ The Special Commission has reconfirmed that the exception for "administrative documents dealing directly with commercial or customs operations" is to be interpreted narrowly (see C&R No 77 of the 2009 SC and C&R No 15 of the 2012 SC).</p> <p>➤ see also paras 148 et seq. of the Apostille HB</p>	<p><input type="checkbox"/> Certificates of origin</p> <p><input type="checkbox"/> Export licences</p> <p><input type="checkbox"/> Import licences</p> <p><input checked="" type="checkbox"/> Health and safety certificates issued by the relevant government authorities or agencies</p> <p><input type="checkbox"/> Certificates of products registration</p> <p><input type="checkbox"/> Certificates of conformity</p> <p><input type="checkbox"/> End user certificates (<i>i.e.</i>, documents certifying that the buyer is the end user of acquired goods)</p> <p><input type="checkbox"/> Commercial invoices</p> <p>Comments:</p> <p>Public Notary Chambers apply the Apostille on copies and/or legalised translations of the following documents:</p> <ul style="list-style-type: none"> - certificates of origin; - health certificates and health security certificates issued by the relevant authorities or agencies; - certificates for product registration; - certificates of conformity.
<p>c) Does YOUR STATE accept Apostilles issued for any of the following documents? This question concerns incoming documents</p> <p>➤ c.f. Q 6.3 c) of the 2012 questionnaire</p> <p>✍ The Special Commission has encouraged States to accept, to the extent possible, Apostilles issued for documents such as import / export licenses, health certificates and certificates of origin even if that State would not itself issue Apostilles for such documents (C&R No 15 of the 2012 SC).</p> <p>➤ see also paras 148 et seq. of the Apostille HB</p>	<p><input type="checkbox"/> Certificates of origin</p> <p><input type="checkbox"/> Export licences</p> <p><input type="checkbox"/> Import licences</p> <p><input checked="" type="checkbox"/> Health and safety certificates issued by the relevant government authorities or agencies</p> <p><input type="checkbox"/> Certificates of products registration</p> <p><input type="checkbox"/> Certificates of conformity</p> <p><input type="checkbox"/> End user certificates (<i>i.e.</i>, documents certifying that the buyer is the end user of acquired goods)</p> <p><input type="checkbox"/> Commercial invoices</p> <p>Comments:</p>
<p>6.4 Copies</p>	
<p>a) Under the internal law of YOUR STATE, is the Convention considered to apply to a simple copy of a public document (<i>i.e.</i>, may a simple copy of a public document be also regarded as a public document)?</p> <p>➤ c.f. Q 6.4 a) of the 2012 questionnaire</p> <p>➤ see also para. 157 of the Apostille HB</p>	<p><input type="checkbox"/> Yes – <i>please specify</i>:</p> <p><input checked="" type="checkbox"/> No – <i>please specify/explain</i>:</p> <p>The simple copy is not assumed to be true to the original. The simple copy of an official document cannot be subjected to an Apostille as it does not represent an official document. Also, it can be easily forged.</p>

<p>b) Under the internal law of YOUR STATE, is the Convention considered to apply to a <i>certified</i> copy of a public document?</p> <p>➔ c.f. Q 6.4 b) of the 2012 questionnaire ➔ see also para. 154 et seq. of the Apostille HB</p>	<p><input checked="" type="checkbox"/> Yes – but an Apostille may be issued for the certification <i>only</i>, not the copied public document.</p> <p><input checked="" type="checkbox"/> Yes – an Apostille may be issued either for the certification or for the copied public document – <i>please specify/explain</i>: An Apostille can also be issued for the certified copy of the official document.</p> <p><input checked="" type="checkbox"/> No – an Apostille may not be issued for the certification nor for the copied public document – <i>please specify/explain</i>:</p> <p>Comments:</p>
6.5 Translations	
<p>a) Under the internal law of YOUR STATE, is the Convention considered to apply to a <i>simple</i> translation of a public document?</p> <p>➔ c.f. Q 6.5 a) of the 2012 questionnaire ➔ see also paras 195-197 of the Apostille HB</p>	<p><input type="checkbox"/> Yes – <i>please specify/explain</i>:</p> <p><input checked="" type="checkbox"/> No – <i>please specify/explain</i>: A simple translation of a document does not represent an official document, and no Apostille can be issued for such a document. If the translation is legalised (certified) by a public notary, then the Apostille can be applied.</p> <p>Comments:</p>
<p>b) Under the internal law of YOUR STATE, is the Convention considered to apply to a <i>certified</i> translation (<i>i.e.</i>, a translation executed by a sworn/affirmed/accredited translator)?</p> <p>➔ c.f. Q 6.5 b) of the 2012 questionnaire ➔ see also paras 195-197 of the Apostille HB</p>	<p><input type="checkbox"/> Yes – <i>please specify/explain</i>:</p> <p><input type="checkbox"/> Only if the document to which the certified translation relates is a public document</p> <p><input checked="" type="checkbox"/> No – <i>please explain</i>: Only if the document translated by the sworn translator is an official document. The translation must bear the legalisation formula certifying the trueness of the translator's signature, executed by a public notary. The Apostille is issued only for legalised translations.</p> <p>Comments:</p>
6.6 Extradition documents	
<p>a) Under the internal law of YOUR STATE, is the Convention considered to apply to extradition documents?</p> <p> The Special Commission has recognised that the Apostille Convention may apply to extradition requests (C&R No 16 of the 2012 SC)</p> <p>➔ see also paras 160-162 of the Apostille HB</p>	<p><input type="checkbox"/> Yes – <i>please specify/explain</i>:</p> <p><input checked="" type="checkbox"/> No – <i>please specify/explain</i>:</p> <p>Comments: According to art. 172 para. 3 of Law no. 302/2004 republished on international judicial cooperation in criminal matters, documents attached to the mutual legal assistance request, certified by the requesting judicial authorities, are</p>

	exempted from any other super-legalisation formalities.
6.7 Medical certificates	
<p>a) Under the internal law of YOUR STATE, is the Convention considered to apply to medical certificates?</p> <p>➔ see also para. 182 of the Apostille HB</p>	<p><input checked="" type="checkbox"/> Yes – please specify/explain:</p> <p><input type="checkbox"/> No – please specify/explain</p> <p>Comments: 90% responded yes and 5% no.</p>
6.8 Electronic documents and signatures	
<p>a) Can public documents executed in electronic form be considered “public documents” in YOUR STATE for the purposes of the issuance of an Apostille?</p> <p>➔ c.f. Q 6.6 a) of the 2012 questionnaire ➔ see also paras 170-173 of the Apostille HB.</p>	<p><input type="checkbox"/> Yes – please specify (then go to Question 6.8b):</p> <p><input checked="" type="checkbox"/> No – please explain (then go to Question 6.8c):</p> <p><input type="checkbox"/> Public documents are never executed in electronic form – go to Question 6.8c</p> <p>Comments: No official documents are executed in an electronic form.</p>
<p>b) If a public document is executed in electronic form, how does YOUR STATE issue an Apostille for that document?</p> <p>➔ c.f. Q 6.6 b) of the 2012 questionnaire ➔ see also paras 235-237 of the Apostille HB</p>	<p><input type="checkbox"/> An e-Apostille is issued</p> <p><input checked="" type="checkbox"/> A paper Apostille is attached to the printout of the electronic public document (if so, please explain the rationale of this practice and whether YOUR STATE envisages the issuance of e-Apostilles for public documents executed in electronic form):</p> <p><input type="checkbox"/> Other – please specify:</p> <p>Comments:</p>
<p>c) Can scanned copies of public documents that were executed in paper form be considered “public documents” in YOUR STATE for the purposes of the issuance of an Apostille?</p> <p>➔ c.f. Q 6.6 c) of the 2012 questionnaire ➔ see also paras 158-159, 173 of the Apostille HB</p>	<p><input checked="" type="checkbox"/> Yes – please specify the manner in which the scanned public document circulates (e.g. electronically or as a printout): Yes, if the copies are certified by a public notary, as true to the originals.</p> <p><input type="checkbox"/> No – please specify/explain:</p> <p>Comments: Only if they are legalised according to the original, with the same value with the original document.</p>
<p>d) Are electronic signatures recognised in YOUR STATE as functionally equivalent to handwritten signatures (i.e., can a public document be signed electronically)?</p>	<p><input checked="" type="checkbox"/> Yes – please specify the legal basis (e.g., legislation):</p> <p><input type="checkbox"/> No – please specify/explain:</p>

