



**Response to the Questionnaire on The Hague Convention
of 5 October 1961 Abolishing the Requirement of
Legalisation for Foreign Public Documents**

10 October 2003

NEW ZEALAND

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?

New Zealand is most commonly called upon to issue apostille certificates for broadly two categories of documents:

- (i) *Personal documents* to be used by individuals for a specific purpose such as marriage abroad/application for citizenship: including birth certificates, marriage certificates, certificates of no impediment, certificates of search, divorce certificates, adoption certificates.
- (ii) *Commercial documents* to be used to facilitate the sale of goods abroad or the purchase of goods from abroad: including certificates of incorporation, certificates of free trade etc

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)?

New Zealand began to issue apostille certificates on 22 November 2001:

?? Year 1 (22 November 2001 – 30 June 2002) – 1,199 certificates were issued

?? Year 2 (1 July 2002 – 30 June 2003) – 2,436 certificates were issued

?? Year 3 (1 July 2003 – 30 August 2003) – 739 certificates have been issued to date.

Number of certificates issued by type of document

Document	Nov 2001 – June 2002	July 2002 – June 2003	July 2003 – August 2003
Birth certificates	310	745	233
Marriage certificates	103	257	73
Power of attorney	45	90	18
Adoption	24	24	4
Certificate of search	95	109	20
No impediment to marriage	95	195	42
Death certificates	10	48	1
Divorce certificates	23	39	11
Commercial/other documents	494	929	337
Total	1199	2436	739

3. **Pursuant to the application by the European Community for membership of the Hague Conference, it will have 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*?**

New Zealand is open to considering this possibility, but would want more information about the practical implications of how this would work in the context of this Convention.

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?**

In principle, New Zealand would be supportive of such a measure on the basis that it increases coverage of the Convention.

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

NZ \$ 40.00 + Goods and Services Tax = NZ \$ 45.00

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

New Zealand has not experienced any difficulties with the formal requirements of the Convention.

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?**

The apostille is, in all cases, printed out on letterhead paper. The apostille certificate is then bound to the document with blue ribbon, which is affixed to the apostille with the seal of the New Zealand Department of Internal Affairs.

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

No. To date, this has not been requested at all.

- 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?**

No. The signature is always affixed manually.

- 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?**

Yes. The register is kept on an Excel spreadsheet. A print-out is archived at the end of each month.

- 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?**

New Zealand has not issued apostilles for electronic documents. To date, process has not been requested by any clients. New Zealand has not yet considered the possibility of issuing apostilles for electronic documents.