



AD HOC QUERY ON 2021.40 Performing checks on breeder documents

Requested by EMN NCP Netherlands on 16 June 2021

Responses from Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Hungary, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Portugal, Slovakia, Sweden (18 in Total)

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1. Background information

Breeder documents are crucial elements when applications for residence permits are assessed. Based on the contents of such documents third country nationals are admitted to the Member State (or not). For example, when lodging an application for family reunification third-country nationals have to submit so-called breeder documents (i.e. marriage certificates and birth certificates).

In total, eighty countries worldwide are not part of the Apostille convention. This means that citizens coming from those countries have to have their breeder documents legalised by the authorities in their country of origin before they can be used by the Dutch immigration service.

The legalization process of third-country breeder documents to be used in the Netherlands is as follows: 1. Third-country nationals should let their breeder documents be checked by the so-called 'legalization chain' in their country of origin – the legalization chain comprises the issuing (local) authority, provincial authority and national authorities - before they can use these documents in their application procedure. 2. All the organisations in this chain

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have to put a stamp on this document to certify that this is a genuine document. 3. Third-country nationals need to go to the Dutch embassy, where the breeder document is checked and legalised. This last step is carried out by the Dutch Ministry of Foreign Affairs.

After the legalization process of third-country breeder documents is complete, the Dutch immigration authorities or municipalities still need to perform checks on the content of the legalised document when the document is submitted for certain applications (such as residence permits). This is necessary, as the legalization itself only targets whether a document is real and has followed the correct legalization chain in the country of origin.

Already in 2019 the Netherlands asked ad-hoc questions through the EMN regarding the legalization process of other EU member states (AHQ 2019.73), following a reduced involvement of the Ministry of Foreign Affairs and the Dutch Embassies in the legalization process. Currently the Netherlands is looking into the possibilities to include modern technologies in performing checks on breeder documents to see if a document is genuine and has followed the correct legalization procedure in the country of origin.

In the process of this reform, the Netherlands posts these ad-hoc follow-up questions regarding either the process of legalization or the process of performing checks on legalised documents. The answers from other member states can help tackle certain issues in this reform process.

2. Questions

1. What are the fees to legalise a breeder document (in Euros) in your Member State?

2. Do the public authorities in your Member State responsible for checking breeder documents (e.g. immigration authorities, municipalities) work with a database that collects stamps, signatures and example documents of authorized officials of the Ministry of Foreign Affairs in other third countries when checking legalised documents? If yes, please specify what this database contains and by which authorities it is used.

3. How does your Member State take the local context (e.g. information about the predominance of counterfeiting breeder documents or interpretation of local legislation) of a third country into account when performing checks on the legalised breeder documents? Please also specify which (national, regional or local) authorities are involved and in which procedure (e.g. immigration authorities in the procedure for residence permits or municipalities when registering a TCN in the Personal Records Database).

4. How do the public authorities that make use of legalised breeder documents in your Member State perform checks on breeder documents from countries that fall within the Apostille Treaty or EU regulations (please specify if this process differs from the process for countries that do not fall within the Apostille Treaty or EU regulation and whether the process is different for differing authorities)?

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5. How do the immigration authorities, municipalities or other authorities in your Member State that make use of legalised breeder documents perform checks on breeder documents from third countries where legalisation does not occur or where your Member State cannot legalise documents independently? For example, in cases where third countries do not cooperate or where Member States do not have a post to legalise. Please specify the different situations.

6. Does your Member State work with specific procedures for different grounds of stay (e.g. students) when performing checks on legalised breeder documents? If yes, please specify which groups follow which procedure.

We would very much appreciate your responses by **16 July 2021**.

3. Responses

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		Wider Dissemination ²	
	EMN NCP Austria	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.

¹ If possible at time of making the request, the Requesting EMN NCP should add their response(s) to the query. Otherwise, this should be done at the time of making the compilation.

² A default "Yes" is given for your response to be circulated further (e.g. to other EMN NCPs and their national network members). A "No" should be added here if you do not wish your response to be disseminated beyond other EMN NCPs. In case of "No" and wider dissemination beyond other EMN NCPs, then for the Compilation for Wider Dissemination the response should be removed and the following statement should be added in the relevant response box: "This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further."

