

Danish National ID Centre

The Philippines: Legalisation and Apostille

Introduction

The following note introduces the authentication system of the Philippines for documents used abroad. It contains a presentation of the Apostille and the application, issuance, and verification procedure, as well as a short description of the previous Authentication Certificate (Red Ribbon), which was issued by the Department of Foreign Affairs (DFA) in the Philippines until 14 May 2019.¹ Furthermore, it will provide a brief description of the verification and the layout of the Apostille.

This note is based primarily on information obtained during a fact-finding mission to the Philippines in September 2023 as well as open source information.

General information

On 14 May 2019, the Philippines became a party to the Apostille Convention. This meant that the previous Authentication Certificate (Red Ribbon) was replaced with an Apostille as proof of authentication issued by the DFA.²

An Apostille is an authentication of a document to be used abroad.³ Authentication is a generic term that commonly refers to the process of confirming the origin of a document by verifying the authenticity of the signature and legal authority of the official who signed it.⁴

However, for countries, who are not members of the Apostille Convention (see a full list of the Apostille-contracting countries at HCCH), the previous process of authentication still applies. This means that if, for example, a Philippine citizen is going to Indonesia to work (Indonesia is not part of the Apostille Convention), the citizen must present documents to the Indonesian Embassy in the Philippines before departure to request for an authentication.⁵ However, Philippine citizens are not required to have their documents authenticated. According to the DFA, it is up to the

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¹ Department of Foreign Affairs, the Philippines, 7 May 2019.

² Department of Foreign Affairs, the Philippines C, year of issue n/a.

³ Department of Foreign Affairs, the Philippines, 29 September 2023.

⁴ Department of Foreign Affairs, the Philippines C, year of issue n/a.

⁵ Department of Foreign Affairs, the Philippines, 29 September 2023; Department of Foreign Affairs, the Philippines C, year of issue n/a.

intended recipient of the document whether an Authentication Certificate (Red Ribbon) or an Apostille is necessary in the specific case. This is also something that the embassy of the country in question can assess.⁶

The Authentication Certificate (Red Ribbon) expires every five years. The Apostille does not expire.⁷

An e-Apostille is planned to be released in 2024, in accordance to the DFA.8

Apostille application and the appointment procedure

The Apostille application is available in all Authentication Units of the DFA for walk-in appointments (see a full list of the Consular Offices with authentication services at the DFA's website).⁹

For walk-in Apostille appointments, there are limited slots per day depending on the capacity of the Consular Office. Therefore, the Apostille applicant can set up an online appointment via the Apostille Application & Appointment System (AAAS) (apostilleonline.ph). However, the online appointment system is still under development to become available in all Consular Offices.¹⁰

At the arrival of a walk-in appointment, an application form is handed out at the Verification Window Counter, which must be filled out. The applicant must then present the application form together with the necessary documents to the processor for assessment. The same application procedure applies to applicants who have booked an appointment online. The only difference is that the applicant must fill the application form online and then print and present the confirmed appointment letter to the Verification Window Counter. The applicant must pay an application fee to the Cashier.¹¹

For both walk-in appointments and online appointments, the applicant must either be the document owner or must be an immediate family member of the owner of the documents. For document owners, an original valid government-issued ID document must be presented. For family members, proof of kinship must be presented such as birth certificate or marriage certificate together with a signed authorisation letter (for minor document owners), a copy of a valid government ID document with the document owner's signature, and a valid ID document (photocopy and original) of the family member. ¹²

Moreover, authorised representatives that are not family related to the document owner (e.g. a courier) can also avail the AAAS, but they are only allowed to apply

⁶ Department of Foreign Affairs, the Philippines, 29 September 2023; Department of Foreign Affairs, the Philippines C, year of issue n/a.

⁷ Department of Foreign Affairs, the Philippines, 29 September 2023.

⁸ Department of Foreign Affairs, the Philippines, 29 September 2023.

⁹ Department of Foreign Affairs, the Philippines B, year of issue n/a.

¹⁰ Department of Foreign Affairs, the Philippines A, year of issue n/a.

¹¹ Department of Foreign Affairs, the Philippines B, year of issue n/a.