<p>➤ c.f. Q 6.6 d) of the 2012 questionnaire</p> <p>➤ see also para. 261 of the Apostille HB</p>	<p>Law no. 45/2011 on the electronic signature</p> <p>Comments:</p>
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Section 7 Access to Apostille services			
7.1 One-step vs multi-step process			
<p>a) Does a public document executed in YOUR STATE need to be somehow certified before the issuance of an Apostille?</p> <p>➤ c.f. Q 7.1 a) of the 2012 questionnaire</p> <p>✍ Recalling the purpose of the Convention to simplify the process of authentication, the Special Commission has invited States Parties to consider removing any unnecessary obstacles to the issuance of Apostilles while maintaining the integrity of authentications (see C&R No 79 of the 2009 SC and C&R No 19 of the 2012 SC).</p> <p>➤ see also paras 14-16 of the Apostille HB</p>	<p><input type="checkbox"/> Certification is not required for any public document – go to Question 7.2</p> <p><input checked="" type="checkbox"/> Certification is required for some categories of public documents – go to Question 7.1b)</p> <p><input type="checkbox"/> Certification is required for all categories of public documents – go to Question 7.1b)</p>		
<p>Only for States that require certification</p> <p>b) What certification process is involved (in particular, how many certifications are required before the issuance of an Apostille)?</p> <p>➤ c.f. Q 7.1 b) of the 2012 questionnaire</p> <p>If necessary, use the space provided in Question 12.1b) to respond to this question</p>	<p>Category of public document</p>	<p>Number of certifications</p>	<p>Certifying authority</p>
	<p>Judicial documents; court decisions; documents issued by the Trade Registry Office; documents issued by the court enforcement officer</p>	<p>1</p>	<p>Issuing court</p>
	<p>Ministry of Internal Affairs: documents of study; qualification/health sector (qualifications, health status)</p>	<p>1</p>	<p>National Centre for Recognition and Validation of Diplomas; specialised structures subordinated to the Ministry of Labour, Social Protection and the Elderly; Ministry of Health/Department for Public Health</p>
<p>Only for States that require certification</p> <p>c) Why is certification required?</p>	<p><input type="checkbox"/> YOUR STATE has designated a single Competent Authority but the signatures, seals and stamps of local officials and</p>		

<p>➔ <i>c.f. Q 7.1 c) of the 2012 questionnaire</i></p>	<p>authorities are subject to a certification by a regional authority, whose certificate is in turn subject to an Apostille issued by the Competent Authority (in other words, the Apostille is not issued for the underlying document but for the (final) certification). In the above circumstances, how (if at all) can an Apostille be issued for the underlying document?</p> <p><input checked="" type="checkbox"/> YOUR STATE has designated several Competent Authorities but the signatures, seals and stamps of local officials and authorities are nonetheless subject to a certification by a regional authority, whose certificate is in turn subject to an Apostille issued by the relevant Competent Authority (in other words, the Apostille is not issued for the underlying document but for the (final) certification). In the above circumstances, how (if at all) can an Apostille be issued for the underlying document? <i>Judicial documents must be certified in order to confirm their trueness with the original of the document kept by the judicial authority.</i></p> <p><input checked="" type="checkbox"/> YOUR STATE has a special, multi-step procedure for the authentication of diplomas and other education documents that are issued in your State and need to be produced abroad – please explain the nature and content of that process: <i>The educational institution which issued the document of study issues a proof of authenticity for the documents of study. Later on, the School Inspectorate or the National Centre for Recognition and Validation of Diplomas (CNRED), based on the proof of authenticity, shall confirm the authenticity of the documents of study and, following the checks performed, they confirm the fact that the documents of study have been issued and executed in compliance with the legislation in force.</i></p> <p><input type="checkbox"/> Other – <i>please specify:</i></p>
<p>Only for States that require certification</p> <p>d) Does YOUR STATE plan to make changes to the certification process (e.g., adopting a one-step process for all or certain categories of public documents)?</p> <p>➔ <i>c.f. Q 7.1 d) of the 2012 questionnaire</i></p>	<p><input checked="" type="checkbox"/> Yes – <i>please specify/explain:</i> <i>Ministry of Administration and Internal Affairs intends to improve its means for checking documents so that the procedure should be applied for all documents during a one-step process.</i></p> <p><input checked="" type="checkbox"/> No – <i>please explain why not:</i> <i>No, as regards the documents issued by the Ministry of Education and Research Certification for conformity of an original copy for a judicial document is executed during a one-step process.</i></p>
<p>7.2 Decentralisation of Apostille services</p>	
<p>Only for States that have designated ONE Competent Authority</p>	<p><input type="checkbox"/> Yes – <i>please specify/explain:</i></p>

<p>a) Has YOUR STATE considered decentralising the Apostille services by establishing regional offices or by designating additional Competent Authorities?</p> <p><i>✍ The Special Commission has welcomed and encouraged efforts designed to decentralise the provision of Apostille services. Such efforts have been shown to increase efficiency in the provision of services while reducing the burden on the public (C&R No 18 of the 2012 SC)</i></p> <p>➡ see also para. 218 of the Apostille HB</p>	<p><input type="checkbox"/> No – <i>please explain why not:</i></p>
7.3 Diplomatic missions as Competent Authorities	
<p>a) A few Contracting States have recently designated their diplomatic missions as Competent Authorities (e.g., Australia and Austria). Does YOUR STATE consider there to be any advantages or disadvantages with regard to this practice, in particular in light of Art. 1(3)(a) of the Convention?</p> <p><i>✍ The Special Commission has confirmed that the exception for “documents executed by diplomatic or consular agents” is to be interpreted narrowly (see C&R No 77 of the 2009 SC and C&R No 15 of the 2012 SC).</i></p> <p>➡ see paras 139-140 of the Apostille HB,</p>	
<p>Only for States that have designated diplomatic missions as Competent Authorities</p> <p>b) For which of the following documents do your diplomatic missions issue Apostilles?</p> <p>➡ see also paras 144-145 of the Apostille HB</p>	<p><input type="checkbox"/> Documents executed in YOUR STATE (<i>i.e.</i> the State that the consular or diplomatic agent represents), which are subsequently presented for apostillisation to the diplomatic mission</p> <p><input type="checkbox"/> Documents handled by consular or diplomatic agents but executed by another authority in YOUR STATE, which are reprinted or reissued by the diplomatic mission (<i>i.e.</i>, the consular or diplomatic agent merely acts as an intermediary for a document that has been effectively issued in the State (s)he represents)</p> <p><input type="checkbox"/> Documents executed by consular or diplomatic agents that are not of a diplomatic or consular nature (<i>e.g.</i>, civil status documents or notarial acts)</p> <p><input type="checkbox"/> Others. Please specify</p> <p><i>Comments:</i></p>
<p>Only for States that have designated diplomatic missions as Competent Authorities</p> <p>c) Has YOUR STATE experienced any practical difficulties with the designation of diplomatic missions as Competent Authorities?</p>	<p><input type="checkbox"/> Yes – <i>please specify/explain:</i></p> <p><input type="checkbox"/> No – <i>please explain:</i></p> <p><i>Comments:</i></p>
<p>Only for States that have designated diplomatic missions as Competent Authorities</p>	

