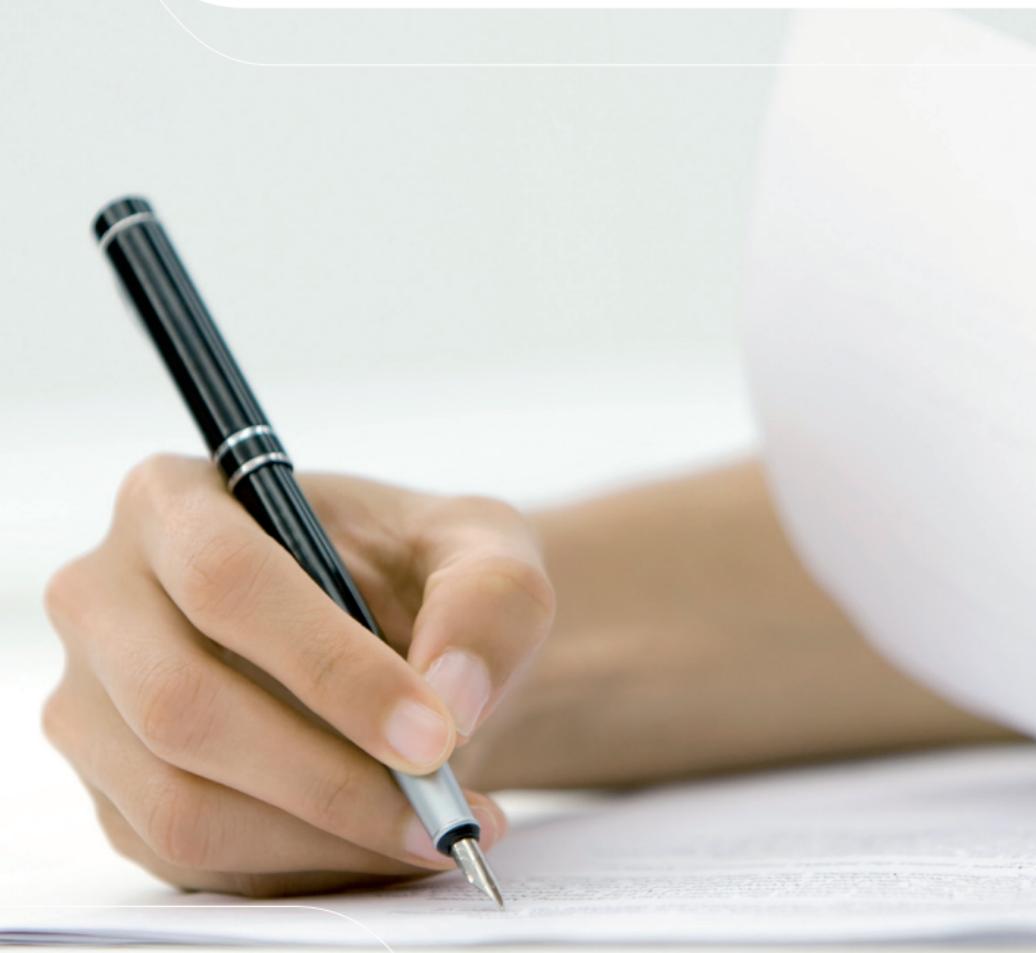


The legalisation



› Legalisation of documents in Belgium



Federal Public Service
Justice

.be

INTRODUCTION

In order to be duly recognised by a public authority different from the one that issued the document in question or by a public authority in a different country, some documents are required to be legalised. This brochure provides a broad outline of what this means and which procedures are in place in Belgium in order to be able to legitimately use Belgian or foreign documents in a range of different civil and commercial matters.



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What is a legalisation?

- › Legalisation is described as the procedure in which a civil servant **confirms the authenticity (or truthfulness) of a signature** (or a string of signatures) on a document.
- › If the document concerned is a public instrument, the legalisation procedure also includes the confirmation and authentication of the capacity of the signatory and the identity of the official seal or stamp applied onto the document.
- › Legalisation is a simple and straightforward administrative formality, which does **not confer any authenticity to the content and substance** of a document.
- › However, legalisation does confer the required probative value onto Belgian or foreign documents for these documents to be used either in Belgium or abroad.

Please note:

- › Only *original* documents or true and certified copies thereof, issued by the same authority, can be legalised.
- › The period of validity of some public instruments is *limited* (e.g., 3 or 6 months, 1 year or longer following the date of issue).
- › False, counterfeited, forged or scanned documents, legalisation of which is refused may be confiscated. If reasonable doubt exists as to the authenticity an inquiry is instigated.

