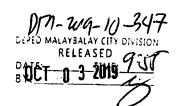


Republic of the Philippines Department of Education Region X- Northern Mindanao DIVISION OF MALAYBALAY CITY



DIVISIO	ON MEMO	DRANDUM
No.	34 t	ORANDUM s. 2019

TO: Asst. Schools Division Superintendent

Chief Education Supervisor, CID and SGOD

School Heads (Public and Private Elementary and Secondary)

All Others Concerned

This Division

FROM: REBONFAMIL R. BAGUIO

Schools Division Superintendent

Date: October 2, 2019

EFFECTIVITY OF APOSTILLE CONVENTION IN THE PHILIPPINES

- 1. Enclosed are Regional Memorandum No. 490, s. 2019 and Unnumbered DepEd Memorandum dated August 5, 2019 on the implementation of the Apostille Convention. The Hague Apostille Convention entitles the Philippines to abolish the need for authentication or the requirement of diplomatic or consular legalization for foreign public documents by the concerned Foreign Embassies or Consulates General if the country or territory of destination is already a member of the Apostille Convention.
- 2. For further details, refer to the Letter from DFA-OCA dated May 30, 2019, Hague Apostille Convention List of Contracting Parties, Text and Outline of the Apostille Convention.

Encl.:

Re:

As stated

Copy furnished:

Administrative Serveices

TO BE POSTED IN THE WEBSITE

Sayre Hi-way, Casisang, Malaybalay City Telefax # 088-314-0094; Tel No.: 088-813-1246

Website: depedmalaybalay.net

Email: malaybalay.city@deped.gov.ph; depedmalaybalay@gmail.com



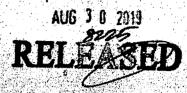
Rejuich: of the Philippines

DEPARTMENT OF EDUCATION DepEd Region X - Northern Mindanao



Cagayan de Oro City

August 23, 2019



REGIONAL MEMORANDUM No. 490 4s. 2019

EFFECTIVITY OF APOSTILLE CONVENTION IN THE PHILIPPINES

To: Schools Division Superintendents
This Region

- This refers to the Unnumbered DepEd Memorandum dated August 5, 2019 from Director Margarita Consolacion C. Ballesteros, DepEd, International Cooperation Office (ICO) informing all those concerned of the implementation of the Apostille Convention on authentication of documents by the Department of Foreign Affairs (DFA)—Office of Consular Affairs starting May 14, 2019.
- With the implementation, the Philippines, as an apostille country by virtue of membership in the Hague Convention, is entitled to abolish the need for authentication of the requirement of diplomatic or consular legalization for foreign public documents by the concerned Foreign Embassies or Consulates General. The documents apostillized by the designated Competent Authority will now be ready for use in the Philippines, and legalization by the Philippine Embassy or Consulate is no longer necessary.
- 3 Por further reference, attached are the following:
 - 3 I Unnumbered DepEd Memorandum dated August 5, 2019
 - 3.2 Letter from DFA-OCA dated May 30, 2019
 - 3:3 Hague Apostille Convention List of Contracting Parties
 - 3.4 Text of the Apostille Convention
 - 3.5 Outline of the Apostille Convention
- 4. Ummediate and wide dissemination of this Memorandum is desired.

DR. ARTURO B. BAYOCOT, CESO III
Regional Director

ATCH : As stated



The LEARNER The heart of Dep Ed Region X

Pregional Office 10 Northern Mindando, Zonn 1, Upper Baluting, Cagayan de Cro City (1088) 880-7072, 860-7071 € (08822) 72-26-51 ©deped10.com ⊞ region10.@deped.gov.ph



Department of Education Region 10 < region 10@depad.gov.ph>

9:01

[MEMORANDUM] Apostille Convention takes effect in the Philippines on 14

1 message

Allisa Saguido Picardel sallisandra picardal@deped gov.pb

8 U 2001 9 4 Pm

To malcolmigarma@deped gov.ch, estela_23@yahoo.com, region2@deped.gov.ph, bgtomo_tec@yahoo.com, caraga@deped.gov.ph, diosdedo sanantonio@deped.gov.ph; region4a@deped.gov.ph, bdparagas@ymail.com, gliberisadead@yahoo.com, region6@deped.gov.ph, gds_ladesma@yahoo.com, region6@deped.gov.ph, glande55@yahoo.com, region7@deped.gov.ph, druytlco@yahoo.com, region8@deped.gov.ph, isabelitaborres@yahoo.com, region9@deped.gov.ph, angiabar258@yahoo.com, region12@deped.gov.ph, atescobarte@yahoo.com, region11@deped.gov.ph, allanfamazo@yahoo.com, region10@deped.gov.ph, mbeclar@yahoo.com, mbeclar61060@gmail.com, car@deped.gov.ph, wilfredo.cabral@deped.gov.ph, ncr@deped.gov.ph