 $^{^{\}rm 12}$ Department of Foreign Affairs, the Philippines A, year of issue n/a.

for documents of three document owners per day. The authorised representative must supply a signed authorisation letter (for minor document owners), a copy of a valid government ID document with the document owner's signature, and a valid ID document (photocopy and original) of the representative.¹³

It is possible to reschedule an appointment. However, changes cannot be made to confirmed appointments. ¹⁴ A fee is forfeited for applicants who fail to show up on the confirmed appointment, and for applicants who present discrepant and/or fraudulent documents. ¹⁵

Document requirements, verification and issuance procedure

The DFA both accepts public and private documents, but only accepts originals or certified true copies of the originals, issued within six months.¹⁶

All public documents must be signed by the issuing agency's authorised signing officer. Private documents can only be authenticated by the DFA if the documents are notarised by a notary public in the Philippines. The notarisation must be in accordance with the 2004 Rules on Notarisation of the country and must be provided with a Certificate of Authority for a Notarial Act (CANA) by the supervising Regional Trial Court.¹⁷ The DFA does not authenticate foreign documents, and does not certify the content of the document to which it relates. Only documents which are to be used outside of the Philippines can be submitted to the DFA for Apostillisation.¹⁸

The DFA accepts various Philippine documents such as civil documents, school documents, court documents etc. (see a full list of the accepted documents and their requirements at the DFA's <u>website</u>). For all school documents, a Certification, Authentication, and Verification document (CAV) is required together with the certificate/diploma. The CAV must be issued by the educational institution.¹⁹ Private universities use a standard format of the CAV. State universities use their own format.²⁰ For local universities and schools that have ceased operations, a Certification, instead of a CAV, is issued.²¹

As part of the verification done by the DFA both signatures and stamps are investigated. If a signature is not in the specimen signature database of the DFA, the DFA will send a request to the authority for verification. If the authority does not reply, the DFA cannot issue an Apostille, and if the document appears incorrect, it will be

¹³ Department of Foreign Affairs, the Philippines A, year of issue n/a.

¹⁴ Department of Foreign Affairs, the Philippines C, year of issue n/a.

¹⁵ Department of Foreign Affairs, the Philippines A, year of issue n/a.

¹⁶ Department of Foreign Affairs, the Philippines, 29 September 2023.

 $^{^{17}}$ Department of Foreign Affairs, the Philippines, 29 September 2023, PowerPoint p. 8.

 $^{^{\}rm 18}$ Department of Foreign Affairs, the Philippines C, year of issue n/a.

¹⁹ Department of Foreign Affairs, the Philippines D, year of issue n/a.

²⁰ Department of Foreign Affairs, the Philippines, 29 September 2023.

 $^{^{\}rm 21}$ Department of Foreign Affairs, the Philippines, 29 September 2023, PowerPoint p. 19.

confiscated so it cannot be used for other purposes.²² The specimen signature database is updated every year and is only available for the DFA.²³

According to the DFA, 37 percent of the documents received are from the Philippine Statistics Authority (PSA) who is responsible for issuing civil documents in the Philippines. When the DFA is verifying PSA certificates, a QR code on the PSA certificate is scanned, which gives the DFA the required information about the applicant. If the information is incorrect, the applicant must have it corrected through PSA. However, not all PSA certificates have QR codes (NIDC is provided with a list of which PSA outlets currently issue certificates with QR codes). The DFA verifies PSA certificates without QR codes, but still needs authentication from the PSA, which the applicant must provide.²⁴ If the entries on the PSA certificate are unreadable, a Local Civil Registry (LCR) copy will be required as an attachment.²⁵

Once the Apostille is issued (it approximately takes up to five working days to issue an Apostille), a DFA signing officer signs the Apostille.²⁶

An appointment is not required for claiming Apostilles that are filed in the DFA office of Aseana. For any other Consular Offices the applicant must send an email to claim the Apostille. Unclaimed Apostilles will be disposed after three months from the scheduled date of release.²⁷

Fees

It is required that every Philippine document used abroad have its own Apostille. This means, if a Philippine citizen needs to have three documents verified and authenticated, then all three documents must have an Apostille.²⁸

An Apostille costs 200 pesos per document for two days processing time, and 100 pesos for five days processing time. It might take longer if the document is unknown to the DFA. 29

Verification of the Apostille

Apostilles issued by the DFA can be verified online through the DFA's <u>website</u>. It is also possible to scan the QR code on the Apostille using a smartphone for a quick access to the verification link.³⁰ If both the website and the QR code are causing

²² Department of Foreign Affairs, the Philippines, 29 September 2023.

²³ Department of Foreign Affairs, the Philippines, 29 September 2023, PowerPoint p. 22.

²⁴ Department of Foreign Affairs, the Philippines, 29 September 2023.

²⁵ Department of Foreign Affairs, the Philippines, 29 September 2023, PowerPoint p. 9.

²⁶ Department of Foreign Affairs, the Philippines, 29 September 2023.

²⁷ Department of Foreign Affairs, the Philippines C, year of issue n/a.