Is the legalisation of documents mandatory?

Depending on the country of origin or destination, documents may or may not be required to be legalised. This applies to applications for citizenship for example. In some countries, all that is required is an **apostille** (an official form) to be appended to the document. You can find out which arrangements apply to your particular situation by logging on to either <http://diplomatie.belgium.be/en/> (click on "Legalisation" in the "Services" section) or www.hcch.net ("Apostille section") or with the competent department C3.5 of the Federal Public Service for Foreign Affairs



Who translates documents to be legalised?

Documents drawn up in a foreign language intended to be used in Belgium as well as documents drawn up in Dutch, French or German intended to be used abroad as a rule are translated by **sworn translators**. Both documents, the source document and the translation, subsequently need to be legalised by the respective public authorities.



Where can you have documents legalised?

In Belgium, various public authorities exist at **local, regional or federal** level that are duly competent to legalise signatures, insofar as a specimen (model) of the signatures in question have been deposited. Each public authority is only competent to a degree, i.e. for the verification of the known signatures.

This goes to explain why often several applications and/or trips are involved, if necessary in a specific order sequence (referred to as the so-called **legalisation chain**). It could take up to several weeks to gather all required documents and to have them duly legalised. Something you would be well advised to take into consideration.

Depending on the origin of the document that holds the signature to be legalised, you will need to address yourself to one or several of the public authorities that are specified below. Within the scope of this brochure, it is impossible to provide a comprehensive overview of which documents need to be submitted where.

A few indications are listed on the following pages.

Are you seeking to use a Belgian document in Belgium?

- › Documents drawn up by the **local registrar** (e.g., birth certificates, marriage certificates, divorce certificates, criminal record extracts) or the local chief of police can be used in Belgium without further legalisation.
- › **Private** deeds (drawn up by and between the parties themselves, without the involvement of any third parties) usually do not need to be legalised.
- › The signature of a **private person** can be legalised by the local council of the place of residence of said person. In principle, there is nothing to prevent the mayor or his representative, on their own responsibility, from deciding to legalise the signature of a person who is not domiciled in their town. For example, mayors of coastal towns are allowed to legalise the signature of persons who are staying in their town on a temporary basis during the holidays.

Are you seeking to use a Belgian document abroad?

- › Documents signed by a **private person** must be certified by the local council or by a notary public.
- › Documents signed by a **lawyer** or the President of the Bar Council are legalised by the mayor or by a notary public.
- › Documents signed by the local **chief of police** (e.g. police interview reports) in all cases are required to be legalised by the mayor or, in his absence, by a member of the bench of Aldermen.
- › Documents drawn up by a **local registrar** (e.g., birth certificates, marriage certificates, death certificates) or by a **governor** must be legalised by the Federal Public Service for Foreign Affairs.
- › Applications for the legalization of documents drawn up by a Belgian **notary public** (e.g., last wills and testaments, deeds of sale, company incorporation deeds), can be filed by the notary public directly on the website of the Foreign Affairs.
- › Certain documents from the **RIZIV** (National Institute for Sickness and Disability Insurance), the **Federal Public Service for Financial Affairs** or the **Chamber of Commerce** (e.g., certificates for product registration, lease contracts) can be legalised directly by the Federal Public Service for Foreign Affairs.

- › For the legalisation of diplomas awarded by **educational institutions**, from primary up to university level, in principle please apply to the Community which the educational institution comes under; the local council will however legalise school reports and school certificates for schools that come under the municipal education system.
- › For the legalisation of documents signed by a **physician** (e.g., medical certificates) please apply to the Federal Public Service for Public Health.
- › Expertise reports drawn up by a **police physician** (e.g., autopsies) are legalised by the competent law courts.
- › Translations handled by a **sworn translator** in Belgium are legalised by the president of the Court of First Instance where the sworn translator swore the oath.
- › Documents carrying the signature of Belgian **magistrates** (e.g., court rulings, statutory statements, non-appeal certificate, bankruptcies) or some **authorised Court Registrars** (e.g., true and certified extracts/copies) are to be legalised by the Federal Public Service for Justice.
- › Documents issued by the **Constitutional Court** (formerly known as the Court of Arbitration) are to be legalised by the Registrar of the Constitutional Court or by the Prime Minister.
- › Documents issued by the **Belgian Law Gazette** (e.g., extracts from articles of association) are legalised by the FPS for Foreign Affairs.