Ec: Department of Education International Cooperation Office <ico@deped.gov.ph>

To All Regional Directors

Greetings!

On behalf of the Department of Education through the International Cooperation Office, I have the honor to transmit to your good Offices the memorandum dated 5 August 2019 on the Apostille Convention takes effect in the Philippines on 14 May 2019.

The Hague Apostilie Convention entities the Philippine to abolish the need for authentication or the requirement of diplomatic or consular legalization for foreign public documents by the concerned Foreign Empassies or Consulates General If the country or territory of destination of the authenticated document is already a member of the Apostilie Convention.

We wish that this document will be beneficial to future official travels.

Thank you and warm regards.

Sincerely yours,

Alfina Saguldo Picardal Technical Assistant II Atternational Cooperation Office Department of Education

E ico@depedigov.ph T (*632) 631-6462 to 63 L. Meralco Ave. Pasig City

The communication may contain confusable of physiograf information, and to informed cotaly for the individual or entity to whom it to originally addressed. Any discipline, copyring dissipnimation: disent action taken in evilunce of a by ethors, other (han the intended recipion), is objetly probabled. The opinions, conclusions, and all entity a corrected in this massess strathespied the sender and may hal necessarily relieve the groups of the Department of Education.

MEMO 6 August 2019 Apostilie Convention Takes Effect in the Philippines on 14 May 2019.pdf

8/16/2019, 9:42 AM



REPUBLIKA NG PILIPINAS REPUBLIC OF THE PHILIPPINES KAGAWARAN NG EDUKASYON DEPARTMENT OF EDUCATION DepED Complex, Meralco Ave., Pasig City



Tanggapan ng Direktor Office of the Director

INTERNATIONAL COOPERATION OFFICE (+632) 637-6463 Direct Line (4632) 637-6462 ico@deped.gov.ph

MEMORANDUM

FOR

UNDERSECRETARIES **ASSISTANT SECRETARIES**

BUREAU AND SERVICES DIRECTORS CENTRAL OFFICE - DIVISION CHIEFS **ALL REGIONAL DIRECTORS ALL OTHERS CONCERNED**

FROM

MARGARITA CONSOLACION C. BALLESTEROS

Director IV

SUBJECT

APOSTILLE CONVENTION TAKES EFFECT IN THE PHILIPPINES ON 14

MAY 2019

5 August 2019

This pertains to the letter received by this Office dated 6 June 2019 from the Department of Foreign Affairs (OFA) regarding the implementation of the Apostille Convention on authentication of documents.

In this regard, DepED Central Office would like to inform you that the Department of Foreign Affairs -Office of Consular Affairs will no longer issue Authentication Certificates starting on 14 May 2019 to Haque Apostille Convention Contracting Parties as shown in Annex A of this memorandum.

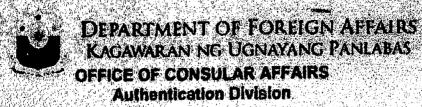
The Convention entities the Philippines to abolish the need for authentication or the requirement of diplomatic or consular legalization for foreign public documents by the concerned Foreign Embassies or Consulates General if the country or territory of destination of the authenticated document is already a member of the Apostille Convention.

For further details, kindly refer to the attached Text and Outline of the Convention.

Should you have questions regarding this matter, please do not hesitate to contact us through our electronic mail ico@deped gov.ph or landline number (+63 2) 637-6462 to 63.