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	<p>EMN NCP Belgium</p>	<p>Yes</p>	<ol style="list-style-type: none"> 1. 20 euro. 2. The Belgian consular posts and the legalisation service of the FGS Foreign Affairs have all the specimen signatures of foreign authorities in an electronic database. These specimens are entered into the database by the consular posts. 3. Each consular post is competent to legalise documents issued within its jurisdiction and is also competent to carry out investigations into the content of the documents. The Belgian authorities to whom these foreign documents are presented may also request that the competent consular post carry out an investigation into the content of the document presented. 4. If an authority has doubts about the veracity of an apostille, it can check it itself with the competent authorities in the country of issue or call on the department legalization of FGS FA to do the verification. If the authority has doubts about the content of the document, it can request an investigation, which will be carried out by the competent consular post. 5. If a document is not legalised (apart from an exemption agreement) it cannot be presented in Belgium. If the document is exempt from legalisation it can be presented to the Belgian authorities, but the authority that has serious doubts about the content or the veracity of the document can ask the competent consular post to carry out an investigation. 6. No, there is no different procedure for each case. 						
	<p>EMN NCP Bulgaria</p>	<p>Yes</p>	<ol style="list-style-type: none"> 1. The fees collected for legalisations are specified in Article 8 of Tariff No 3 on the fees collected for the provision of consular services in the system of the Ministry of Interior, under the Law on State Fees. <table border="0" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; border-bottom: 1px solid black;">№ Type of service</th> <th style="text-align: right; border-bottom: 1px solid black;">Price in Bulgaria</th> <th style="text-align: right; border-bottom: 1px solid black;">Price abroad</th> </tr> </thead> <tbody> <tr> <td style="border-top: 1px solid black;">1 Documents issued by Bulgarian institutions</td> <td style="text-align: right; border-top: 1px solid black;">15 BGN</td> <td style="text-align: right; border-top: 1px solid black;">15 EUR</td> </tr> </tbody> </table>	№ Type of service	Price in Bulgaria	Price abroad	1 Documents issued by Bulgarian institutions	15 BGN	15 EUR
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			<p>1a Certification by "Apostille" of documents issued by Bulgarian institutions according to the Convention on the Elimination of the Requirement for Legalisation of Foreign Public Acts 5 BGN -</p> <p>2 Documents issued by foreign institutions ether diplomatic or consular missions in another country 20 BGN 20 EUR</p> <p>2.</p> <p>3.</p> <p>4. In order to be valid in the Republic of Bulgaria and to be able to serve before the Bulgarian institutions, the documents issued by another country, which are intended for use in Bulgaria and are required to be certificated with an apostille or to be legalised, should meet some further requirements of form, depending on:</p> <ul style="list-style-type: none"> - whether the respective country is a party to the Hague Convention Abolishing the Requirement of Legalisation for Foreign Public Documents, - whether an Agreement on Legal Assistance has entered into force between the relevant country and Bulgaria and an Agreement on Legal Assistance is still in force, - or the country does not fall into any of these two groups of countries. <p>Documents issued by the authorities of a foreign country which is a party to the Hague Convention should be certified by an apostille issued by the authorities of that country, in accordance with their competences to perform the certification. The foreign documents certified in this way are not subject to additional legalisations and certifications.</p> <p>Regarding the countries with which the Republic of Bulgaria has signed bilateral agreements for legal assistance, containing provisions on exemption of documents from legalisation and other certifications, the documents issued by the foreign country should bear the relevant particulars, according to the bilateral agreements. The documents issued in this way shall be recognised by the Bulgarian institutions and need to have only a translation into Bulgarian and a certification of the translation.</p>
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			<p>Documents issued by the authorities of a foreign country which is a party to the Hague Convention should be certified by an apostille issued by the authorities of that country, in accordance with their competences to perform the certification. The foreign documents certified in this way are not subject to additional legalisations and certifications.</p> <p>Regarding the countries with which the Republic of Bulgaria has signed bilateral agreements for legal assistance, containing provisions on exemption of documents from legalisation and other certifications, the documents issued by the foreign country should bear the relevant particulars, according to the bilateral agreements. The documents issued in this way shall be recognised by the Bulgarian institutions and need to have only a translation into Bulgarian and a certification of the translation.</p> <p>5. Documents and other papers issued by a foreign country which is not a party to the Hague Convention and with which the Republic of Bulgaria does not have a valid Agreement on Legal Assistance, are subject to legalisation in accordance with the Rules on legalisation, certification and translation of documents and other papers. These documents and other papers shall be legalised abroad by the Bulgarian diplomatic and consular missions only if they are certified by the Ministry of Foreign Affairs of the country in which Bulgarian diplomatic representations are located. Foreign documents legalised by the Bulgarian diplomatic or consular missions do not need additional certification and are valid on the Bulgarian territory.</p> <p>The Bulgarian Ministry of Foreign Affairs shall legalise documents and other papers issued by another country only if they are certified by that country's diplomatic or consular mission located in Bulgaria or by a diplomatic or consular mission defending that country's interests in Bulgaria.</p> <p>Legalisations of documents and other papers issued by a country which has no diplomatic relations with the Republic of Bulgaria, shall be performed by a Bulgarian diplomatic or consular mission in a third country where Bulgaria has a representation and where the country of the document issued has a representation, respectively. In these cases, the document shall be legalised only if it has been certified by the foreign mission of the country where the document has been issued and by the Ministry of Foreign Affairs of the third country where the foreign and the Bulgarian missions are located.</p>
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			<p>In some cases, the Ministry of Foreign Affairs directly legalises such documents and papers, but only if they are certified by the Ministry of Foreign Affairs of the country of origin.</p> <p>If the country has assigned the protection of its interests to another country, the document shall be legalised by the diplomatic or consular mission of that another country.</p> <p>6. According to the additional provisions of the Regulations implementing the Law on Foreigners in the Republic of Bulgaria (paragraph 4 thereof), any document in a foreign language submitted by foreigners to certify facts and circumstances concerning their legal status, must be translated and legalised (in accordance with the provisions of an act adopted by the Council of Ministers).</p> <p>Foreigners who apply for visas in the Bulgarian diplomatic and consular missions abroad should submit legalised documents to the consular officer.</p> <p>The translation of the document may be certified by the “Legalisation and Certification” Unit within the “Administrative Services for Citizens” Department of the Consular Relations Directorate of the Ministry of Foreign Affairs of the Republic of Bulgaria.</p> <p>When official Bulgarian documents are certified by an “Apostille” or are legalised by the Ministry of Foreign Affairs or by the Bulgarian diplomatic and consular missions in order to be used abroad, it is not mandatory the documents to be provided with a certified translation into a foreign language in Bulgaria.</p> <p>According to information received from some Bulgarian diplomatic and consular missions abroad regarding recognising translations made in Bulgaria, Bulgarian documents translated into a foreign language and certified by the Certification and Legalisation Service of the Ministry of Foreign Affairs may not be recognised and translations may be required to be performed in accordance with the relevant national legal provisions (for example in Italy, Austria, Germany, Denmark, Cyprus, Belgium, etc.).</p>
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	<p>EMN NCP Cyprus</p>	<p>Yes</p>	<ol style="list-style-type: none"> 1. The fee of legalising a breeder document in Cyprus, is 5 Euros. 2. Yes. Since 01/07/2020, the public authorities in charge of checking breeder documents work in the Apostille database where they can verify the validity of signatures of public officers in charge of certifying and implementing the Apostille procedures. Through the database they can also verify the example of documents falling within the requested categories, as well as the corresponding departments in charge of handling the requested documents. The database is used by the Ministry of Justice and Public Order (which is the Central Authority) and Citizens' Service Centers. 3. There is a categorization (public and private) of the documents under check. If a document is issued by a public authority, its validity is direct without any other certification. In the case of an Apostille request, the document should be certified that is the true copy of the original issued by the corresponding authority responsible for issuing the original one. In case of a private document this should bear the verification of the signature by a certifying officer. The signed document should then be verified by the District Administration Offices which is the body to verify the validity of the signature of the certifying officer. Following the aforementioned check, the document is sent to the department of the Ministry of Justice responsible for Apostille checks, that is the body to certify the signature of the District Administration Offices. All documents submitted shall be in Greek or English language. Otherwise, they must be accompanied by a certified translation into one of these languages, by the Press and Information Office or by a Consular Authority of the issuing country or by a governmental department/ service of the issuing country. 4. All the accompanying public documents issued in other states, must be duly certified, pursuant to the Law ratifying the Convention on the abolishing the requirement of legalisation for Foreign Public Documents of 1972 (Apostille stamp). If the accompanying documents are issued by authorities of other states which have not ratified the Convention, they should bear diplomatic ratification by stamping the documents by the Ministry of Foreign Affairs of the issuing country followed by a certification by the consular authority of the Republic in that country. All documents submitted shall be in Greek or English language. Otherwise, they must be accompanied by a certified translation into one of these languages, by the Press and Information Office or by a
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			<p>Consular Authority of the issuing country or by a governmental department/ service of the issuing country.</p> <p>5. If in the issuing country there is an accredited diplomatic/ consular authority of the Republic, the following certification shall occur:</p> <ul style="list-style-type: none"> • Certification of the document by the Ministry of Foreign Affairs of the issuing country. • Certification of the signature of the officer of the Ministry of Foreign Affairs of the issuing country by an officer of the diplomatic/ consular authority of the Republic in the issuing country. • Certification of the signature of the officer of the diplomatic/ consular authority of the Republic in the issuing country by the Department of Certifications of the Ministry of Foreign Affairs of the Republic. <p>If there is not an accredited diplomatic/ consular authority of the Republic in the issuing country, the following steps should be followed:</p> <ul style="list-style-type: none"> • Certification of the document by the Ministry of Foreign Affairs of the issuing country. • Certification of the signature of the officer of the Ministry of Foreign Affairs of the issuing country by a diplomatic/ consular authority of the issuing country in a third country. • Certification of the signature of the officer of the issuing country's diplomatic/ consular authority in the specific third country by an officer of the diplomatic/ consular authority of the Republic in that third country. • Certification of the signature of the officer of the diplomatic/ consular authority in that third country by the Department of Certifications of the Ministry of Foreign Affairs of the Republic. <p>6. No</p>
	<p>EMN NCP Czech Republic</p>	<p>Yes</p>	<p>1. It varies between 300/600 CZK.</p> <p>2. The Czech Republic does not use any database. The stamps, signatures etc. has the embassy in the respective state.</p>

