Public documents

The Regulation on Public Documents (Regulation 2016/1191), which was adopted on 6 July 2016 and applies in all EU countries as from 16 February 2019, simplifies the circulation of certain public documents.

Citizens living in an EU country other than their own often need to present a public document to the authorities of the EU country where they live. Such public documents can be, for example, a birth certificate to get married, or a certificate on the absence of a criminal record to get a job.

The Regulation on Public Documents (Regulation 2016/1191), which applies from 16 February 2019, aims at cutting red tape and costs for citizens when they need to present in an EU country a public document issued in another EU country.

Prior to the Regulation, citizens that needed to present a public document in another EU country had to obtain an authenticity stamp (the so-called apostille) to prove that their public document was authentic. Citizens were often also required to present a certified copy and a translation of their public document.

The Regulation puts an end to a number of bureaucratic procedures:

Public documents (for example, a birth certificate, a marriage notarial act, a judgment) and their certified copies issued by the authorities of an EU country must be accepted as authentic by the authorities of another EU country without the need of an authenticity stamp (i.e. the apostille);

The Regulation abolishes the obligation for citizens to provide at the same time both an original public document and its certified copy. Where an EU country permits the presentation of a certified copy of a public document instead of the original, the authorities of that EU country must accept a certified copy made in the EU country where the public document was issued;

The Regulation abolishes the obligation for citizens to provide a translation of their public document. If the public document is not in one of the official languages of the EU country requesting the document, citizens can ask for a multilingual standard form, available in all EU languages, from the authorities of the EU country which issued the public document. This form can be attached to the public document to avoid translation requirements. When a citizen presents a public document together with a multilingual standard form, the receiving authority can only require a translation of the public document in exceptional circumstances. As not all multilingual standard forms are issued in all EU countries, citizens can check which forms are issued in their EU country here;

If the authorities of the receiving EU country require a certified translation of the public document presented by the citizen, they must accept a certified translation made in any EU country.

The Regulation also introduces safeguards against fraudulent public documents: if a receiving authority has a reasonable doubt about the authenticity of a public document presented to it, it will be able to check its authenticity with the issuing authority of the other EU country through an existing IT platform, the Internal Market Information System or IMI.

The Regulation deals with the authenticity of public documents but not with the recognition of their legal effects in another EU country. The recognition of the legal effects of a public document is still governed by the national law of the EU country where the citizen presents the document. However, in applying their national law, EU countries must respect European Union law, including the case law of the Court of Justice of the European Union, on the free movement of citizens within the European Union.

Public documents means documents issued by a public authority, such as:

documents emanating from a court or a court official;
administrative documents;
notarial acts;
official certificates placed on private documents;
diplomatic and consular documents.

The Regulation covers public documents issued in the following areas:

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
the right to vote and stand as a candidate in municipal elections and elections to the European Parliament.

The **multilingual standard forms** to be attached as translation aids to public documents can be requested in the following areas:

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
absence of a criminal record.

Multilingual standard forms

Click here to see the multilingual standard forms issued by authorities in each EU country.

Information communicated by EU countries (pursuant to Article 24 of the Regulation)

Click here to see the information provided by EU countries on the implementation of the Regulation, in particular:
the language(s) in which a public document can be presented
the list of public documents to which a multilingual standard form can be attached
a list of certified translators
the authorities that can make certified copies
the features of certified translations and certified copies

Repository of public documents and Central Authorities (information communicated by EU countries pursuant to Article 22 of the Regulation)

Click here to see examples of public documents issued in each EU country.

Click here PDF (652 KB) en to see the list of the **Central Authorities** designated by each EU country, including their contact details. The list also identifies, in case of more than one Central Authority has been designated, which one of them is responsible for receiving communications from another country.

Practical guidance to apply the Regulation

To help public authorities as well as the general public with the application of the Regulation, an EU funded project has developed **a handbook of the regulation, FAQs, as well as other resources** available online.

Request for information and administrative cooperation (Chapter IV of the Public Documents Regulation)

An authority of a Member State may have a reasonable doubt as to **the authenticity of a public document** issued by the authority of another Member State. In that case, they may check the available models in the repository, and, if the doubt remains, submit a request for verification to the authority who issued the document in another Member State.

This can be done in IMI (the Internal Market Information System) using its module dedicated to the public documents Regulation. Click on this link to log onto IMI or visit the IMI website to learn more about IMI and on how to get access to it.

Páginas relacionadas:

Formularios de documentos públicos

Documentos públicos

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