For your reference

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- Laber Nort DFA-OCA camed 30 (May 2019) Mague Alegarer Correspont Contacting P Festion of Apocado Correspont and Olama of Res Apocado Correspont



EXTREMELY URGENT

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30 May 2019

Dear Secretary Briones,

Further to our letter dated 6 May 2019 on the implementation of the Apostille Convention, the DFA Office of Consular Affairs – Authentication Division would like to update your Office of the following:

- Documents originating from Apostille countries (except for Austria, Finland, Germany, and Greece) shall be apostillized by its designated Competent Authority. The apostillized document should be ready for use in the Philippines. Legalization by the Philippine Embassy or Consulate located in that country is no longer needed.
- 2. Documents originating from non-Apostille countries (including Austria, Finland, Germany, and Greece) shall be authenticated by the concerned foreign government. The authenticated document shall be legalized by the Philippine Embassy or Consulate located in that country. After legalization, the document should be ready for use in the Philippines. Beginning 15 June 2019, the Certificate of Authentication issued by Philippine Embassies/Consulates will no longer have a satin ribbon affixed thereto.

in this regard, we respectfully request your Office to disseminate this information to DepEd Regional Offices and schools to avoid situations wherein applicants are advised to have their foreign documents authenticated by the DFA.

Hoping for your usual cooperation. Thank you and best regards.

ERIC P. VALENZUELA Acting Director

LEONOR MAGTOLIS BRIGNES

Secretary:
Department of Education
Meralco Avenue: 1600 Pasig City

2330 Roxas Blvd.: Rasay City. 1300 Philippines Tel: No. 834 - 4000 www.dfa.gov.ph

Hague Apostille Convention List of Contracting Parties

A. Carrier	**	
(Albania 2 Andorra	95 Honduras 46: Hungary	87. Ro 88. Ru
Antigua and Barbuda Argentina		.
S. Armenia	47. Iceland 48. India	89. Sa 90, Sa
76. Australia 77. Austria	49 Ireland	91. Sa
8. Azerbanan	50: Israel 51: Italy	Gn 92. Sa
8 19: Bahamas	1	93, Sa 94, Sa
10. Bahrain	52. Japan	95. Se
41. Barbados 12. Belanes	K	96. Se 97. Slo
13 Belge 14 Bohna	53. Kazakhstan 54. Republic of <u>Korea</u>	98. Sto 99. So
15. Bosnia and Herzegovina	55. Kosovo	100.
16 Botswapa 17 Brazii		101. 102.
: 18: Brunei Darussalam 19: Bulgaria	l 57. Latvia	103. 104.
20. Burundi	S8. Lesotho	
.C	59. Liberla 60. Liechtenstein	T 105.
21: Cape Verde 22: Chile	61. Lithuanja 62. Eusembourg	106. 107.
23. People's Republic of China	2	108.
(Hong Kong and Macao C 24: Colombia	iniy) M 63. Malawi	109.
25 Gook Islands 26 Costa Riga	64. Malta 65. Marshall Islands	U 110.
27. Groatia	66. Mauritus	111.
28. Gyprus 29: Czech Republic	67: Mexico 68: Republic of <u>Moldova</u>	Bri 112.
O The state of the	69. Monaco 70. Mongolia	113.
30 Cenmark	71. Montenegro 72. Marosco	V 114.
31. Dominica 32. Dominican Republic		ii5.
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33. Ecuador	74. Netherlands 75. New Zealand	
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36 ; Fiji	79: Norway	
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39 Ceorgia 40 Germani/		Karaga da
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omania ussian Federation aint Kitts and Nevis aint Lucia aint Vincent renadines amoa an Marino so Tome and Principe erbia eychelles lovakia lovenia outh Africa Spain Suriname Swaziland Sweden **Switzerland** Tajikistan Tonga Trinidad and Tobago Tunisia Turkey Ukraine United Kingdom of Great ritain and Northern Ireland Uruguay Uzbekistan Vanuatu Venezuela



12. CONVENTION ABOLISHING THE REQUIREMENT OF LEGALISATION FOR FOREIGN PUBLIC DOCUMENTS'

(Concluded 5 October 1961)

The States signatory to the present Convention.

Desimplifo abolish the requirement of diplomatic or consular legalisation for foreign public documents, Have resolved to conclude a Convention to this effect and have agreed upon the following provisions:

Article 1

The present Convention shall apply to public documents which have been executed in the territory of one Contracting State and which have to be produced in the territory of another Contracting State. For the purposes of the present Convention, the following are deemed to be public documents:

- documents emenaling from an authority or an official connected with the courts or tribunals of the State including those emanating from a public prosecutor, a clerk of a court or a process-server ("nuissier de justice")),
- administrative documents
- notanal acto
- official/seruncates which are placed on documents signed by persons in their private capacity, such as official certificates recording the registration of a document or the fact that it was in existence on a certain date and official and notarial authentications of signatures.