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			<p>3. Police experts and immigration officers on embassies have knowledge and expertise to detect forged documents (in case they work with an original document) and in many cases they inform the Department of the Asylum and Migration Policy (DAMP). In case the DAMP has any suspicion on forged document it contacts the respective embassy which than check with local authorities (respective authority which is responsible for that type of document) authenticity of the document.</p> <p>4. See above.</p> <p>5. If the DAMP is not able to verify and legalize a document it contacts the respective embassy of the Czech Republic which can verify its authenticity. If neither this is possible the document cannot be accepted at all.</p> <p>6. Not really.</p>
	<p>EMN NCP Estonia</p>	<p>Yes</p>	<p>1. 30 EUR</p> <p>2. In order to use an official document from other countries, the document needs to be legalised or apostilled, translated and the translation notarised. The officials are trained to read legalisation and apostille stamps. In case of doubt, the immigration authority (Police and Border Guard Board) contacts the Ministry of Foreign Affairs to get a clarification regarding the document's authenticity. A family event document submitted by an EU MS can be checked via the IMI environment, which is accessible to all EU MS.</p> <p>3. Documents are checked by immigration authority and municipalities - depending on what the person is applying for. Consultation is offered by the Ministry of Foreign Affairs.</p> <p>4. The process is the same for legalised and apostilled documents.</p>

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			<p>5. In order to use a public document for any benefit or status, the document must be either legalised or apostilled, unless there is an exemption based on international agreement.</p> <p>6. No</p>
	EMN NCP Finland	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	EMN NCP France	Yes	<p>1. In order to legalize a breeder document from a third country intended to be produced in France, third-country nationals must first have their document legalized by the competent authority of the issuing State (usually, the local Ministry of Foreign Affairs). They must then have it legalized a second time (surlégaliser, “over-legalized”) by the French consulate or embassy in the country of origin (Decree 2020-1370 of 10 November 2020 on the legalization of public documents established by a foreign authority).</p> <p>The cost for legalizing a breeder document at a French consulate or embassy varies between 20 and 25 euros per legalized document.</p> <p>Third-country nationals must then have their document translated by a translator approved or sworn by either the French ‘Cour de Cassation’ or the Courts of Appeal, or authorized by a French diplomatic or consular representation abroad. Third-country nationals have to pay for this translation.</p> <p>2. Regarding international legalization, the verification carried out by the competent French authority (embassy or consulate located in the issuing state) concerns exclusively the signatures of the local authorities as well as the quality of the signatories: civil registrars, when the consular office has their specimen signatures (which is rarely the case) or, more generally, agents of the competent local authority (Ministry of Foreign Affairs) who previously authenticated the signatures of civil registrars. In the latter case, specimen signatures are held by the consular offices, usually in paper format (verbal notes) and more rarely in electronic format.</p>

