

**Article 24(1)(a) - languages accepted by the Member State for the public documents to be presented to its authorities pursuant to point (a) of Article 6(1)**

German

**Article 24(1)(b) – an indicative list of public documents falling within the scope of this Regulation**

Judgments, decisions, declarations and orders of the courts and of the public prosecution services

Also under Article 2(1), the following public documents:

- (a) birth certificate (*Geburtsurkunde*), extract from register — birth (*Teilauszug Geburt*)
- (c) death certificate (*Sterbeurkunde*), extract from register — death (*Teilauszug Tod*)
- (d) decision granting a change of name (*Namensänderungsbescheid*)
- (e) marriage certificate (*Heiratsurkunde*), certificate of capacity to marry (*Ehefähigkeitszeugnis*), extract from register showing the existence of a marriage (*Teilauszug über das Bestehen einer Ehe*) or of a registered partnership (*Teilauszug über das Bestehen einer eingetragenen Partnerschaft*)
- (f) divorce decree (*Scheidungsbeschluss*), decree of annulment of marriage (*Aufhebungsbeschluss der Ehe*), court declaration that a marriage is void (*gerichtliche Nichtigerklärung*)
- (g) partnership certificate (*Partnerschaftsurkunde*), confirmation of capacity to enter into registered partnership (*Bestätigung der Fähigkeit eine Eingetragene Partnerschaft begründen zu können*), extract from register showing the existence of a marriage (*Teilauszug über das Bestehen einer Ehe*) or of a registered partnership (*Teilauszug über das Bestehen einer eingetragenen Partnerschaft*)
- (h) decree of annulment of a registered partnership (*Aufhebungsbeschluss der Eingetragenen Partnerschaft*), court declaration that a registered partnership is void (*gerichtliche Nichtigerklärung*)
- (k) confirmation of registration of residence (*Meldebestätigung*)
- (l) certificate of citizenship (*Staatsbürgerschaftsnachweis*)
- (m) extract from the criminal records (*Strafregisterbescheinigung*)

**Article 24(1)(c) – the list of public documents to which multilingual standard forms may be attached as a suitable translation aid**

In public administration, forms serving as translation aids may be attached to the following public documents (under Article 7(1)):

- (a) birth certificate (*Geburtsurkunde*), extract from register — birth (*Teilauszug Geburt*)
- (c) death certificate (*Sterbeurkunde*), extract from register — death (*Teilauszug Tod*)
- (e) marriage certificate (*Heiratsurkunde*), certificate of legal capacity to marry (*Ehefähigkeitszeugnis*), extract from register showing the existence of a marriage (*Teilauszug über das Bestehen einer Ehe*) or of a registered partnership (*Teilauszug über das Bestehen einer eingetragenen Partnerschaft*)
- (g) partnership certificate (*Partnerschaftsurkunde*), confirmation of capacity to enter into registered partnership (*Bestätigung der Fähigkeit eine Eingetragene Partnerschaft begründen zu können*), extract from register showing the existence of a marriage (*Teilauszug über das Bestehen einer Ehe*) or of a registered partnership (*Teilauszug über das Bestehen einer eingetragenen Partnerschaft*)

In the judicial sphere, none of the multilingual forms are relevant.

**Article 24(1)(d) – the lists of persons qualified, in accordance with national law, to carry out certified translations, where such lists exist**In Austria, certified translations may be undertaken by persons registered in the list of publicly sworn and court-certified interpreters. This (constantly updated) list of court interpreters can be found at:<http://sdgliste.justiz.gv.at/>**Article 24(1)(e) – an indicative list of types of authorities empowered by national law to make certified copies**

A certified transcript (or certified copy) is a document that is confirmed to be a true copy of the original by a person invested with the authority to issue authentic documents (e.g. a notary (*Notarin/Notar*)), the district court (*Bezirksgericht*) or

the issuing authority (not in all cases and not every authority).

In the judicial sphere, certified copies may be issued by

- (a) courts (can be found at the website of the Federal Ministry of Constitutional Affairs, Reforms, Deregulation and Justice at <https://www.justiz.gv.at/web2013/html/default/8ab4a8a422985de30122a90e378661ef.de.html>)

and

- (b) notaries (can be found at the website of the Austrian Chamber of Notaries at <https://www.notar.at/de/>).

**Article 24(1)(f) – information relating to the means by which certified translations and certified copies can be identified**- Certified translations:

Under Section 190(1) of the Act on Judicial Proceedings in Non-Contentious Matters (*Außerstreitgesetz*), the exact correspondence of a translation with the original must be certified by a publicly sworn and court-certified interpreter who must append his or her signature and seal (Sections 14 and 8(5) of the Experts and Interpreters Act (*Sachverständigen- und Dolmetschergesetz*).

Further information on the form of certified translations may be found on the website of the Austrian Association of Certified Court Interpreters (*Österreichischer Verband der allgemein beeideten und gerichtlich zertifizierten Dolmetscher*) at

<http://www.gerichtsdolmetscher.at/index.php/de/beglaubigte-uebersetzungen>- Issue of certified copies by the courts:

The correspondence of

1. paper public documents with electronic or other transcripts (copies) thereof or
2. electronic public documents with paper print-outs thereof,

where these are submitted to a court, must be certified by the court; they must be clearly legible by the court with the technical equipment at its disposal.

The certification must be entered, depending on the application, on a paper copy, drafted in court or closely examined in court, of the paper document, or on a paper print-out made in court of the electronic document (a certified paper copy), or — depending on the availability of appropriate technology and staff — on an electronic copy of the paper document (a certified electronic copy).

The certification must in all cases specify

1. the place and date of certification;
2. whether the public document presented is a paper one or an electronic one, and whether it is an original, an authenticated copy, a transcript, another copy or a print-out;
3. whether the copy, transcript or print-out reproduces the whole public document or only a part thereof.

The certification must also specify the following information if it is not already clear from the copy, transcript or print-out:

1. whether the public document bears signatures, security features or stamps, and if so which ones;
2. where applicable, that it is torn or that its physical form is markedly dubious;
3. where applicable, that parts of it have been visibly altered, deleted, inserted or entered in the margins.

- Issue of certified copies by notaries:

A notary is qualified to certify that a paper or electronic transcript of a paper print-out is a true copy of a public document if he or she can read the document clearly. For a notary to certify that an electronically, photographically or similarly generated copy of a public document, a plan, an image or the like is a true copy, it is enough that the copy should have been made under the notary's supervision. If such a copy does not reproduce a page in full, the omissions must be indicated on the copy. The same applies to paper print-outs of electronic public documents.

The notary must carefully compare the transcript or copy with the original public document and enter a statement that it is a true copy on the paper transcript (copy) or paper print-out, or attach a statement that it is a true copy to the electronic transcript.

The certification must also include the following information:

1. whether the public document presented is a paper one or an electronic one, and whether it is an original, an authenticated copy, a transcript, another copy or a print-out;
2. whether the public document bears signatures, security features or stamps, and if so which ones;
3. whether the copy, transcript or print-out reproduces the whole public document or only a part thereof, and if so which part;
4. where applicable, that the document presented is torn or that its physical form is markedly dubious;
5. where applicable, that parts of it have been altered, deleted, inserted or entered in the margins. The information referred to in points 2 and 5 is not required if the copy has been photographically or similarly produced and the circumstances referred to are visible from the copy.

#### **Article 24(1)(g) – information about the specific features of certified copies**

See under point (f).

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