However the present Convention shall not apply:

- lo documents executed by diplomatic or consular agents,
- to administrative documents desting directly with commercial or customs operations.

Article 2

Each Contracting State shall exempt from legalisation documents to which the present Convention applies and which have to be produced in its territory. For the purposes of the present Convention, legalisation means only the formality by which the diplomatic or consular agents of the country in which the document has to be produced certify the authenticity of the signature, the capacity in which the personisigning the document has acted and, where appropriate, the identity of the seal or stamp which ii bears

Article 3

The only formality that may be required in order to certify the authenticity of the signature, the capacity in which the person signing the document has acted and, where appropriate, the identity of the seal or stemp which it bears its the addition of the certificate described in Article 4, issued by the competent authority of the State from which the document emanates.

wever the formality mentioned in the preceding paragraph cannot be required when either the laws. regulations, or practice in trace in the State where the document is produced or an agreement between

This Convention, including related materials, is pocessible on the website of the Hague Conference on Private members of under the Apositie Section'. For the full history of the meterial law (www.hoch.nell), under Conventions, or under the Apositie Section'. For the full history of the members law, acres at documents do la Neuvième session private history of the policy of the property of the pro (193 pa)

two of more Contracting States have abolished or simplified it, or exampt the document itself from legalisation.

Article 4

The certificate referred to in the first paragraph of Article 3 shall be placed on the document itself or on an "ellange". It shall be in the form of the model annexed to the present Convention.

il may, nowever, be drawn up in the official language of the authority which issues it. The standard terms appearing therein may be in a second language also. The lifte "Apostille (Convention de La Haye du 5 octobre 1961) shall be in the French language.

Article 5

The certificate shall be issued at the request of the person who has signed the document or of any bearer.

When properly filled in, it will certify the authenticity of the signature, the capacity in which the person signing the document has acted and; where appropriate, the identity of the seal or stamp which the document bears:

The signature, seal and stamp on the certificate are exempt from all certification.

Article 6

Each Contracting State shall designate by reference to their official function, the authorities who are competent to save the certificate referred to in the first paragraph of Article 3. It shall give notice of such designation to the Ministry of Foreign Affairs of the Netherlands at the time it deposits its instrument of ratification or of accession or its declaration of extension. It shall also give notice of any change in the designated authorities.

Article 7

Each of the authorities designated in accordance with Article 6 shall keep a register or card index in which it shall record the certificates issued specifying:

e) the number and date of the certificate.

b) the name of the person signing the public document and the capacity in which he has acted, or in the case of unsigned documents, the name of the authority which has affixed the seal or stamp. At the request of any interested person, the authority which has lasted the certificate shall verify whether the particulars in the certificate correspond with those in the register or card index.

Article 8

When a tresty, convention or agreement between two or more Contracting States contains provisions which subject the certification of a signature, seal or stemp to certain formalities, the present Convention will only override such provisions if those formalities are more rigorous than the formality referred to in articles 3 and 4.

Article 9

Each Contracting State shall take the necessary steps to prevent the performance of legalisations by its diplomatic or consular agents in cases where the present Convention provides for exemption.

Article 10

tipe present Convention shall be open to signature by the States represented at the Ninth Session of the Hague Conference on Private international Law and Iceland, Ireland, Liechtenstein and Turkey. It shall be ratified, and the instruments of ratification shall be deposited with the Ministry of Foreign Affairs of the Netherlands.

Article 11

The present Convention shall enter into force on the sixtleth day after the deposit of the third instrument of ralification referred to in the second paragraph of Article 10.

The Convention shall enter into force for each alguatory State which ratifies subsequently on the sixtleth day after the deposit of its instrument of ratification.

Article 12

Any State not referred to in Article 10 may accede to the present Convention after it has entered into force in accordance with the first paragraph of Article 11. The instrument of accession shall be deposited with the Ministry of Foreign Affairs of the Netherlands.