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			<p>There are no dematerialized databases of signatures and seals of the local authorities in charge of legalizations (i.e. usually, the Ministry of Foreign Affairs).</p> <p>Furthermore, migration authorities responsible for checking breeder documents do not use specific database as such. They conduct breeder documents checks according to a two-step procedure. An examination of the formal aspects of the document and the coherence of the data mentioned is performed at first. In this regard, the staff is trained in order to get basic skills in document fraud detection. Additionally, they can consult country sheet describing the conditions under which these documents are issued. Pictures of genuine documents are also provided.</p> <p>If fraud is suspected, the documents are subsequently the subject of a second thorough check by specialists in fraud detection as part of the French border police. These specialists consult a database which is the French equivalent of Fado.</p> <p>Legalization only provides certainty on formal aspects (issuing authorities). It does not necessarily certify the accuracy of the data.</p> <p>3. The verification of the authenticity of signatures and the quality of signatories (legalization) is a separate procedure from the verification of the content of documents under Article 47 of the Civil Code. When a French consular office is unable to certify the authenticity of the signatory of the competent local authority (i.e. the Ministry of Foreign Affairs), it does not proceed to affix the stamp stating that the foreign breeder documents has been legalized (cf. model annexed to the decree of December 8, 2020). When it is structurally impossible to authenticate the signatories on all of the documents issued by the State of residence (in particular because of the state of decay of the local administrations), and providing that the French Ministry of Europe and Foreign Affairs grants its agreement, the French consular office has the possibility to postpone completely the legalization of these documents. In this case, and only in this case, the documents issued by the third-country national's State of residence can be received in France with only the legalization made by the Ambassador or the Consul of this State in France. This possibility is provided for by article 4-1° of the Decree 2020-1370 of 10 November 2020 relating to the legalization of public documents issued by a foreign authority (which came into force on 1 January 2021). It must be published by the States concerned (see Annex 8 of the table summarizing the current state of treaty law on the "France Diplomatie" website).</p>
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			<p>In order to help performing checks on the legalized breeder documents, country sheets are established, based on data collected by ministry of foreign affairs via the consulates, Where the situation of the civil registration in a third country is not reliable, additional checks can be conducted using accredited local partners such as lawyers.</p> <p>4. According to article L.811-2 of the Code on the entry and stay of foreign nationals and the right to asylum (Code de l'entrée et du séjour des étrangers et du droit d'asile), all foreign breeder documents are subject to verification in line with the conditions defined in article 47 of the Civil Code. Breeder documents are subject to a verification by the migration authorities in order to confirm the identity of a third-country national. This verification is carried out at four different levels, and by different authorities:</p> <ul style="list-style-type: none">• An identity check at the consulate as part of a visa application;• An identity document check at the border performed by police, with the possibility of being sent to a waiting area;• An identity check at the Prefecture as part of a residence permit application;• An identity document check at the OFII, notably for the validation of a long-stay visa equivalent to a residence permit. <p>Therefore, if the authenticity of civil status documents emanating from third countries that are parties to the 1961 Hague Convention is attested by the apostille affixed to the document, which certifies the veracity of the signature, the quality of the signatory, and authenticates the stamp or seal, the French migration authorities will apply the usual verification procedure and will ensure that this document is not irregular, falsified, or that the facts declared in it correspond to reality when verifying of the identity of the third-country national.</p> <p>Similarly, France has signed various conventions relating to the exemption from legalization of breeder documents:</p> <ul style="list-style-type: none">• The Convention of the International Commission on Civil Status of 26 September 1957 on the issue free of charge and the exemption from legalization of copies of official records of civil
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			<p>status (Austria, Belgium, Germany, Italy, Luxembourg, the Netherlands, Portugal, Switzerland and Turkey);</p> <ul style="list-style-type: none"> • The Convention of the Council of Europe of 7 June 1968 on the abolition of legalisation of documents executed by diplomatic agents or consular officers (Austria, Cyprus, Czech Republic, Estonia, Germany, Greece, Ireland, Italy, Liechtenstein, Luxembourg, Moldova, Netherlands, Norway, Poland, Portugal, Romania, Russia, Spain, Sweden, Switzerland, Turkey, United Kingdom); • The Convention of the International Commission on Civil Status of 8 September 1976 on the issue of multilingual extracts from civil-status records (Austria, Belgium, Bosnia-Herzegovina, Croatia, France, Germany, Italy, Luxembourg, Macedonia, Netherlands, Portugal, Slovenia, Spain, Switzerland, Turkey); • The Convention of the International Commission on Civil Status of 15 September 1977 on the exemption from legalization of certain records and documents (Austria, Italy, Luxembourg, the Netherlands, Poland, Portugal, Spain, Turkey); • The Convention of 25 May 1987 abolishing the legalization of documents in the Member States of the European Communities (Belgium, Denmark, Italy, Ireland and Latvia); • Bilateral agreements with 45 countries, under which civil status documents issued by the signatory States are exempt from the usual legalization procedure. <p>In this regard, the Ministry of Europe and Foreign Affairs maintains a summary table (in French) of the current state of treaty law regarding legalization, which lists the various exemptions from legalization or apostille provided for in the conventions and agreements concluded between France and third countries. Thus, breeder documents exempt from legalization under a convention or the EU Regulation 2016/1191 of the European Parliament and of the Council of 6 July 2016, are also subject to verification by the French immigration authorities according to the usual procedure when verifying identity of the third-country national.</p> <p>5. When the state of disorganization of the authorities of the issuing state is such that it does not allow the French consular office to authenticate any of the public documents it receives in a reliable manner, these documents benefit from the derogatory legalization regime provided for by article 4-1° of Decree 2020-1370 of 10 November 2020.</p>
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			<p>When they are issued in a country that does not have a French consular office or where the French Embassy does not have a consular district, foreign breeder documents may be legalized by the nearest competent French Consulate office. For instance, the French Embassy in Guinea-Bissau is a "post of diplomatic presence" (PPD), and therefore does not have a consular district; consequently, the public documents issued by the authorities of this country (and legalized by the Ministry of Foreign Affairs of Guinea-Bissau) are over-legalized by the Consulate General of France in Dakar (Senegal), which is the attached office.</p> <p>Regarding the migration authorities that make use of legalized breeder documents in France, the same procedure as described in 2.2 applies.</p> <p>6. No, the procedure for verifying legalized breeder documents is the same regardless of the ground for the third-country national's stay in France.</p>
	<p>EMN NCP Germany</p>	<p>Yes</p>	<p>1. Fees for Legalization of foreign public documents are charged according to Annex 1 to Section 1 of the Foreign Costs Ordinance (Auslandskostenverordnung). The fee for Legalization of foreign public documents (Foreign birth, marriage, death certificate or Extracts from civil status registers) is 25,- €. The fee for Legalization of other foreign public documents is 45,- €.</p> <p>2. The Federal Office of Administration(BVA) operates a network for the collection, consolidation and dissemination of information on documents of all kinds, called „Informationssystem Urkunden“ (ISU). With the connection to the "ISU-ONLINE" application system operated by the Federal Criminal Police Office, the Federal Office of Administration provides non-police authorities with a tool for checking authenticity and forgery features. In addition, the online application called "Dokumenteninformationssystem" (DOKIS), a comparative database of the Bavarian State Criminal Police Office (Landeskriminalamt), is available to responsible authorities. DOKIS is a web-based search tool for detecting forged and falsified documents. DOKIS contains descriptions of genuine documents and forgeries of personal documents (passports, identity</p>