<p>d) Please explain how, in practice, Apostille services are provided by the diplomatic missions of YOUR STATE (e.g. via retrieval from a database of public documents in YOUR STATE or using physical documents presented at the diplomatic mission, and how the origin of a public document is verified).</p>																										
7.4 Apostille requests																										
<p>a) In YOUR STATE, how can an Apostille be requested?</p> <p>➡ c.f. Q 7.2 b) of the 2012 questionnaire ➡ see also the Model Apostille Request Form at Annex III of the Apostille HB</p>	<p><input checked="" type="checkbox"/> In person <input checked="" type="checkbox"/> By post <input type="checkbox"/> By email (to request the issuance of an e-Apostille) <input type="checkbox"/> Through a website <input checked="" type="checkbox"/> Other – <i>please specify:</i> Lawyer or empowered person, spouse, 1st or 2nd degree relative of the applicant, the representative of a legal person.</p> <p><i>Comments:</i></p>																									
<p>b) In YOUR STATE, do Competent Authorities enquire about the State of destination of the public document to be apostilled?</p> <p>➡ c.f. Q 7.2 c) of the 2012 questionnaire ➡ see also para. 203 of the Apostille HB</p>	<p><input type="checkbox"/> Always <input checked="" type="checkbox"/> Applicants specify the State of destination in an application form <input checked="" type="checkbox"/> The State of destination is mentioned on the Apostille Certificate <input checked="" type="checkbox"/> The enquiry is made orally and no record is kept <input type="checkbox"/> Occasionally – <i>please specify any circumstances for such an inquiry:</i> <input checked="" type="checkbox"/> Never</p> <p><i>Comments:</i> Very few respondents answered "No".</p>																									
<p>c) How long does it take for an Apostille to be issued?</p> <p>➡ c.f. Q 7.2 e) of the 2012 questionnaire</p>		<table border="1"> <thead> <tr> <th data-bbox="1037 1355 1206 1473"></th> <th data-bbox="1206 1355 1366 1473">In-person request</th> <th data-bbox="1366 1355 1474 1473">Other requests (from the time of receipt of request to the time of dispatch / collection)</th> </tr> </thead> <tbody> <tr> <td data-bbox="1037 1473 1206 1547">Less than one hour</td> <td data-bbox="1206 1473 1366 1547"><input checked="" type="checkbox"/></td> <td data-bbox="1366 1473 1474 1547"><input checked="" type="checkbox"/></td> </tr> <tr> <td data-bbox="1037 1547 1206 1621">Less than two hours</td> <td data-bbox="1206 1547 1366 1621"><input checked="" type="checkbox"/></td> <td data-bbox="1366 1547 1474 1621"><input checked="" type="checkbox"/></td> </tr> <tr> <td data-bbox="1037 1621 1206 1655">On the same day</td> <td data-bbox="1206 1621 1366 1655"><input checked="" type="checkbox"/></td> <td data-bbox="1366 1621 1474 1655"><input checked="" type="checkbox"/></td> </tr> <tr> <td data-bbox="1037 1655 1206 1729">By the following working day</td> <td data-bbox="1206 1655 1366 1729"><input checked="" type="checkbox"/></td> <td data-bbox="1366 1655 1474 1729"><input type="checkbox"/></td> </tr> <tr> <td data-bbox="1037 1729 1206 1821">Within two to three working days</td> <td data-bbox="1206 1729 1366 1821"><input type="checkbox"/></td> <td data-bbox="1366 1729 1474 1821"><input type="checkbox"/></td> </tr> <tr> <td data-bbox="1037 1821 1206 1895">Within one working week</td> <td data-bbox="1206 1821 1366 1895"><input type="checkbox"/></td> <td data-bbox="1366 1821 1474 1895"><input type="checkbox"/></td> </tr> <tr> <td data-bbox="1037 1895 1206 2098">Other – <i>please specify:</i></td> <td data-bbox="1206 1895 1366 2098">National Union of Public Notaries from Romania:</td> <td data-bbox="1366 1895 1474 2098">On</td> </tr> </tbody> </table>		In-person request	Other requests (from the time of receipt of request to the time of dispatch / collection)	Less than one hour	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Less than two hours	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	On the same day	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	By the following working day	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Within two to three working days	<input type="checkbox"/>	<input type="checkbox"/>	Within one working week	<input type="checkbox"/>	<input type="checkbox"/>	Other – <i>please specify:</i>	National Union of Public Notaries from Romania:	On
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Within one working week	<input type="checkbox"/>	<input type="checkbox"/>																								
Other – <i>please specify:</i>	National Union of Public Notaries from Romania:	On																								

		principle, the Apostille is issued during the same working day for the notarial acts, with the specification that the Regulation on the Methodology for applying the Apostille or the super-legalisation by the Public Notaries Chambers, the stipulated deadline is of 2 working days.	
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7.5 Fees

<p>a) Do Competent Authorities in YOUR STATE impose a fee for issuing an Apostille?</p> <p>➡ <i>c.f. Q 7.3 a) of the 2012 questionnaire</i> <i>✍ The 2009 Special Commission encouraged States to ensure that any fee imposed for issuing Apostilles be reasonable (see C&R No 94).</i></p> <p>➡ <i>see also paras 274-277 of the Apostille HB</i></p>	<p><input checked="" type="checkbox"/> Yes. Please specify the fee in Annex A. <input type="checkbox"/> No</p> <p><i>Comments:</i> For the notarial acts, there is a single fee amounting to 35 lei + VAT (20%). For administrative documents, according to Emergency Ordinance no. 128/2000, the fee is of 3 LEI for registration of the application and 22 LEI for each Apostille requested by a natural person, respectively 44 LEI for each Apostille requested by a legal person or if the applicant is represented by a lawyer. For the judicial documents, the judicial stamp fee is of 10 LEI for each document that the Apostille is applied to (art. 22 letter a) of the Emergency Ordinance no. 80/2013) plus 10 LEI for the application.</p>
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Section 8 Issuance of Apostilles