- › Documents delivered by a department of the Federal Public Service for Justice, such as **certificates of custody** (General Directorate for Penitentiary Institutions, Individual Cases department), are legalised by the Federal Public Service for Justice.
- › Others documents delivered by the FPS Justice, such as **affidavits of law** and **criminal record extracts**, are legalized by the FPS Foreign Affairs.
- › **The writs** that are signed by the titular bailiff or the substitute candidate-bailiff are legalised by the legal department of the Nationale Kamer van Gerechtsdeurwaarders (NKGB; National Chamber of the Bailiffs).

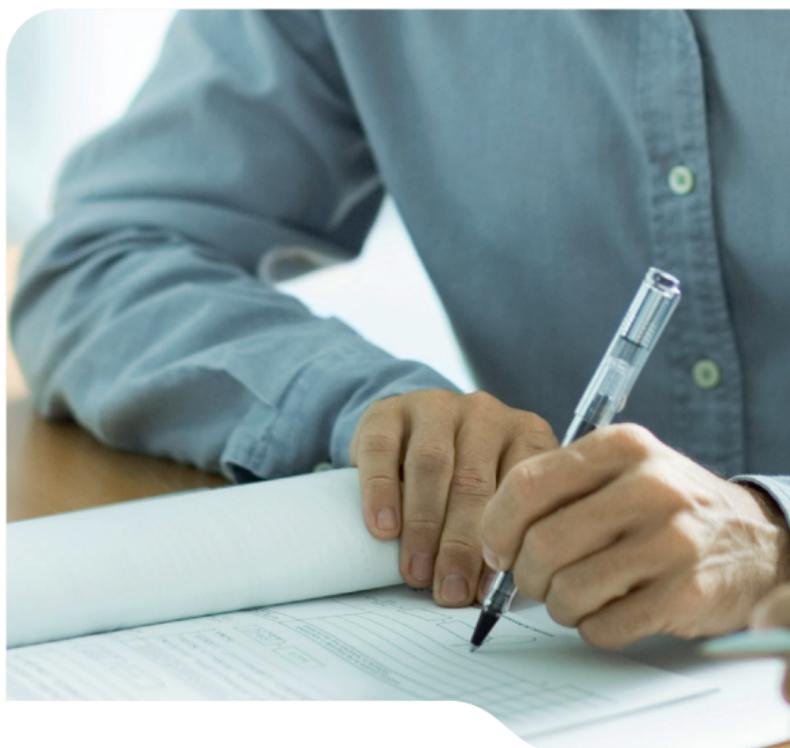
Please note:

You may need to combine several **consecutive steps**. For example, documents carrying the signature of a Belgian magistrate, that are intended to be used abroad, are successively legalised by the Federal Public Service for Justice and the Federal Public Service for Foreign Affairs. In some cases, the document intended to be used abroad may subsequently be required to be submitted to the diplomatic mission (embassy or consulate) of the country concerned in Belgium.

Please inquire with the competent authorities first (see the 'Further information' and 'Useful addresses' sections).

Are you seeking to use a foreign document in Belgium?

The manner of legalisation of documents drawn up abroad depends on the **country of origin** of the document. You are advised to get in touch with the C3.5 department of the Federal Public Service for Foreign Affairs specified below.



Do you need to come and present your document in person?

You are **not** required to present yourself in person, except for documents signed by a private person. Anyone can present him or herself to the competent departments and services carrying the documents to be legalised.

On the other hand, you can send the documents to be legalised by regular **post**. If you prefer this option, please make sure you clearly state your contact details. However, by way of precaution, you are advised to send in your documents by recorded delivery.

Please note:

In principle, applications sent in by regular post are returned to the applicant by recorded delivery after each step.

How much does it cost to have a document legalised?

For each legalisation, the municipal authorities and the Federal Public Service for Foreign Affairs charge a fixed sum (stamp duties).

Legalisation via the court, via the National Chamber of Bailiffs, via the FPS Justice and via the communities is **free of charge**.



