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PART I

Acts, Ordinances, President's Orders and Regulations

**GOVERNMENT OF PAKISTAN
MINISTRY OF LAW AND JUSTICE**

Islamabad, the 29th January, 2024

No. F: 2(1)/2024-Pub.—The following Ordinance Promulgated on 26th January, 2024 by the President is hereby published for general information:—

ORDINANCE NO. I OF 2024

AN

ORDINANCE

*to give effect to the Convention on abolishing the requirement of
legalization for the foreign public documents*

WHEREAS it is expedient to give effect to the Convention on abolishing the requirement of legalization for the foreign public documents and for matters connect therewith;

(01)

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[6940(2024) Ex.Gaz.]

AND WHEREAS the Senate and the National Assembly are not in session and the President of the Islamic Republic of Pakistan is satisfied that circumstances exist which render it necessary to take immediate action;

Now, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President of the Islamic Republic of Pakistan is pleased to make and promulgate the following Ordinance:—

It is hereby enacted as follows:—

1. **Short title, extent, application and commencement.**—(1) This Ordinance shall be called the Apostille Ordinance, 2023.

(2) It shall extend to whole of Pakistan.

(3) It shall apply to foreign public documents and other public documents as specified from time to time in the official Gazette by the Federal Government.

(4) It shall come into force at once.

2. **Definitions.**—(1) In this Act, unless the context or subject otherwise requires, —

- (a) “certification” means certification that authenticates the origin of the documents and not the contents;
- (b) “competent authority” means the division to which business of this Act stands allocated or any other authority declared by the Federal Government to be a competent authority required under the Convention;
- (c) “Convention” or “Apostille Convention” means the Hague Convention Abolishing the requirement of legalization for foreign public documents, done at the Hague on the 5th day of October 1961, the english text of which is set out in the First Schedule and includes any ratified protocols;
- (d) “Convention State” means a state party to the Convention other than Pakistan, but does not include,—
 - (i) any state party that objected to Pakistan’s accession to the Convention; and

(ii) any state party whose accession to the Convention Pakistan objected to; and

(e) "model certificate" or "apostille certificate" means the model certificate set out in the Annexure to the Convention.

3. **Conferment of certification.**—(1) Notwithstanding anything to the contrary contained in any other law, the provisions of the Convention shall have the force of law in Pakistan.

(2) The Federal Government may, by notification in the official Gazette, amend the Schedule in conformity with any amendments made and adopted in the Convention, provided that such amendments shall be adopted and ratified by the Government of Pakistan.

4. **Fees.**—The competent authority may, by notification in the official Gazette, determine fees in relation to the issuance of apostille certificates from time to time.

5. **Power not to recognize certain documents in Pakistan.**—The application of those foreign documents shall be ineffective, which fall within the ambit of Apostille Convention but are against the glory of Islam and National interests, sovereignty of integrity of Pakistan.

6. **Overriding effect.**—The provisions of this Ordinance shall have effect notwithstanding anything to the contrary contained in any other law, for the time being in force.

7. **Indemnity.**—No suit, prosecution or other legal proceedings shall lie against any person for anything which is done or intended to be done in good faith in pursuance of this Ordinance.

8. **Power to make rule.**—The federal Government may, by notification in the official Gazette, make rule for carrying out the purposes of this Ordinance.

DR. ARIF ALVI,
President.

RAJA NAEEM AKBAR,
Secretary.

STATEMENT OF OBJECTS AND REASONS

This Ordinance seeks to simplify the authentication process of public documents to be used abroad by abolishing the traditional and cumbersome legalization process and replacing it with a single formality, thus significantly reducing the requirements to visit Embassies/Consulates for overseas Pakistanis. This Bill also seeks to empower Federal Government to make rules for carrying out the purposes of the Apostille Ordinance 2024.

2. The Ordinance has been designed to achieve the aforesaid objectives.



(SENATOR MOHAMMAD ISHAQ DAR)