8.1 Verification of public documents

<p>a) Do all Competent Authorities of YOUR STATE have access to a register or database containing sample signatures / stamps / seals of the officials / authorities that execute public documents, which the Competent</p>	<p><input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><i>Please explain how your Competent Authority(ies) then ascertain(s) whether a signature / stamp / seal on a public document is genuine and comes from an authority / official of your State:</i></p>
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<p>Authority may consult before issuing an Apostille?</p> <p>➤ <i>c.f. Q 8.1 a) of the 2012 questionnaire</i></p> <p>➤ <i>see also paras 219 et seq. of the Apostille HB</i></p>	<p>The official document is presumed authentic until a statement of forgery is issued.</p> <p><i>Comments:</i></p> <p>The Ministry of Internal Affairs and the majority of courts answered "yes" in the sense that documents issued by the courts bear the legible signature of the president of the court and of the Head clerk; the documents issued by the Trade Registry Office bear the legible signature of the director; notarial documents bear the legible signature of the Public Notary and the round stamp.</p> <p>The National Union of Public Notaries from Romania mentioned that, for the notarial documents, there is a database including specimen signatures for all public notaries.</p> <p>As regards the administrative documents, the Ministry of Internal Affairs manages a register including the names and specimen signatures and corresponding specimen stamps for persons from within the relevant institutions at centralised level, who are designated by the management of such institutions to certify the signature and the position for the individual signing the document. Within each Prefect's Office there is a register including the names and specimen signatures and stamps corresponding to all persons from within the relevant institutions, at county level. Relevant institutions entail, as applicable: a) the issuing institution/authority/organization; b) another institution/authority/organization at central or local level which certifies the signature and the position for the individual signing the document. The list of relevant institutions at central level is drafted and updated by the Ministry of Internal Affairs (MAI) and is published on the MAI website.</p> <p>As regards judicial documents, the Courts of Appeal or the Ministry of Justice manage and approve the execution of the stamp imprint. Also, each official document bears the legible signature of the leader of the subordinated institution from the administrative point of view (e.g., documents issued by courts - the legible signature of the President of the court and of the Head clerk; documents issued by the Trade Registry office the legible signature of the director; documents issued by court enforcement officers - their legible signature), all next to the round imprint of the corresponding stamp.</p>
<p>b) What is the form of the register or database containing sample signatures / stamps / seals of the officials / authorities that execute public documents?</p> <p>➤ <i>c.f. Q 8.1 b) of the 2012 questionnaire</i></p>	<p><input checked="" type="checkbox"/> Electronic form</p> <p><input checked="" type="checkbox"/> Paper form</p> <p><input checked="" type="checkbox"/> Electronic and paper form</p> <p><i>Comments:</i></p>

	As regards notarial acts, there is a professional folder that includes the specimen signatures for all Public Notaries.
<p>c) How is the register or database containing sample signatures / stamps / seals of the officials / authorities that execute public documents maintained and updated?</p> <p>➔ c.f. Q 8.1 c) of the 2012 questionnaire ➔ see also paras 223-225 of the Apostille HB</p>	<p><input checked="" type="checkbox"/> Each Competent Authority maintains and updates its own register or database</p> <p><input checked="" type="checkbox"/> Competent Authorities maintain and update a common register or database</p> <p><i>Comments (including whether a standard form is used to obtain sample signatures / seals stamps from the officials / authorities):</i></p>
<p>d) How does a Competent Authority of YOUR STATE address situations where the public document for which an Apostille is requested bears a signature, stamp or seal that does not match the sample in the register or database containing sample signatures / stamps / seals of the officials / authorities that execute public documents?</p> <p>➔ c.f. Q 8.1 d) of the 2012 questionnaire ➔ see also para. 227 of the Apostille HB</p>	<p>As regards the notarial documents, if there are any doubts regarding the signature, stamp or the seal applied by the Public Notary, the Public Notaries Chamber shall contact the public notary who executed the notarial act in order to confirm the authenticity of his/her signature/stamp and seal. Thus, the public notary who signed confirm the trueness of the document and in case the stamp or the seal do not match those included in the database, then the application of the Apostille shall be rejected.</p> <p>As regards the judicial documents, the document is rejected accompanied by a notice that mentions the reasons for the rejection or through a reasoned decision of the court in Chambers, which can be appealed in an administrative court of law. The notice is signed by the president of the court and by the clerk assigned to the Office for Application of the Apostille.</p> <p>In case of administrative documents, the Prefect's Office shall directly contact the issuing/relevant institution, as applicable, or through the Ministry of Internal Affairs.</p>
8.2 The Apostille	
<p>a) What stationery is used for the Apostille?</p> <p>➔ c.f. Q 8.2 b) of the 2012 questionnaire ➔ see also paras 245, 248-249 of the Apostille HB</p>	<p><input checked="" type="checkbox"/> Standard paper</p> <p><input type="checkbox"/> Paper with security features – <i>please specify (e.g., watermarks, holograms, barcodes):</i></p> <p><input type="checkbox"/> Rubber stamp</p> <p><input type="checkbox"/> Self-adhesive stickers</p> <p><input type="checkbox"/> Other – <i>please specify:</i></p> <p><i>Comments:</i></p>
<p>b) Does YOUR STATE use a bilingual or trilingual Apostille Certificate or is it planning to introduce one?</p> <p>➔ c.f. Q 8.2 c) of the 2012 questionnaire ✍ <i>The Special Commission welcomed the development of multilingual Model Apostilles by the Permanent Bureau and encouraged their use by Competent Authorities (see C&R No 20 of the 2012 SC).</i></p>	<p><input checked="" type="checkbox"/> Yes - <i>please specify in which languages:</i></p> <p><input checked="" type="checkbox"/> No – <i>please specify why not:</i></p> <p><i>Comments:</i></p>

<p>The bilingual and trilingual Certificates are available on the Apostille Section</p> <p>➔ see also paras 241-243 of the Apostille HB</p>	<p>Most of the answers were "no". The official document in translated into the language of the country of destination, including the Apostille.</p>
<p>c) Does YOUR STATE use the Apostille Certificate to authenticate the origin of public documents even when the Apostille Convention does not apply (e.g. using the Apostille Certificate for legalisations or other certifications)?</p> <p>➔ see also paras 87 et seq. of the Apostille HB</p>	<p><input type="checkbox"/> Yes – if applicable, please specify the disclaimer included in the Apostille:</p> <p><input checked="" type="checkbox"/> No</p> <p>Comments:</p>
<h3>8.3 Completing the Apostille</h3>	
<p>a) How are Apostilles filled in?</p> <p>➔ c.f. Q 8.3 a) of the 2012 questionnaire</p>	<p><input checked="" type="checkbox"/> By hand</p> <p><input type="checkbox"/> Using a typewriter</p> <p><input checked="" type="checkbox"/> Using computer software – please specify:</p> <p>Ministry of Internal Affairs: centralised inter-operable system for keeping the records of Apostille issued by the Prefect's Offices for official administrative documents (SMIS code: 31493).</p> <p>Comments:</p>
<p>b) In what language are the blanks of Apostilles usually filled in?</p> <p>Please note that this question does not refer to the 10 standard informational items of the Apostille Certificate, which was the subject of Question 8.2b). In other words, how does YOUR STATE complete its Apostille certificates?</p> <p>➔ c.f. Q 8.3 b) of the 2012 questionnaire</p> <p><i>The Special Commission has encouraged States to consider that, in addition to a language used by the State of origin, if not English or French, the information in Apostilles be completed in one of these languages (see C&R No 90 of the 2009 SC).</i></p> <p>➔ see also para. 259 of the Apostille HB</p>	<p><input checked="" type="checkbox"/> In one language – please specify:</p> <p><input type="checkbox"/> In two languages – please specify:</p> <p><input type="checkbox"/> In three languages – please specify:</p> <p><input type="checkbox"/> Other – please specify:</p> <p>Comments:</p> <p>The official document in translated into the language of the country of destination, including the Apostille.</p>
<p>c) How are Apostilles numbered?</p> <p>➔ c.f. Q 8.3 c) of the 2012 questionnaire</p> <p>➔ see also paras 262-264 of the Apostille HB</p>	<p><input checked="" type="checkbox"/> Consecutively</p> <p><input checked="" type="checkbox"/> Randomly – please specify how the number is generated:</p> <p>In case of judicial documents, a number issued by the Lotus software, later on transcribed onto paper, in a register.</p> <p><input type="checkbox"/> Other – please specify:</p> <p>Comments:</p>