²⁸ Department of Foreign Affairs, the Philippines, 29 September 2023.

²⁹ Department of Foreign Affairs, the Philippines, 29 September 2023.

³⁰ Department of Foreign Affairs, the Philippines C, year of issue n/a.

problems, it is possible to contact the DFA with the attached Apostille for verification. 31 Request about verification of Apostilles issued before 2019 can also be send to the DFA. 32

Each Apostille country is required to keep a register, which records the date and number of every issued Apostille, as well as information relating to the person or authority that signed or sealed the underlying document. Recipients may therefore contact the Competent Authority identified on the Apostille and ask whether the information on the Apostille corresponds with the information in the register.³³

Layout of the Apostille

To prevent fraud, the colour of the Apostille changes occasionally. Foreign embassies will be informed, when a new Apostille layout is presented and issued.³⁴

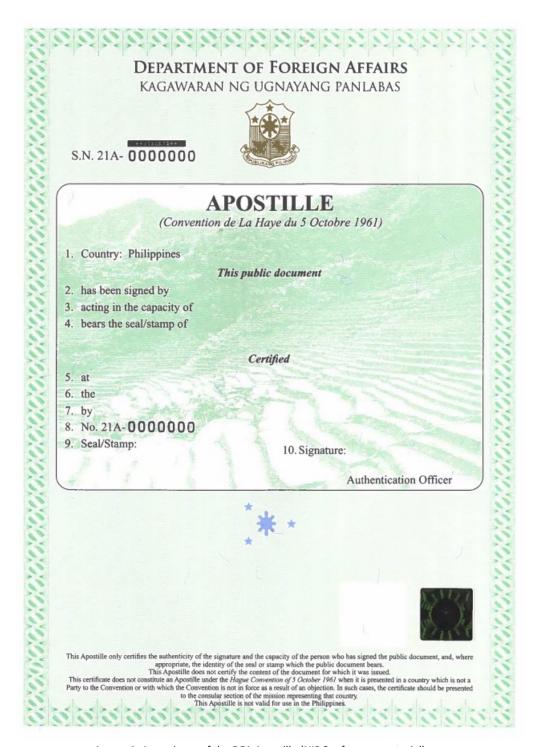
The following images are examples of the layout of the two newest versions of the Apostille:

³¹ Department of Foreign Affairs, the Philippines, 29 September 2023.

³² Department of Foreign Affairs, the Philippines, 29 September 2023, PowerPoint p. 26.

³³ Department of Foreign Affairs, the Philippines C, year of issue n/a.

³⁴ Department of Foreign Affairs, the Philippines, 29 September 2023.



 $\textbf{Image 1:} \ A \ specimen \ of \ the \ DFA \ Apostille \ (NIDC \ reference \ material).$

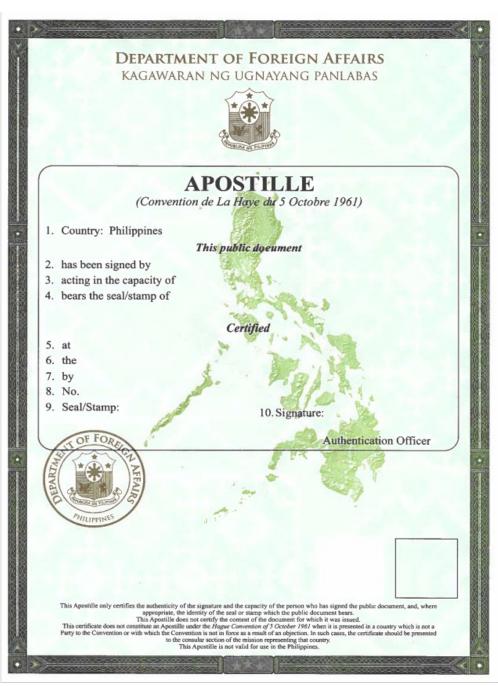


Image 2: A specimen of the DFA Apostille (NIDC reference material).

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- Department of Foreign Affairs, the Philippines B (year of issue not available), Authentication Application Process: <u>Authentication Application Process</u> | <u>Department of Foreign Affairs (dfa-oca.ph)</u>
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- Department of Foreign Affairs, the Philippines D (year of issue not available), Documentary Requirements: Documentary Requirements | Department of Foreign Affairs (dfa-oca.ph), retrieved 20 October 2023.
- Department of Foreign Affairs, the Philippines E (year of issue not available), Verify Foreign Apostille: <u>Verify Foreign Apostille</u> | <u>Department of Foreign Affairs (dfaoca.ph)</u>, retrieved 24 October 2023.