Further information

- › Further information on **certificates that relate to Belgians and that were drawn up abroad** is available from the <http://diplomatie.belgium.be/en/> website of the Federal Public Service for Foreign Affairs and/or the C3.2 Burgerlijke stand en Familierecht departement (*Public Records and Family Law Office*) of the FPS for Foreign Affairs, Karmelietenstraat 15, 1000 Brussels.
- › For further information regarding **naturalisation** please read the accompanying note to the application form and consult the www.dekamer.be website (*menu: 'How do I become a Belgian?'*) of the Kamer van Volksvertegenwoordigers, Dienst Naturalisaties (*Chamber of Deputies – Naturalisation Department*), Regentlaan 35 in 1000 Brussels, phone 02 549 93 00, (open from 9 am tot 12 noon).
- › For further information on the topic of **adoptions** please consult the 'Adoptie in vogelvlucht' (*Round-up of adoption legislation*) and 'Internationale adoptie' (*International Adoption*) brochures (also available at http://justice.belgium.be/fr/themes_et_dossiers/personnes_et_familles/adoption/) issued by the Federale Centrale Autoriteit – Dienst Internationale Adoptie (*Federal Central Authority - International Adoptions Department*), Waterloolaan 115, 1000 Brussels, phone 02 542 71 61, e-mail: adoption.int.adoptie@just.fgov.be

- › For further information in connection with the **criminal register** please address the Centraal Strafreger (Central Criminal Register), 80 boulevard de Waterloo, 1000 Brussels, phone 02 552 27 47, e-mail: strafregister@just.fgov.be
Open from 9 am to 11:30 am and from 2 pm to 3:30 pm
- › For further information on **getting married abroad** please contact the Dienst Familierecht department (Family Law Office)
Waterloolaan 115 in 1000 Brussels,
phone 02 542 67 36
e-mail: secretariaat.familierecht@just.fgov.be
- › For information concerning **the legalisation of signatures of bailiffs and candidate-bailiffs** please contact the legal department of the National Chamber of Bailiffs, Henri Jasparlaan 93, 1060 Brussels, phone 02 538 00 92,
e-mail: info@nkgb-cnhb.be
www.gerechtsdeurwaarders.be
Open from Monday to Friday from 9h00 to 12h00 and 13h00 to 17h00

Useful addresses

For the legalisation of documents issued by the courts of appeal and trial courts or by the Justice department (D-G for Legislation, Individual Cases dept.)

Federale Overheidsdienst Justitie (*Federal Public Service for Justice*) – Cel Legalisaties & Parlementaire Vragen (*Legalisations and Parliamentary Questions Cell*)

Diensten van de Voorzitter (*Cabinet of the Chairman*)

Waterloolaan 115, 1000 Brussel

Phone: 02 542 65 32

E-mail: legal@just.fgov.be

www.justice.belgium.be

Open from 9 am to 11:45 am and from 2 pm to 4 pm, or by appointment (each working day)

For the legalisation of documents drawn up by a physician

Federale Overheidsdienst voor Volksgezondheid (*Federal Public Service for Public Health*) –

Gezondheidszorgberoepen

Euro Station 02

Victor Hortaplein 40, 1060 Brussel

Phone: 02 524 97 97

E-mail: artsen@gezondheid.belgië.be

www.health.belgium.be

Open on Monday from 2 pm to 3.30 pm only

For the legalisation of documents issued by educational institutions

Vlaamse Gemeenschap (*Flemish Community*)

Hendrik Consciencegebouw

Koning Albert II-laan 15

1210 Brussels

Phone: 1700

E-mail: naric.attesten@vlaanderen.be

Open on Monday and Tuesday from 8:30 am to 11:30 am

Fédération Wallonie-Bruxelles (*French Community*)

Rue Adolphe Lavallée 1

1080 Brussels

Phone: 02 690 88 98

E-mail: legalisation.sup@cfwb.be

www.enseignement.be > *Système éducatif* > *Diplômes et titres* > *Légalisation*

Open from Monday to Friday: from 9 am to 12 noon -

Monday and Thursday: from 1:30 pm to 4 pm

Deutschsprachige Gemeinschaft

(German-speaking Community)

Gospertstrasse 1-5, 4700 Eupen

Phone: 087 59 63 64

E-mail: joerg.vomberg@dgov.be

www.dglive.be

Open from 8 am to 12 noon and from 2 pm to 5:30 pm

For the legalisation of documents intended to be used abroad or of certain foreign documents intended to be used in Belgium

Dienst Legalisatie – C3.5 (Legalisation Dept.)

FOD Buitenlandse Zaken, Buitenlandse Handel en

Ontwikkelingssamenwerking (Federal Public Service for Foreign Affairs, Foreign Trade and Development Cooperation)

Karmelietenstraat 27, 1000 Brussel

E-mail: elegalisation@diplobel.fed.be

<http://www.diplomatie.belgium.be/en/>

Open from 9 am to 12 noon

Communication and Documentation Service
Boulevard de Waterloo 115
1000 Brussels
Phone: 02 542 65 11
www.justitie.belgium.be