<p>d) Where an item of the Apostille is not applicable (e.g. the underlying public document is not signed or does not bear a seal), does YOUR STATE write in the relevant item "not applicable" or "n/a"?</p> <p><i>✍ The Special Commission has emphasised the importance of completing the 10 numbered standard informational items in every Apostille. No item should be left blank. Where an item is not applicable this should be indicated by writing "not applicable" or "n/a" (C&R No 21 of the 2012 SC)</i></p> <p>➡ see also para. 258 of the Apostille HB</p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No - <i>Please specify your current practice:</i></p> <p><input checked="" type="checkbox"/> Such situations do not arise in practice</p> <p><i>Comments:</i> The document is to be returned, if it is incomplete.</p>
Question 8.3e) – for Apostilles issued in paper form	
<p>e) How is a paper Apostille signed?</p> <p>➡ c.f. Q 8.3 e) of the 2012 questionnaire</p> <p><i>✍ The Special Commission has affirmed the principle that the validity of the signature is determined by the law applicable to the Competent Authority issuing the Apostille (C&R No 22 of the 2012 SC)</i></p> <p>➡ see also para. 261 of the Apostille HB</p>	<p><input checked="" type="checkbox"/> By hand ("wet" signature)</p> <p><input checked="" type="checkbox"/> By rubber stamp</p> <p><input type="checkbox"/> By printer (e.g., a facsimile signature or PDF/JPEG image of the signature)</p> <p><input checked="" type="checkbox"/> By electronic signature - <i>please specify:</i> For the administrative documents (Ministry of Internal Affairs)</p> <p><input type="checkbox"/> Other – <i>please specify:</i></p> <p><i>Comments:</i></p>
Question 8.3f) and g) – for Apostilles issued in electronic form (e-Apostilles)	
<p>f) How is an e-Apostille signed?</p> <p>➡ c.f. Q 8.3 f) of the 2012 questionnaire</p> <p>➡ see also paras 348 et seq. of the Apostille HB</p>	<p><i>Please describe the technology used for applying the electronic signature:</i></p>
<p>g) Does the law of YOUR STATE allow for a printout of an electronic document or an e-Apostille (both of which have been digitally signed) to be circulated?</p>	<p><input type="checkbox"/> Yes - <i>please specify:</i></p> <p><input checked="" type="checkbox"/> No – <i>please specify:</i></p> <p><i>Comments:</i></p>
8.4 Additional text	
<p>a) Do Competent Authorities include other information on the Apostille (in addition to the entries of the 10 numbered standard informational items)?</p> <p>➡ c.f. Q 8.4 a) of the 2012 questionnaire</p> <p><i>✍ The Special Commission has recognised the usefulness of additional text outside the area of the 10 numbered standard informational items of the Apostille and that States are free to employ text as necessary to provide clarifications regarding the Apostilles they issue. The Permanent Bureau has developed model additional text, which is included on the bilingual and trilingual Certificates, available on the Apostille Section of the Hague Conference website under "Model Apostille Certificate"</i></p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> Information relating to the limited effect of an Apostille (see Art. 3 of the Convention)</p> <p><input checked="" type="checkbox"/> Information relating to the nature or content of the underlying public document</p> <p><input type="checkbox"/> Information relating to the effect of Apostilles on certified copies</p> <p><input type="checkbox"/> Information relating to the person who requested the Apostille</p> <p><input type="checkbox"/> Information relating to the State of destination</p> <p><input type="checkbox"/> Information relating to fees</p> <p><input checked="" type="checkbox"/> Information relating to the e-Register of the Competent Authority (e.g., the URL of the relevant website)</p>

<p>➔ see also paras 253 et seq. of the Apostille HB</p>	<p><input type="checkbox"/> Information relating to a digital signature</p> <p><input type="checkbox"/> Identification of a code to access the e-Register of the Competent Authority</p> <p><input type="checkbox"/> Other – <i>please specify</i>:</p> <p><input checked="" type="checkbox"/> No</p> <p><i>Comments:</i></p> <p>Most of the courts answered "No". The National Union of Public Notaries from Romania specified under the first checkbox from "Yes", that a seal is applied next to the Apostille seal, which stipulates that the Apostille certifies the authenticity of signature, the position of the person signing or, as applicable, the identity of the seal or of the stamp applied to the document. The Apostille does not certify the contents of the document. The second and the seventh checkbox were ticked by the Ministry of Internal Affairs.</p>
8.5 Affixing the Apostille	
Questions 8.5a) to d) – for Apostilles issued in paper form	
<p>a) Is the Apostille placed on the document itself or on a separate slip of paper (an <i>allonge</i>)?</p> <p>➔ c.f. Q 8.5 a) of the 2012 questionnaire</p> <p>➔ see also paras 265 et seq. of the Apostille HB</p>	<p><input checked="" type="checkbox"/> The Apostille is placed on the document itself by:</p> <p><input checked="" type="checkbox"/> self-adhesive sticker</p> <p><input type="checkbox"/> glue</p> <p><input checked="" type="checkbox"/> rubber stamp</p> <p><input type="checkbox"/> printing it on the underlying document</p> <p><input type="checkbox"/> seals</p> <p><input checked="" type="checkbox"/> staples</p> <p><input checked="" type="checkbox"/> other – <i>please specify</i>:</p> <p>Certain courts apply it onto the signed page; only if there is not enough space on the document</p> <p><input checked="" type="checkbox"/> The Apostille is placed on a separate slip of paper by (see also Question 8.5b):</p> <p><input type="checkbox"/> self-adhesive sticker</p> <p><input type="checkbox"/> glue</p> <p><input checked="" type="checkbox"/> rubber stamp</p> <p><input checked="" type="checkbox"/> printing it on the separate slip of paper</p> <p><input type="checkbox"/> seals</p> <p><input checked="" type="checkbox"/> other – <i>please specify</i>:</p> <p>Ministry of Internal Affairs: following the application of the Apostille, a stamp bearing a coat of arms is also applied. Half of it is applied onto the Apostille, and the other half of the stamp is applied onto the document itself.</p> <p>For the judicial document, the Apostille is placed on the document or, if possible, also on the extension. It can also be stapled on the document.</p> <p><i>Comments (in particular, please specify what criteria are applicable to determine whether the Apostille is placed on the document itself or on an allonge):</i></p> <p>National Union of Public Notaries from Romania: as a general rule, the Apostille is placed on the page where the seal and signature of the public</p>