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			<p>cards), driver's licenses, vehicle documents, residence permits and visas as well as other relevant documents.</p> <p>DOKIS offers additional information and assistance (e.g. a check digit calculation program, language tests, information on certain counterfeiting techniques, links to provisions under immigration law, introduction to "Recognizing forgeries", list of known camouflage and fantasy documents) as well.</p> <p>3. During the entire migration process, different authorities are responsible for securing, ascertaining and verifying the identity of persons concerned and for reviewing the respective eligibility requirements. In order to determine the facts of the case, the competent authorities use evidence which they consider necessary according to their due discretion. These are above all information from the applicant and those involved, documents (in particular civil status documents) and other documents (e.g. certificates of earnings), and expert information (scientific reports such as parentage and adolescence reports or the legal document review procedure). All existing knowledge of the case and the documents must be assessed.</p> <p>The authorities responsible are the Federal Office for Migration and Refugees, the reception facilities of the federal states, the immigration authorities, the German diplomatic missions, the border and police authorities as well as other security authorities.</p> <p>However, checks on legalized documents are not customary. Under German law, a legalized foreign document is considered as authentic (§ 438 (2) Code of Civil Procedure) and therefore establishes full proof of the facts set out therein (§ 418 Code of Civil Procedure).</p> <p>Foreign public documents to which none of the exceptions apply can be legalized for use in Germany. Legalization is performed by the consular officers of German embassies and consulates in the country where the document was issued.</p> <p>4. Public documents originating from States which are party to the Hague Convention abolishing the Requirement of Legalization for Foreign Public Documents of 5 October 1961, no longer need to be legalized. All that is required for these documents is the so-called "Hague apostille".</p> <p>The "Hague apostille" confirms the authenticity of a public document, the original of which must be submitted to the designated authority. The "Hague apostille" is issued by designated authorities of the state which issued the document. It is not necessary to contact the German mission in that country.</p>
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			<p>Contracting States parties to the Convention of 8 September 1976 and 5 September 1980 which issue Civil status documents and certificates of no impediment (for marriage) by following the model contained in the International Commission on Civil Status Conventions (CIEC) are exempt from all form requirements in Germany.</p> <p>In addition, Germany has concluded bilateral treaties in the field of civil status and the certification of documents. In these treaties it was agreed to abolish legalization for certain types of document or to replace it with a provisional legalization procedure.</p> <p>It is not customary to perform checks on these documents (see explanations under 3.3., last paragraph).</p> <p>5. In most countries where Legalisation does not occur or where Germany cannot legalise documents independently, local German consular officers can offer alternative procedures to verify the authenticity of documents. However, this service is available upon request of German authorities only.</p> <p>The authority to which the document was presented decides in the exercise of its discretion , taking into account the individual case, whether a foreign public document can be regarded as genuine for German legal purposes. Proof of the authenticity of the document is provided by legalization. In most of the countries in which legalization has been discontinued, there is the possibility of document verification by the diplomatic mission</p> <p>If the information provided by the applicant appears plausible and there are no concrete doubts as to the accuracy of the content of his documents, it is sufficient to check the authenticity of the documents. If possible, the diplomatic mission abroad will carry out this test itself. If this is impracticable, for example because the register is not kept centrally but at the local registry offices, the diplomatic mission assigns a person or company known to be trustworthy to carry out the check.</p> <p>In cases of doubt, the diplomatic mission assigns a person or company known to be trustworthy to carry out a comprehensive check that relates to both the authenticity and the correctness of the content of the documents. Such a check will usually include checking the authenticity of the documents by checking with the civil status register, questioning relatives and other people (neighbors, village chiefs).</p> <p>6. As regards performing checks on legalised breeder documents, German legislation does not set out different procedures for different grounds of stay. This notwithstanding, the procedure for a residence permit for family reasons and the procedure for the purpose of training or employment usually is preceded by a visa procedure. The identity and the relevant documents of the applicant is therefore</p>
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			<p>already checked accordingly in the German diplomatic mission abroad. In such cases, an additional check in Germany is not necessary on a regular basis.</p>
	<p>EMN NCP Hungary</p>	<p>Yes</p>	<ol style="list-style-type: none"> 1. The consular fee of legalisation is 5,500 HUF (approximately 15 euros) per signature, which amount must be paid upon submission of the document. 2. No information. 3. In the case of documents submitted in connection with a stay within the territory of Hungary exceeding 90 days, the National Directorate General for Aliens Policing assesses the documents available on the basis of the applicable immigration legislation, taking into account the content of the information sent to the immigration authority by the country of origin or its diplomatic mission (e.g. form, and content of specimens). 4. Pursuant to the applicable national regulations, a public document issued abroad or a private document authenticated by a foreign court, administrative body, notary public or other person endowed with public authority, unless otherwise provided by law, international treaty or reciprocity, has probative value under Hungarian law only, if it has been legalised by the authority of the Hungarian diplomatic mission operating in the state where it was issued. Unless otherwise provided by law, a document issued in a language other than Hungarian may only be accepted with an authentic Hungarian translation. In the light of the above, in order to verify the authenticity of documents issued abroad, our authority checks in all cases, whether there is an Apostille attached to the document. In case of any suspicion, it is possible to involve a document expert to check if a given document is a fake or counterfeit document. 5. In case of any suspicion, it is possible to involve a document expert to check if a given document is a fake or counterfeit document.

