

MEMBER STATE: GREECE

**ANSWERS TO THE QUESTIONNAIRE CONCERNING
THE HAGUE CONVENTION OF 5 OCTOBER 1961 ABOLISHING THE
REQUIREMENT OF LEGALISATION FOR FOREIGN PUBLIC
DOCUMENTS**

Question 1. *"In practice, what are the kinds of public documents (e.g. commercial documents, birth certificates) for which the competent authority(ies) in your state is (are) most commonly called upon to issue apostilles?"*

The competent Greek authorities for the issuance of apostilles (i.e. the local Prefecture for public documents issued by the Prefecture authorities, the local District for any other public documents and the local Court of First Instance for judicial documents, pursuant to the relevant Greek legislation – Law 1497/1984 as amended) are most commonly called upon to issue apostilles for certificates by municipalities and other public authorities, regarding public documents, court decisions and relevant judicial certificates, regarding judicial documents.

Question 2. *"Do you have statistics at your disposal with respect to the number of apostilles issued by your competent authorities (by type of document, if possible)?"*

For judicial documents, the Court of First Instance of Athens, which is the largest Court of First Instance in the country, issued circa 350 apostilles in 2002 (from which around 200 documents were certificates, around 100 documents were court decisions and around 50 documents were various judicial documents). For public Documents, the District of Attica, district of the capital city of Athens, issued, in 2002, circa 3.500 apostilles (from which circa 2.000 were certificates by municipalities). From January until the end of September 2003, the District of Attica has issued over 4.000 apostilles.

Question 3. *"Pursuant to the application by the European Community for membership of the Hague Conference, it will need to be determined to what extent the Hague Conventions, and in particular the "Apostille" Convention, should or could be extended to regional economic-integration organizations. Do you consider that it would be necessary or appropriate to adopt a protocol favouring the adoption of a clause similar to that of Article 18 of the Hague Convention on the law applicable to certain rights in respect of securities held with an intermediary?"*

It would be useful to include a clause similar to that of Article 18 of the Hague Convention on the law applicable to certain rights in respect of securities held with an intermediary, enabling regional economic-integration organizations to participate in

the Apostille Convention. In particular, participation by the European Community is essential regarding the issuance of apostilles for Community documents.

Question 4. *"Would you be in favour of the adoption of a protocol designed to enable a State with several units to extend the application of the Convention to one or several of its territorial units?"*

Yes. This option would enhance the proper application of the Convention in that the Apostille would be issued by the most appropriate authority (the territorial unit's authority), in cases of States with several territorial units.

Question 5. *"Can you specify the price charged by the competent authorities in your country for issuance of the apostille?"*

For public documents there is no charge for the issuance of apostilles (by the local District or Prefecture). For judicial documents, there is a charge of 0,50 Euros by the Court of First Instance.

Question 6. *"In practice, have you encountered difficulties connected with the formal requirements provided for under the Convention?"*

No.

Question 7. *"Practical information relating to the methods used to affix the apostille would be very useful. In particular, how do you proceed when the public document to receive the apostille has several pages?"*

Concerning multi-page documents, the apostille is affixed at the end of the document, and the public authority issuing the apostille affixes its stamp between the pages of the document to ensure unity of the document. The Districts and Prefectures affix the apostille by means of a rubber stamp, whereas at the Courts of First Instance the apostille is printed on a separate sheet of paper.

Question 8. *"Is consultation of the register or card index for verification requested frequently?"*

Consultation of the register or card index is done rarely and only in case of request for verification of authenticity by the receiving foreign authorities.

Question 9. *"Do you use signatures by mechanical means, stamp and/or electronics, to fill in apostilles? If so, have security measures been taken to avoid any fraud? If so, which?"*

The original signature and the completion of the information on the apostille are made by hand. Neither mechanical nor electronic means are used in this respect.

Question 10. *"Do you use an electronic medium to keep the "register or card index" provided for under Article 7 of the Convention? If so, do you also keep a paper copy of the entries and if not, do you contemplate doing so? What are your reasons?"*

None of the Districts or Prefectures keeps a computerized index. The Court of First Instance of Piraeus maintains an electronic index, without keeping a paper copy of the index; on the contrary it maintains, in paper copy, the petition by the applicant for the apostille and a photocopy of the completed and duly signed apostille for every document submitted. The Court of First Instance of Athens is completing the computerization of its archives. Upon completion of this project, the apostille index will also be kept in electronic form with this authority.

Question 11. *"Do you issue apostilles for electronic documents? If so, can you provide us with details of the manner of that issuance and if not, do you think this possibility can be contemplated?"*

No. This possibility, however, should be examined.