	<p>notary lie, and the allonge is attached to the same sheet of paper, should the document not allow the direct application of the stamp.</p> <p>For judicial documents, the Apostille is placed on the document, or, if possible, also on the extension. It may be stapled on the document.</p>
<p>b) If a separate slip of paper is used (an <i>allonge</i>), how is it attached to the document?</p> <p>➔ c.f. Q 8.5 b) of the 2012 questionnaire</p> <p>✍ The Special Commission has encouraged the use of methods that would evidence any tampering with the method of affixation (see C&R No 91 of the 2009 SC and C&R No 24 of the 2012 SC)</p> <p>➔ see also paras 268-269 of the Apostille HB.</p>	<p><input checked="" type="checkbox"/> Staples</p> <p><input checked="" type="checkbox"/> Grommet</p> <p><input type="checkbox"/> Ribbons</p> <p><input checked="" type="checkbox"/> Glue</p> <p><input type="checkbox"/> Tape</p> <p><input checked="" type="checkbox"/> Other – <i>please specify</i>:</p> <p>Comments:</p> <p>Staples + stamp on the front and on the back of the document that includes the staple</p> <p>(Ministry of Internal Affairs, the National Union of Public Notaries from Romania and most of the courts).</p>
<p>c) In the case of a one-page public document, where is the Apostille placed / <i>allonge</i> attached?</p> <p>➔ c.f. Q 8.5 c) of the 2012 questionnaire</p>	<p><input checked="" type="checkbox"/> The front of the document</p> <p><input checked="" type="checkbox"/> The back of the document</p> <p>Comments:</p> <p>National Union of Public Notaries from Romania: the Apostille is placed either on the front of the document, space permitting, or on the back of the document if the page is empty and has not been marked by the public notary as a "blank page". Also, it can be placed on the allonge, at the level of the seal and the signature of the public notary.</p> <p>As regards the judicial documents, the Apostille is placed below the signature or on the back of the page bearing the signature. If there is not enough space, the extension is applied (A4 format), following the page with the signature. Space permitting, it is applied either on the front of the page, or on the back of the page if the page is empty and has not been marked by the public notary as a "blank page" or on the allonge, at the same level with the seal and the signature of the public notary.</p>
<p>d) In the case of a multi-page document, where is the Apostille placed / <i>allonge</i> attached?</p> <p>➔ c.f. Q 8.5 d) of the 2012 questionnaire</p> <p>✍ The Special Commission has recommended that the Apostille be placed on the signature page and, if an allonge is used, that the allonge be attached to the front or back of the document (see C&R No 17 of the 2003 SC)</p> <p>➔ see also paras 271-272 of the Apostille HB</p>	<p><input type="checkbox"/> The first page of the document</p> <p><input checked="" type="checkbox"/> The last page of the document</p> <p><input checked="" type="checkbox"/> The page with the signature / seal / stamp</p> <p><input type="checkbox"/> Other – <i>please specify</i>:</p> <p>Comments:</p>
<p>Question 8.5e) and f) – for Apostilles issued in electronic form (e-Apostilles)</p>	

<p>e) What technology does YOUR STATE use to affix or logically associate the Apostille to the underlying public document?</p> <p>➔ <i>c.f. Q 8.5 e) of the 2012 questionnaire</i> ➔ <i>see also para. 270 of the Apostille HB</i></p>	
<p>f) How does that technology ensure that the Apostille is not tampered with?</p> <p>➔ <i>see also para. 267 of the Apostille HB</i></p>	

Section 9 Register of Apostilles

9.1 Maintaining the register

<p>a) Does each Competent Authority of YOUR STATE record particulars of each Apostille issued in a register?</p> <p>➔ <i>c.f. Q 9.1 a) of the 2012 questionnaire</i> ✍ <i>The Special Commission has recalled that Article 7 of the Convention requires each Competent Authority to establish and maintain a Register of Apostilles containing the information required by that Article (C&R No 25 of the 2012 SC)</i> ➔ <i>see also para. 278 of the Apostille HB</i></p>	<p><input checked="" type="checkbox"/> Yes – <i>what information is recorded?</i></p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> the number and date of the Apostille (requirement of Art. 7(1)) <input checked="" type="checkbox"/> the name and capacity of the person signing the document and/or the name of authority whose seal or stamp is affixed thereto (requirement of Art. 7(1)) <input checked="" type="checkbox"/> the name and/or type of the underlying document <input checked="" type="checkbox"/> a description of the contents of the underlying document <input checked="" type="checkbox"/> the name of the applicant <input checked="" type="checkbox"/> the State of destination <input checked="" type="checkbox"/> a copy of the Apostille <input checked="" type="checkbox"/> a copy of the underlying document <input checked="" type="checkbox"/> the fees of the Apostille <input checked="" type="checkbox"/> other – <i>please specify:</i> Number of document that the Apostille was placed onto <p><input type="checkbox"/> No – <i>please explain (including how Competent Authorities in YOUR STATE respond to requests for verification of Apostille – then go to Question 10.1):</i></p> <p><i>Comments:</i></p>
<p>b) In what form is the register kept?</p> <p>➔ <i>c.f. Q 9.1 b) of the 2012 questionnaire</i> ✍ <i>The Special Commission has recognised the utility of maintaining an e-Register that is accessible online in order to facilitate recipients' ability to verify the issuance of Apostilles (C&R No 25 of the 2012 SC)</i> ➔ <i>see also paras 279-280 of the Apostille HB</i></p>	<p><input checked="" type="checkbox"/> Electronic form, <i>not</i> publicly accessible online</p> <p><input checked="" type="checkbox"/> Electronic form, publicly accessible online (an "e-Register") – <i>with the following features:</i></p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> the URL for the relevant website is indicated on the Apostille (see Question 8.4a) <input checked="" type="checkbox"/> the register incorporates features to avoid 'fishing expeditions' (<i>i.e.</i>, attempts by users to collect information about an Apostille that he/she has not received) – <i>please specify:</i> <input checked="" type="checkbox"/> the register allows users to view details about the Apostille (<i>e.g.</i>, the entries against any of the 10 numbered standard informational items) – <i>please specify:</i>