Such accession shall have effect only as regards the relations between the acceding State and those Contracting States which have not raised an objection to its accession in the six months after the receipt of the notification referred to in sub-paragraph d) of Article 15. Any such objection shall be notified to the Ministry of Foreign Affairs of the Netherlands.

The Convention shall enter into force as between the acceding State and the States which have raised into objection to its accession on the sixtleth day after the explry of the period of six months mentioned in the preceding paragraph.

Article 13

Any State may, at the time of signature, ratification or accession, declare that the present Convention shall extend to all the territories for the international relations of which it is responsible, or to one or more of them. Such a declaration shall take effect on the date of entry into force of the Convention for the State concerned.

Ar any time thereafter, such extensions shall be notified to the Ministry of Foreign Affairs of the Netherlands.

At here the declaration of extension is made by a State which has signed and ratified, the Convention small enter into force for the territories concerned in accordance with Article 11. When the declaration of extension is made by a State which has acceded, the Convention shall enter into force for the territories concerned in accordance with Article 12.

Article 14

The present Convention shall remain in force for five years from the date of its entry into force in accordance with the first paragraph of Article 11, even for States which have ratified it or acceded to it subsequently.

frithers has been no conunciation; the Convention shall be renewed tacitly every five years.

Any denunciation shall be notified to the Ministry of Foreign Affairs of the Netherlands at least six months before the end of the five year period.

it may be limited to certain of the territories to which the Convention applies.

The danunciation will only have affect as regards the State which has notified it. The Convention shall remain in force for the other Contracting States.

Article 15

The Ministry of Foreign Affairs of the Netherlands shall give notice to the States referred to in Article 10, and to the States which have acceded in accordance with Article 12, of the following:

- e) the notifications referred to in the second paragraph of Article 6;
- b) the signatures and retrications referred to in Article 10:
- c)... the date on which the present Convention enters into force in accordance with the first paragraph of Article 1.1
- the accessions and objections referred to in Afficia 12 and the date on which such accessions take affect.
- f) the denunciations referred to in the third paragraph of Article 14.

in winess whereof the undersigned, being duly authorised therefo, have eighed the present Convention Cone at The Mague the 5th October 1961, in French and in English, the French text prevailing in case of divergence between the two texts, in a single copy which shall be deposited in the archives of the Government of the Neihortands, and of which a conflied copy shall be sent, through the diplomatic character to each of the Status represented at the Ninth Session of the Hague Conference on Private International Lawrence also to itseland. Iroland, Elechtenstein and Turkey. OUTLINE AROSTALE CONVENTION



HCCH Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents

Purpose of the Convention

The Apostille Convention facilitates the circulation of public documents executed in one Contracting Party to the Convention and to be produced in another. It replaces the cumbersome and often costly formalities of a full legalisation process (chain certification) with the mere issuance of an Apostille. The Convention has also proven very useful for countries that do not require foreign public documents to be legalised, or that do not know the concept of legalisation in their domestic law: the citizens in these countries enjoy the benefits of the Convention whenever they intend to produce a domestic public document in another Contracting Party which for its party requires authentication of the document concerned.

Public decuments

The Convention applies only to public documents. As the Convention does not define "public document", the "public" nature of a document is left to be determined by the law of the place where the document originates (i.e. the State of origin). Nonetheless, Article 1 provides some guidance as to types of documents that can be considered "public". These examples include documents emanating from an authority or official connected with a court or tribunal of the Contracting Party (including documents issued by an administrative, constitutional or ecclesiastical court or tribunal, a public prosecutor, a clerk or a process-server); administrative documents; notarial acts: and official certificates which are placed on documents signed by persons in their private capacity, such as official certificates recording the registration of a document or the fact that it was in existence on a certain date and official and notarial authentications of signatures. The main examples of public documents for which Apostilles are issued in practice include birth, marriage and death certificates; extracts from commercial registers and other registers; patents; court rulings; notarial acts and attestations of signatures; academic diplomas issued by public institutions. Apostilles may also be issued for certified copies of a public document. Although the Convention does not strictly apply to documents executed by diplomatic or consular agents or to administrative documents dealing directly with commercial or customs operations, these Article 1(3) exclusions are to be interpreted extremely narrowly.

Who may issue an Apostille and how to verify the origin of an Apostille?

