

Dispute Resolution

Singapore Accedes to Apostille Convention for Facilitation of Cross-Border Use of Public Documents

Introduction

To use a public document (such as court documents, official certificates, and identity documents) issued by one State in another State, a party would currently need to request a series of public officials to certify the authenticity of that document in a process known as legalisation. The Apostille Convention – formally known as the Hague Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents – aims to facilitate the cross-border use of public documents by replacing legalisation with the simplified "one-step process" of the issuance of an apostille.

In our previous Legal Update titled "[Apostille Bill Passed in Parliament: Facilitating Cross-Border Use of Public Documents](#)", we covered the passing of the Apostille Bill in November 2020, which would give effect to Singapore's future obligations under the Apostille Convention.

On 19 January 2021, the Ministry of Law ("**MinLaw**") [announced](#) that Singapore had become a Contracting Party to the Apostille Convention, later adding that the Apostille Bill would come into effect on **16 September 2021**.

We briefly sketch out the new process for the authentication of documents under the Apostille Bill below.

New Process

The Apostille Convention abolishes the need for legalisation of public documents between States who have acceded to the Apostille Convention ("**Contracting Parties**"). Instead, each Contracting Party will designate a Competent Authority to be responsible for issuing certificates ("**apostilles**") to certify the origin of public documents produced by that Contracting Party. All Contracting Parties will accept apostilles as a sufficient verification of that document's origin.

The Singapore Academy of Law ("**SAL**") has been designated as the local Competent Authority. Once the Apostille Convention enters into force, bearers of Singapore-issued public documents can approach SAL to have apostilles affixed to their documents.

Singapore will benefit from this process from 16 September 2021 onwards. As of the date of writing, there are 120 Contracting Parties, including Singapore, that have deposited their instruments of



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ratification, accession, acceptance, or approval, although the Apostille Convention has not yet come into force for a number of these States (most notably China).

Legalisation will still be required under two circumstances: (a) prior to the Apostille Bill coming into force on 16 September 2021, and (b) where the foreign State is a non-Contracting Party.

Concluding Remarks

Apart from the current importance of minimising interactions with other persons in relation to the ongoing COVID-19 pandemic, reducing the time and costs required by legalisation for public documents will be beneficial in the long run, especially when global travel and migration begins to return to normal.

For further comments on the Apostille Convention's implications and potential scope for improvement by way of digitalisation, please see our November 2020 Legal Update titled "[Apostille Bill Passed in Parliament: Facilitating Cross-Border Use of Public Documents](#)".

Should you have any queries on the Apostille Convention or other matters, please feel free to approach our team below.

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