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			<p>6. In general: a public document issued abroad or a private document authenticated by a foreign court, administrative body, notary public or other person endowed with public authority, unless otherwise provided by law, international treaty or reciprocity, has probative value under Hungarian law only, if it has been legalised by the authority of the Hungarian diplomatic mission operating in the state where it was issued. Unless otherwise provided by law, a document issued in a language other than Hungarian may be accepted only with an authentic Hungarian translation.</p> <p>When applying for an Interim Permanent Residence Permit, a National Permanent Residence Permit or an EC Permanent Residence Permit, the applicant is required to present his/her valid travel document and to attach the following documents to his/her application inter alia:</p> <ul style="list-style-type: none"> -his/her birth certificate -his/her marriage certificate, if the applicant is married -in case of the dissolution of his/her marriage, the final decision of the authority establishing the dissolution of the applicant's marriage, and -in case of a minor: an authentic instrument under the personal law of the minor applicant stating that there is no legal impediment to the third-country national minor's permanent residence. <p>In addition to the above mentioned attachments, when submitting an application for a national permanent residence permit, the applicant is required to attach a certificate of clean criminal record issued within six months of the date by the competent authority of the country of permanent or habitual residence prior to his/her entry to Hungary. A minor under the age of fourteen is not required to submit a certificate of clean criminal record.</p>
	EMN NCP Italy	Yes	<p>1. Data not available.</p> <p>2. Yes, there are computer devices that allow document control. In addition, the control authorities also have samples of documents to verify the correspondence of the document. These devices are in use by the border and immigration authorities.</p>

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			<p>3. Document checks are carried out systematically, but if there is information that documents have been stolen in some countries, this information is used to carry out a more thorough check. In addition, where suspicions of falsification of documents allowing the unlawful acquisition of a legal title to stay in Italy emerge, the Central Operational Service of the Central Anti-crime Directorate of the State Police carries out an a posteriori control in the form of investigative activity.</p> <p>4. Documents that are apostilled in our Member State are checked directly by the authority (Prefecture) that performs the apostille.</p> <p>5. The applicant must provide the original document from the country and then the checks are carried out by the authority that legalizes the document.</p> <p>6. No, the document check is the same for all grounds of stay.</p>
	<p>EMN NCP Latvia</p>	<p>Yes</p>	<p>1. 15 EUR – within 2 working days, 30 EUR – within 2 hours.</p> <p>2. Immigration authorities do not have such a database. Each organization may collect the stamps and samples of documents and to use this collection for a reference. Ministry of Foreign Affairs – the responsible institution for the legalization has all the necessary information and if a document is legalized by the MFA, it is usually not checked repeatedly by other authorities. In case of doubt, other institutions can refer to the MFA and to ask for a clarification.</p> <p>3. Immigration authorities are constantly informed by the MFA on the tendencies in the context of forged documents. Information on the predominance of counterfeited documents is mostly used by the MFA when legalizing documents issued by the respective countries. In case of doubt, immigration authorities can refer to the MFA for further clarification/checks.</p> <p>4. The procedure is easier with countries where the electronic register of APOSTILLE is maintained (e.g., Ukraine, Columbia) as all APOSTILLE's that have been issued, can be checked in that register. Then there</p>

