Simplifying the requirements for presenting certain public documents in the EU

2013/0119(COD) - 08/04/2016 - Commission communication on Council's position

The Commission considered that, overall, the Council’s position **endorsed the core objective of the Commission proposal**, namely to cut red tape and costs for citizens and thereby simplify the circulation of certain public documents.

However, the Council has introduced **some changes** in the Commission's proposal, following the informal trilogue discussions:

Scope of the Regulation: the Council's text covers public documents for the benefit of citizens, in particular civil status documents, but excludes business-related documents. However, it covers civil status documents in an extended number of areas. It also includes a revised review clause that refers to certain public documents concerning businesses and also citizens and provides that a review to consider the inclusion of these additional areas in the regulation will be carried out at an earlier date than the date for the general review of the regulation.

Self-standing multilingual standard forms: these have become translation aids to be attached to the public document. However, the Council's text introduces seven additional forms to avoid translation requirements in additional areas.

Translations: the Council's text allows the receiving Member States to require certified translations of public documents in languages other than those expressly accepted by each Member State. However, it clarifies that, where a public document is accompanied by a multilingual standard form, a translation of the document can only be required exceptionally.

Apostille: although a Member State authority cannot require an apostille on a public document issued by another Member State authority, citizens can continue to ask for an apostille. However, Member States and the Commission are obliged to inform citizens on the content of the regulation both in individual contacts and through web-based information portals.

The Commission considered that despite the changes introduced by the Council, the core principles of the Commission proposal, namely the abolition of the apostille requirement, the simplification of formalities concerning translations and certified copies and the use of the IMI as a system of cooperation between Member States to fight against fraud, are preserved.

As all amendments to the Commission proposal were discussed during the informal trilogue discussions, **the Commission can accept the amendments** that the Council adopted in its first reading position.