



# Certifying your public documents when moving around in the Union? Not for much longer!

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## Slashing red tape



Today **around 13 million Union citizens** live in a Union country other than their own. Settling in a new country of residence, getting married or taking up a job can be off-putting as citizens have to cope with unnecessary bureaucracy when presenting public documents to public administrations in another Union country.

*73% of Europeans believe that measures should be taken to improve the circulation of public documents between EU countries.*

The new Public Documents regulation will slash costs and formalities for citizens that need to present a public document in another Union country.

Once the new law enters into force, Union countries will have **two years and a half** to put all necessary measures in place so that citizens can enjoy the simplification of formalities at the end of this period.

## Less red tape equals less money and time spent!

There will be fewer costs for Union citizens. Citizens will save several hundred million Euros in apostille stamps, certified copies and certified translations.

In addition, citizens will save a lot of time. The majority of Union countries needs around one week to issue an apostille stamp, to which the time to obtain a certified copy and a certified translation needs to be added.

## Making citizens lives easier across the EU

*Timea, a Hungarian citizen, is planning to get married to Matthias, a Belgian citizen, in Hungary.*

### ***Under the current rules:***

In order to get married in Hungary, Matthias needs to obtain from the Belgian authorities an apostille stamp for his birth certificate showing that it is authentic. In addition, Matthias must get a certified translation of his birth certificate. The procedure to obtain the apostille is costly and takes time. Timea and Matthias must wait for the authentication and translation of Matthias' birth certificate before they can get married.

### ***Under the new rules***

Matthias will no longer need to obtain an apostille stamp for his birth certificate. The Hungarian authorities will consider his birth certificate as authentic. Nor will he need to have his birth certificate translated by a sworn translator. He will be able to request a multilingual standard form that he will attach to his birth certificate as a translation aid. Getting married in Hungary will be easier and cheaper.

*Alain, a French citizen, wants to apply for a job as a teacher in Austria. In order to get the contract, he must provide a certificate showing that he has no criminal record.*

### ***Under the current rules:***

Alain needs to obtain from the French authorities an apostille stamp for his certificate of absence of a criminal record showing that it is authentic. He must also get a certified translation of his certificate. The procedure to obtain the apostille is costly and takes time. Alain must wait for the authentication and the translation of his certificate of absence of a criminal record. But he can't wait too long because school is due to start in a month.

### ***Under the new rules***

Alain will no longer need to obtain an apostille stamp for his certificate of absence of a criminal record. It will be considered as authentic by the Austrian authorities. Nor will he need to have his certificate translated by a sworn translator. He will be able to request a multilingual standard form that he will attach to his certificate as a translation aid. Thanks to the absence of red tape and formalities, Alain will be able to start his job as a teacher on time.

## **Which documents are covered by the new rules?**



Public documents currently subject to the apostille and other administrative formalities and are covered by the new rules concern:

- birth
- a person being alive
- death
- name
- marriage, including capacity to marry and marital status
- divorce, legal separation or marriage annulment
- registered partnership, including capacity to enter into a registered partnership and registered partnership status
- dissolution of a registered partnership, legal separation or annulment of a registered partnership
- parenthood
- adoption
- domicile and/or residence
- nationality
- absence of a criminal record and
- the right to vote and stand as a candidate in municipal elections and elections to the European Parliament.



## Will translation of documents from another Union country still be required?

Translation of public documents from another Union country cannot be required if the public documents are in one of the official languages of the Union country where they are presented or in another non-official language accepted by this country.

In addition, the regulation introduces multilingual standard forms in all Union languages that can be used by citizens in another Union country as translation aids attached to their public document. In this way citizens can avoid translation requirements. The public documents to which translation aids can be attached are those concerning the following:

- birth
- a person being alive
- death
- marriage (including capacity to marry and marital status)
- registered partnership (including capacity to enter into a registered partnership and registered partnership status)
- domicile and/or residence and
- absence of a criminal record.

## What if some people create fake documents?



The new law offers national authorities up-to-date safeguards against fraud through fast and secure electronic communication between Union countries. This structured administrative cooperation will be put in place using the existing Internal Market Information System (IMI), already in use in other areas such as patient rights or cash-in-transit.

Concretely, a national authority which has reasonable doubt about the authenticity of a public document will be able to verify the suspicious document with the authority of the Union country which issued the public document directly by using the IMI system. Direct communication between Union country authorities will allow streamlined and effective fraud prevention.

In addition, a database with the national public documents will be built-up in the IMI which will enable authorities to compare documents presented to them by citizens with the national examples available in the repository.

Finally, the authorities of Union countries will regularly meet in a committee to evaluate and if necessary enhance fraud prevention mechanisms.