	<input checked="" type="checkbox"/> the register allows users to access the Apostille, or an image thereof <input checked="" type="checkbox"/> the register allows users to access the underlying document, or an image thereof <input checked="" type="checkbox"/> the register allows users to verify the signature on the Apostille <input checked="" type="checkbox"/> Paper form <i>Comments:</i> National Union of Public Notaries from Romania and most of the courts have ticked "Paper form"; Ministry of Internal Affairs and a very low number of courts have ticked the first four checkboxes from the "Electronic form", respectively the last four checkboxes from the "Electronic form".
c) How is the register maintained? ↻ <i>c.f. Q 9.1 c) of the 2012 questionnaire</i>	<input checked="" type="checkbox"/> Each Competent Authority maintains its own register <input checked="" type="checkbox"/> Competent Authorities maintain a common register
d) For how long do Competent Authorities retain records of particulars in their register? ↻ <i>c.f. Q 9.1 d) of the 2012 questionnaire</i> ✍ <i>Although the Special Commission has not suggested a minimum period during which records in a register should be kept, it has concluded that it was a matter for each State party to develop objective criteria in this respect, and that holding of information in electronic form would facilitate the storage and retrieval of records. (C&R No 21 of the 2003 SC)</i> ↻ <i>see also paras 289-290 of the Apostille HB</i>	<input type="checkbox"/> Less than one year <input checked="" type="checkbox"/> Between one and five years <input checked="" type="checkbox"/> Between five and ten years <input checked="" type="checkbox"/> Ten years or more <input checked="" type="checkbox"/> Indefinitely <i>Comments (including specific detailed regarding records retention):</i> As regards the courts, the applications must be kept over a 5 years period, however the registry itself must be kept on an indefinite term.
9.2 Checking the register	
<p style="color: red;">Only for States in which Competent Authorities keep a Register in paper or in electronic form BUT it is not publicly accessible online (i.e. not an e-Register)</p> a) How frequently is a request made to the Competent Authorities in YOUR STATE to check the register of Apostilles? ↻ <i>c.f. Q 9.2 a) of the 2012 questionnaire</i> ✍ <i>Under Art. 7(2) of the Apostille Convention, the Competent Authority that issued the Apostille must, at the request of any interested person, verify whether the particulars of the Apostille correspond with those in the register.</i> ↻ <i>see also paras 286-288 of the Apostille HB</i>	<input checked="" type="checkbox"/> Never <input checked="" type="checkbox"/> Once per year <input checked="" type="checkbox"/> Between 2 and 10 times per year <input type="checkbox"/> Between 10 and 20 times per year <input checked="" type="checkbox"/> More than 20 times per year – <i>please specify approximately how many:</i> <input checked="" type="checkbox"/> Unknown <i>Comments:</i> Certain courts have ticked "never" and "once per year". Public Notaries Union and certain courts ticked "Between 2 and 10 times per year". Certain courts mentioned that no request have been made over the past 8 years for the verification of any Apostille.
<p style="color: red;">Only for States in which Competent Authorities keep an e-Register</p> b) If Competent Authorities in YOUR STATE keep an e-Register, does YOUR STATE have statistics on how frequently the e-Register is consulted? ↻ <i>c.f. Q 9.2 b) of the 2012 questionnaire</i>	<input checked="" type="checkbox"/> Yes – <i>please specify the number of consultations and the relevant period:</i> On a daily basis (Ministry of Internal Affairs; certain courts) Has the implementation of an e-Register led to more Apostilles being checked against the register? <i>This question does not apply to Contracting States that</i>

	<p><i>implemented an e-Register upon accession to the Apostille Convention</i></p> <p><input type="checkbox"/> Yes – <i>by how much?</i></p> <p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> No</p> <p><i>Comments:</i></p>
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Section 10 The effect of Apostilles	
10.1 Apostilles issued in YOUR STATE	
<p>a) Has the effect of a paper Apostille or e-Apostille issued by a Competent Authority of YOUR STATE ever been refused to be given in other Contracting States (<i>i.e.</i>, has the Apostille been rejected)?</p> <p>➡ <i>c.f. Q 10.1 a) of the 2012 questionnaire</i></p> <p>➡ <i>see also paras 293-320 of the Apostille HB</i></p>	<p><input checked="" type="checkbox"/> Yes - <i>please specify on what grounds:</i></p> <p><input checked="" type="checkbox"/> the Apostille was not square-shaped</p> <p><input type="checkbox"/> the Apostille did not have sides at least nine centimetres long</p> <p><input type="checkbox"/> the Apostille did not have a border</p> <p><input type="checkbox"/> the colour of the ink used to print the Apostille</p> <p><input checked="" type="checkbox"/> the Apostille was signed other than by hand ("wet" signature)</p> <p><input checked="" type="checkbox"/> the Apostille was not signed at all</p> <p><input type="checkbox"/> the Apostille was issued in electronic form (an e-Apostille)</p> <p><input type="checkbox"/> the Apostille had expired</p> <p><input type="checkbox"/> the manner in which the Apostille was numbered – <i>please specify:</i></p> <p><input type="checkbox"/> the manner in which the Apostille was affixed to the underlying document – <i>please specify:</i></p> <p><input checked="" type="checkbox"/> the Apostille was physically detached from the underlying document</p> <p><input type="checkbox"/> the underlying document was not a public document under the law of the State of destination</p> <p><input type="checkbox"/> the person that signed the underlying document no longer acts in the capacity certified in the Apostille</p> <p><input type="checkbox"/> the Apostille did not certify the authenticity of the signature or the capacity in which the person signing the underlying document had acted, whether or not the document was signed (<i>i.e.</i>, standard informational item no 2 and 3 are not filled in)</p> <p><input type="checkbox"/> other – <i>please specify:</i></p> <p><input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Unknown</p> <p><i>Comments:</i></p>
<p>b) If an Apostille was rejected, what action did YOUR STATE take?</p> <p>➡ <i>c.f. Q 10.1 b) of the 2012 questionnaire</i></p>	<p><input checked="" type="checkbox"/> The Apostille was reissued</p> <p><input type="checkbox"/> The receiving authority was contacted</p> <p><input checked="" type="checkbox"/> The Competent Authority of the State of destination was contacted</p>

	<input type="checkbox"/> Diplomatic mission of the State of destination in YOUR STATE was contacted <input type="checkbox"/> Diplomatic mission of YOUR STATE in the State of destination was contacted <input type="checkbox"/> The Permanent Bureau was contacted <input checked="" type="checkbox"/> No action taken <input type="checkbox"/> Other – <i>please specify</i> :
<p>c) Has a Competent Authority in YOUR STATE ever been requested by the authorities in another Contracting State to certify or confirm its procedures for issuing Apostilles?</p> <p>➡ <i>c.f. Q 10.1 c) of the 2012 questionnaire</i> ✍ <i>The Special Commission has strongly recommended that Competent Authorities refuse to comply with requests from other Contracting States to confirm issuance procedures or provide specimen signatures, and to notify the Permanent Bureau if they receive them (C&R No 27 of the 2012 SC)</i></p>	<input type="checkbox"/> Yes – <i>please elaborate</i> : <input checked="" type="checkbox"/> No <i>Comments (including views on this practice):</i>
10.2 Foreign Apostilles produced in YOUR STATE	
<p>a) On which of the following grounds has the effect of a foreign Apostille in fact been refused to be given in YOUR STATE?</p> <p>➡ <i>c.f. Q 10.2 a) of the 2012 questionnaire</i> ➡ <i>see also paras 293-320 of the Apostille HB</i></p>	<input type="checkbox"/> The Apostille was not square-shaped <input type="checkbox"/> The Apostille did not have sides at least nine centimetres long <input type="checkbox"/> The Apostille did not have a border <input type="checkbox"/> The colour of the ink used to print the Apostille <input type="checkbox"/> The Apostille was signed other than by hand (“wet” signature) <input checked="" type="checkbox"/> The Apostille was not signed at all <input type="checkbox"/> the Apostille was issued in electronic form (an e-Apostille) <input type="checkbox"/> The Apostille had expired <input type="checkbox"/> The manner in which the Apostille was numbered – <i>please specify</i> : <input type="checkbox"/> The manner in which the Apostille was affixed to the underlying document – <i>please specify</i> : <input checked="" type="checkbox"/> The Apostille was physically detached from the underlying document <input checked="" type="checkbox"/> The underlying document was not a public document under the law of YOUR STATE <input type="checkbox"/> The person that signed the underlying document no longer acts in the capacity certified in the Apostille <input checked="" type="checkbox"/> The Apostille does not certify the authenticity of the signature or the capacity in which the person signing the underlying document had acted, whether or not the document was signed (<i>i.e.</i> , standard informational items no 2 and 3 are not filled in) <input type="checkbox"/> Other – <i>please specify</i> :

