



REPUBLIC OF SINGAPORE

GOVERNMENT GAZETTE

ACTS SUPPLEMENT

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The following Act was passed by Parliament on 2 November 2020 and assented to by the President on 25 November 2020:—

APOSTILLE ACT 2020

(No. 38 of 2020)

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REPUBLIC OF SINGAPORE

No. 38 of 2020.

I assent.



HALIMAH YACOB,
President.
25 November 2020.

An Act to give effect to the Hague Convention Abolishing the Requirement of Legalisation for Foreign Public Documents, done at the Hague on 5 October 1961, and for connected purposes, and to make related amendments to certain other Acts.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

PART 1
PRELIMINARY

Short title and commencement

1. This Act is the Apostille Act 2020 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

Interpretation

2. In this Act, unless the context otherwise requires —

“Convention” means the Hague Convention Abolishing the Requirement of Legalisation for Foreign Public Documents, done at the Hague on 5 October 1961, the English text of which is set out in the First Schedule;

“Convention State” means a State Party to the Convention other than Singapore, but does not include —

(a) any State Party that objected to Singapore’s accession to the Convention; and

(b) any State Party whose accession to the Convention Singapore objected to;

“Model Certificate” means the model certificate set out in the Annex to the Convention.

Purpose

3.—(1) The purpose of this Act is to give effect to the Convention.

(2) Part 2 —

(a) exempts foreign public documents (as defined in that Part) from any requirement of legalisation; and

(b) provides for the effect of certificates issued under the Convention and facilitates (but does not require) their use.

(3) Part 3 provides for certificates to be issued under the Convention for Singapore public documents (as defined in that Part).

Act binds Government

4. This Act binds the Government.

PART 2
PROOF OF ORIGIN OF
FOREIGN PUBLIC DOCUMENTS

Application of this Part

5. This Part applies to a foreign public document sought to be produced in Singapore for any purpose, including —

- (a) the purposes of proceedings in any court or tribunal; and
- (b) the purposes of exercising any power or right, or performing any function, duty or obligation, under or pursuant to any written law or rule of law.

What is a foreign public document

6. In this Part, “foreign public document” —

- (a) means —
 - (i) a document executed in the territory of a Convention State and falling within any of the following categories:
 - (A) a document emanating from an authority or official connected with the courts or tribunals of that State, including a document emanating from a public prosecutor, a clerk of a court or a process-server;
 - (B) an administrative document;
 - (C) a notarial act;
 - (D) an official certificate that is placed on a document signed by a person in his or her private capacity (for example, an official certificate recording the registration of a document or the fact that the document was in existence on a certain date, or an official or a notarial authentication of a signature); or
 - (ii) a document (including a document that is not signed, sealed or stamped) that —