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			<p>are special agreements on cooperation in judicial issues with some countries (e.g., Russia, Uzbekistan, Moldova, Kyrgyzstan, Belorussia etc.) and in the framework of those agreements it is possible to ask a country to confirm the issuance of the respective document/APOSTILLE. Of course, this procedure can take some months but it has given very positive results and several forged documents have been detected. In some cases there is a possibility to refer to the Embassy of the respective country who has issued the document but this option has been used only in very rare cases.</p> <p>5. Latvia does not accept the document without a legalization. If such situation would arise, a person cannot enter the country. In very rare cases, it is allowed that the submission of the legalized document is postponed for some months and a permit issued without it. Other exception is related to family reunification in cases of international protection.</p> <p>6. Latvia performs the same procedure for all documents irrespectively of the reason of stay of a person.</p>
	<p>EMN NCP Lithuania</p>	<p>Yes</p>	<p>1. According to Art. 11 of Government Decree No. 1108, as of 1 December 2020, the consular fee for the legalization and certification (Apostille) is EUR 20 for each document.</p> <p>2. No. Breeder documents are reviewed by the Migration Department under the Ministry of the Interior during the process of application for a residence permit. However, while the Migration Department works with multiple databases when processing applications, it does not check the authenticity of breeder documents <i>per se</i>, provided that they have been duly legalized or certified. The checks are performed at the stage of legalization/ certification by the Consular Department of the Republic of Lithuania or the relevant diplomatic mission or consular post of the Republic of Lithuania by means of contacting the authorities of the foreign state that issued the documents.</p> <p>3. Checks on duly legalized or certified breeder documents are not performed.</p>

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			<p>4. Documents issued by foreign states that have an approval certificate (Apostille) are accepted as valid without any additional certification. There is no substantial difference between certified and legalized breeder documents as far as their use is concerned.</p> <p>5. According to Art. 6 of Government Decree No. 1079 of 30 October 2006, only documents that have been legalized by a diplomat or a consular official of the issuing state can be legalized in the Republic of Lithuania.</p> <p>6. The procedure for reviewing applications is the same regardless of the grounds of stay.</p>
	<p>EMN NCP Luxembourg</p>	<p>Yes</p>	<p>1. The fee for legalising documents in Luxembourg is of 20 Euro.</p> <p>2. Yes. In principle the documents will be received by the Directorate of Immigration. The documents enclosed must be originals or certified true copies (except for the passport where a plain copy will suffice). Should the authenticity of a document be in doubt, the Minister of Immigration may request that the document be authenticated by the appropriate local authority and legalised by the Embassy (or alternatively notarised with an apostille in accordance with the Hague Convention). If the documents are not drawn up in German, French or English, an official translation by a 'sworn translator' must be attached. However, as Luxembourg does not have a large diplomatic network it depends on other Member States, which have a larger diplomatic network so the procedure for legalisation will depend on their own internal procedures. In any case, a document can be sent to the competent service of the Police in charge of these kind of document verification. 3. A special unit of the police (Unité de Police de l'aéroport) is responsible for the document checks. This Police unit can use different databases to check the breeder-documents or other documents. An example of a database is the DISCS-Database (a database with examples of how official documents should appear).</p>

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			<p>3. The Directorate of Immigration does not systematically send breeder documents to verification. However, taken into consideration past experience and trends that have been detected from groups of third-country nationals breeder documents will be sent for verification to the UCPA. Normally, it is the Directorate of Immigration which deals with the breeder documents and not the municipalities</p> <p>4. In principle, there is no systematic verification of documents from countries that are part of the Hague Convention (Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents) if there is no suspicious that the document is counterfeit or false. In those cases, the procedure is the same of documents that come from countries which are not part of the convention.</p> <p>5. See answer to question 2.</p> <p>6. No. The procedure is the same for any type of false document.</p>
	<p>EMN NCP Netherlands</p>	<p>Yes</p>	<p>1. The fee of legalisation is € 26,25.</p> <p>2. Yes. The Dutch officials use the system DISCS, developed by the IND. The system is used and complemented/fed by different agencies and contains different specimen. The IND is responsible for the 'breeder document' part (internationally available). The Ministry of Foreign Affairs is responsible for adding specific agency- and country information regarding stamps, names and signatures of legalisation officials (e.g. MFA, embassy employees and post officials). Country information on available registers and documents is also registered. This information is requested once every two years from the consular posts, in the meantime posts regularly exchange information (this information is only available within the Netherlands).</p>

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			<p>3. In the Netherlands two different authorities perform checks on breeder documents. These are the national immigration authority (Immigration and Naturalisation Services, IND), which is part of the Ministry of Justice and Security, and municipalities.</p> <p>There is no way that officials can fully take into account the local context. Officials of the IND are not aware of any local contexts in play other than what has been provided by DISCS or official messages. That information can be used to weigh in when performing checks.</p> <p>Officials of the municipality can consult the knowledge database when interpreting local legislation (e.g. parentage-, marriage- and divorce law). Besides the knowledge database, officials of the municipality also use DISCS for country specific information.</p> <p>4. When a country falls within the Apostille Treaty, the process of legalisation of a breeder document begins and ends with the authority that is assigned by that country.</p> <p>For the Dutch officials that use breeder documents it does not necessarily make a difference for performing checks, the process stays the same. Except for the fact that there is no legalisation stamp from a Dutch authority that officials need to check, since they trust on the legalisation process of the specific country.</p> <p>5. If third countries do not cooperate in legalising the breeder document, IND or municipality officials will check the breeder documents on security features (in the best way possible) and a substantive check will take place. DISCS can also be consulted.</p> <p>When the Netherlands is not able to legalise in a third country, first, checks will be performed on the signatures of the foreign agencies in DISCS, by IND or municipality officials. Secondly, the contents will be checked against other personal details of the holder in their file that is available to the officials. Thirdly, if available on the document, the photo and signature will be checked against those of the holder on file. Finally, any other indications can be checked.</p> <p>Expert knowledge is available for documents when officials have doubts about the layout, security features and authorizations (stamps, signatures, other official marks).</p> <p>Municipality officials can also consult country information from multiple knowledge banks (HBA, VIND) to check whether the type of breeder document even exists according to the laws and regulations of the third country. These knowledge banks also provide additional country specific information about context specific situations in that country.</p>
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			6. No, every breeder document that is being checked at the IND and municipalities follows the same process.
	EMN NCP Portugal	Yes	<p>1. Five euros (payable to the Portuguese Foreign Ministry).</p> <p>2. Ministry relies on official diplomatic written communications from other States, containing facsimiles of the signatures of authorized officials of the respective Ministry of Foreign Affairs (either at the respective Capitals, or in their Embassies accredited to Portugal).</p> <p>3. In nationality processes, whenever the documents come from some countries whose history of presenting false documents is greater or whenever well-founded doubts are raised, confirmation of the content of the certificate is requested from the issuing authorities, through the competent consular post. The process is halted until the response is received. The Portuguese Foreign Ministry relies on information conveyed by the Portuguese Diplomatic and Consular Missions, and from other relevant Portuguese Authorities.</p> <p>4. If issued within the scope of the Apostille, the procedure is as set out in the previous question. If issued within the scope of the EU regulation, the verification is carried out in accordance with the stipulated in regulation 2016/1191, against the repository of copies in eJustice and if the doubt persists, the request is made via the IMI system.</p> <p>5. There is usually always a competent consular post even if it is not located in the country issuing the document.</p> <p>6. N.A.</p>