	<input checked="" type="checkbox"/> None of the above <input checked="" type="checkbox"/> Unknown <i>Comments:</i>
<p>b) On which of the following grounds <i>might</i> the effect of a foreign Apostille possibly be refused to be given, in YOUR STATE?</p> <p>➔ c.f. Q 10.2 a) of the 2012 questionnaire ➔ see also paras 293-320 of the Apostille HB</p>	<input type="checkbox"/> The Apostille was not square-shaped <input type="checkbox"/> The Apostille did not have sides at least nine centimetres long <input type="checkbox"/> The Apostille did not have a border <input type="checkbox"/> The colour of the ink used to print the Apostille <input checked="" type="checkbox"/> The Apostille was signed other than by hand ("wet" signature) <input checked="" type="checkbox"/> The Apostille was not signed at all <input type="checkbox"/> The Apostille was issued in electronic form (an e-Apostille) <input type="checkbox"/> The Apostille had expired <input type="checkbox"/> The manner in which the Apostille was numbered – <i>please specify:</i> <input type="checkbox"/> The manner in which the Apostille was affixed to the underlying document – <i>please specify:</i> <input checked="" type="checkbox"/> The Apostille was physically detached from the underlying document <input checked="" type="checkbox"/> The underlying document was not a public document under the law of YOUR STATE <input type="checkbox"/> The person that signed the underlying document no longer acts in the capacity certified in the Apostille <input type="checkbox"/> The Apostille does not certify the authenticity of the signature or the capacity in which the person signing the underlying document had acted, whether or not the document was signed (<i>i.e.</i> , standard informational items no 2 and 3 are not filled in) <input type="checkbox"/> Other – <i>please specify:</i> <input type="checkbox"/> None of the above <input type="checkbox"/> Unknown <i>Comments:</i>
<p>c) Does YOUR STATE apply any time limit on the effect of foreign Apostilles and/or foreign public documents that are produced in YOUR STATE?</p> <p>➔ c.f. Q 10.2 b) of the 2012 questionnaire ➔ see also paras 28, 174, 186-187 of the Apostille HB</p>	<input type="checkbox"/> Yes – <i>please specify:</i> <input checked="" type="checkbox"/> No <i>Comments:</i>

Section 11 The electronic Apostille Program (e-APP)

11.1 Implementation

<p>a) Has either component of the e-APP been implemented by the Competent Authorities of YOUR STATE?</p> <p>➔ <i>c.f. Q 11.1 a) of the 2012 questionnaire</i> ➔ <i>see also paras 333 et seq. of the Apostille HB</i></p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> the e-Apostille component</p> <p><input checked="" type="checkbox"/> the e-Register component – <i>please specify the URL(s) for the e-Register(s):</i> Yes, for the administrative documents where the Ministry of Internal Affairs applies the Apostille; no, for the judicial documents where the courts apply the Apostille or for the notarial documents where the public notary chambers apply the Apostille.</p> <p><input checked="" type="checkbox"/> No</p>
<p>Only for States that have not implemented either component of the e-APP</p> <p>b) If neither component of the e-APP has been implemented, has the e-APP been studied by Competent Authorities in YOUR STATE?</p> <p><i>✍ For information on the e-APP, see paras 321-363 of the Apostille HB</i> ➔ <i>c.f. Q 11.1 b) of the 2012 questionnaire</i></p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> and <i>both components</i> are being considered for implementation – <i>please specify:</i></p> <p><input type="checkbox"/> and only the <i>e-Apostille component</i> is being considered for implementation – <i>please specify:</i></p> <p><input type="checkbox"/> and only the <i>e-Register component</i> is being considered for implementation – <i>please specify:</i></p> <p><input type="checkbox"/> but neither component is being considered for implementation – <i>please explain why not:</i></p> <p><input type="checkbox"/> No – <i>please explain why not:</i></p> <p>Comments:</p>
<p>Only for States that have implemented either component of the e-APP or are actively considering implementing it</p> <p>c) Has YOUR STATE contacted other Competent Authorities that already operate an e-APP component and asked for any relevant information or exchange of experience?</p> <p>➔ <i>see also para 339 of the Apostille HB</i></p>	<p><input type="checkbox"/> Yes – <i>please specify:</i></p> <p><input type="checkbox"/> No</p> <p>Comments:</p>
<p>Only for States that have implemented the e-Apostille component</p> <p>d) For which of the following documents does YOUR STATE issue e-Apostilles?</p> <p>➔ <i>see also paras 171, 346 et seq. of the Apostille HB</i></p>	<p><input type="checkbox"/> Electronic public documents. <i>Please specify:</i></p> <p><input checked="" type="checkbox"/> Paper public documents that have been subsequently scanned</p> <p><input type="checkbox"/> Both</p> <p>Comments: Documents on paper that are have been subsequently scanned (documents where</p>

	the Ministry of Internal Affairs applies the Apostille)
<p>e) Are there any issues (legal or otherwise) that may affect the implementation of the e-APP in YOUR STATE?</p> <p>➤ c.f. Q 11.1 c) of the 2012 questionnaire</p> <p>➤ see also paras 345, 358 of the Apostille HB</p>	<p><input type="checkbox"/> Yes – <i>please specify</i>:</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Unknown</p> <p>Comments:</p>

Section 12 Other

12.1 Additional comments and information

a) If you need more space for your response to one or more of the questions above, please specify the question number(s) and add your comments below:

b) If you would like to make any additional comment or provide information relating to the practical operation of the Apostille Convention (including the implementation of the e-APP) that has not been reflected in your responses above, please do so below:

c) Are there any specific topics or practical issues that YOUR STATE would like to have discussed at the 2016 Special Commission?

➤ c.f. Q 12.1 c) of the 2012 questionnaire

➤ see also paras 38-39 of the [Apostille HB](#)

Yes – *please specify*:

1. Clarification on the placement of the Apostille on the judicial documents issued in criminal matters within certain procedures (transfer of convicted persons, extradition etc.) executed based on international courtesy and with a written assurance of reciprocity in relationship to South-American countries (which are not Contracting Parties to various UN Conventions in the field of international organized crime), which are signing parties to the Hague Convention of 1961.

2. Clarification of the mandatory nature for the requirement to apply super-legalization (higher certification) to judicial documents issued in criminal and civil matters within some international judicial cooperation procedures executed based on international courtesy and with a written assurance of reciprocity in relationship to Arab countries (which are not Contracting Parties to the Hague Convention of 1961).

Which is the content of the certification issued by translators for translations performed for courts/prosecutor's offices and in the case of translations performed for public notaries (when the translator's signature is to be certified), in the usual practice of the Contracting Parties?

No