Apostilles may only be issued by a Competent Authority designated by the Contracting Party from which the public document emanates. The Permanent Bureau (Secretariat) of the Hague Conference on Private International Law (HCCH) does not issue Apostilles.

The Apostille Convention only applies as between Contracting Parties. For a comprehensive and updated list of Contracting Parties (status table)*, which is available on the "Apostille Section" of the HCCH website at < www.hcch.net >:

This approach has been confirmed in Conclusions & Recommendations No 72 of the 2009 Special Commission, and in Conclusions is Recommendations No 14 of the 2012 Special Commission.

Orphmas issued by private institutions may not be apostilised directly; a 'private' diploma may, however, bear an official certificate issued by any, person or authority competent under the law of the State of origin of the diploma to authoritize the signature on the diploma. This official certificate is a public document under the Convention and thus may be apostilised. In such a case the Apostile does not relate to the diploma itself; instead it certificate the authorities of the certificate on the diploma.

For more information uncluding the list of designated Competent Authorities, contact details of Competent Authorities and other practical information such as the price for an Apostilla, see the "<u>Apostilla Section</u>" of the

The Apostule is placed by the Competent Authority on the public document itself or on an allowing, and should conform as closely as possible to the Model annexed to the Convention. In addition, each Competent Authority is required to keep a Register in which it records the Apostilles it has issued. The Registers, which may be accessed by any interested person, are an essential tool to combat fraud and verify the origin of an Apostille in case of doubt.

THE OFFICE OF AN ADOSSINE

The only effect of an Apostille is to certify the authenticity of the signature, the capacity in which the person signing the document has acted, and where appropriate, the identity of the seal or stamp which the document bears. The Apostille does not relate to the content of the underlying document itself (i.e., the apostillised public document).

Randbook on the Practical Operation of the Apostille Convention (1st Edition, 2013)

The Apostille Handbook is a comprehensive reference tool that offers detailed explanations and commentary, addressing issues arising in the contemporary operation of the Convention. It is also designed to assist Competent Authorities designated by Contracting Parties with practical guidance in issuing Apostilles and performing their functions under the Convention. It is available for download from the "Apostille Section" of the HCCH website.

Honitoring of the Convention

The practical operation of the Apostille Convention was last reviewed by a Special Commission in 2016. The Special Commission has reiterated at several meetings that the spirit and letter of the Convention do not constitute an obstacle to the usage of modern technology and that the Convention's application and operation can be further improved by relying on such technology. This finding was confirmed by the 2016 International Forum on the e-APP.

The e-APP (electronic Apostille Program)

In April 2006, the HCCH and the National Notary Association of the United States of America (NNA) officially launched the (then) electronic Apostille Pilot Program. The aim of the e-APP is to promote and assist with the implementation of low-cost, operational and secure software technology for (i) the issuance of electronic Apostilles (e-Apostilles) and (ii) the operation of electronic Registers of Apostilles (e-Registers) that can be accessed online by recipients to verify the origin of (both paper and electronic) Apostilles they have received. In light of the success of the Program, the word "Pilot" was removed from the title of the e-APP in January 2012, though the original "P" is retained in the acronym.

The e-APP is an effective tool to further enhance the secure and effective operation of the Appetitile Convention; it dramatically increases security and offers a very powerful and effective deterrent to finaud. The e-APP is technology neutral and it does not privilege the use of one specific technology over another. Contracting Parties are free to choose the technology that best suits, their needs. The e-APP (the e-Apostille and/or e-Register component) has been implemented in many countries around the globe, with others actively pursuing or considering implementation. The HCCH regularly organises International Fora on the e-APP to discuss and promote the implementation of the e-APP, the last of which was the 10th Forum, held in 2016 to coincide with the meeting of the Special Commission.

For any further information on the Apostille Convention and the e-APP, please visit the HCCH website at < www.ricch.net > or contact the Permanent Bureau of the HCCH.

An e-Register under the e-APP allows for leasy online queries by recipients of Apostilles who wish to verify the origin of an Apostille without Competent Authorities, having to answer these queries individually by phone. Email on otherwise, thorever, it does not allow for "tishing expeditions" (i.e. persons do not have unlimited access to all of the information stored in the e-Register) but only enough information as is necessary to verify whether an Apostille they have received was issued by the Competent Authority purporting to have done so.