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	<p>EMN NCP Slovakia</p>	<p>Yes</p>	<p>1. Based on the Act on Administrative Fees No. 145/1995, Annex XVIII. Part Consular fees, item 254 b) is the fee for legalisation of public documents issued by foreign authorities which are to be used in the Slovak Republic 20 Eur for each legalisation act.</p> <p>2. No, there is no such database in the Slovak Republic. The legalisation of documents is in the responsibility of the Ministry of Foreign and European Affairs of the SR (MoFEA). As for the immigration process, in case of doubts about the authenticity of the public document (e.g. breeder document, criminal records extract) or about the accuracy and legitimacy of its legalisation the immigration authority which in Slovakia is the police authority of Bureau of Border and Foreign Police of the Police Force Presidium (BBFP) contacts the relevant department of MoFEA (e.g. the relevant Embassy). For the purposes of its guidance activities the BBFP on a regular basis and also on ad-hoc basis collects information on public documents, mostly on criminal records extracts through MoFEA (Embassies of the SR abroad). These mostly concern the process of issuance of the criminal records extract in the relevant country and possibly also requests the specimen of this criminal records extract. These information are stored by BBFP in electronic form for internal purposes. As for other acts where the legalisation of breeder documents is needed (e.g. legalisation of breeder documents when a TCN is getting married in the SR), the Ministry of Interior has signature specimens of all relevant employees and specimens of stamps of public authorities which issue the breeder documents, confirmations, decisions on name or surname change in paper form. These are updated on regular basis.</p> <p>3. As for the immigration process the control mechanism is described in question 2. If the BBFP as the immigration authority has information on falsification of breeder documents, then the BBFP contacts the MoFEA (e.g. the Slovak Embassy abroad). For the purpose of verification and acquiring information on falsified breeder documents the BBFP uses also the information system iFADO. As for other acts where the legalisation of breeder documents is needed (e.g. legalisation of breeder documents when a TCN is getting married in the SR, application for some social benefits) if the provided public document issued by third country has the legalisation clause of the relevant Ministry of Foreign Affairs and subsequently is the document superlegalised, stamped and signed by the authorised employee of the Embassy of the SR in that country (or accredited Embassy for that country), the authenticity of the document is not questioned.</p>
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			<p>Within the local consular cooperation of the EU countries' Embassies or the local Schengen cooperation the exchange of information is taking place, e.g. via anti-fraud meetings focused on documents falsification. The Slovak Embassies has the obligation to participate in these meetings and apply the gained knowledge in practice.</p> <p>4. The SR has the prepared list of countries around the world, where the legalisation process is described. This is regularly updated, e.g. in case a country accessed the Haag Agreement on Apostilles or accepts the public documents without legalisation following the Regulation on Public Documents (No. 2016/1191) which was adopted on 6 July 2016 and which is applied in all EU countries from 16 February 2019 and facilitates the circulation of public documents.</p> <p>In consular activities in the area of production and legalisation of documents and their translations the Slovak Embassies and the MoFEA of the SR follow the Act No. 151/2010 on Foreign Services Article 14e and 14f and the Consular Directive No. 46/2019 which is the internal guideline of the MoFEA. The Controlling authorities while performing control follow the Act No. 10/1996 on the Public Service Control and in the MoFEA also the Internal Directive on Internal Control No. 35/2008.</p> <p>Further information is provided in question 2 and 3.</p> <p>5. If the SR has no Embassy in the relevant country, Embassy of the SR in other country is authorised to carry out the superlegalisation.</p> <p>Further information is provided in question 2 and 3.</p> <p>6. No, the control process does not differentiate the control mechanism of public documents for different grounds of stay.</p>
	<p>EMN NCP Sweden</p>	<p>Yes</p>	<p>1. As stated in the previous ad-hoc query Sweden do not use breeder documents. All applicants must provide a copy of their passport which is the base for the handling of the application. Marriage certificate can be used for family reunification and in that case it should be translated to Swedish or English and also provided in the original language.</p>

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			<p>2. Not applicable since we are only handling applications based on the applicant's passport.</p> <p>3. Not applicable</p> <p>4. Not applicable</p> <p>5. Not applicable</p> <p>6. For all kinds of applications for legal migration the applicant must present a copy of his/her passport.</p>
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