

LEGALIZATION OF DOCUMENTS IN TANZANIA.

Under the laws, Legalization is the process of authenticating, attesting or certifying a legal document usually issued by a person's national government (agency) to the person whether natural or legal person in-order for other agencies whether national or foreign legal system to recognize its validity or authenticity in the due course of administering service to the person.

Or is a process in which various seals are placed on the document so that, it will be recognized as legal documents in the other countries.

Foreign documents or certificates are often only recognized by the authorities of a state if their authenticity and evidentiary value has been determined by a special procedure. In other jurisdictions, legalization may not be of use as they are a contracting state to The Hague Convention on Abolishing the Requirement of Legalization for Foreign Public Documents of 5 October 1961.

The Convention abolishes the requirement of diplomatic and consular legalization for public documents originating in one Convention country and intended for use in another.

Public documents include:

- a. Documents emanating 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 ("huissier de justice");
- b. Documents issued by an administrative authority (such as civil records),
- c. notarial acts;
- d. 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.

However, Tanzania is not a member of the Convention. Countries not part of this convention follow what the state department calls "The Chain Authentication Method". A procedure that entails various government offices looking over the document and authenticating that the signatures are valid. It is a process that includes several rounds of attestation to be done across the government departments and ministries.

Example of Tanzanian personal documents includes but not limited to birth certificates, marriage certificates, and trademark certificates.

For legalization procedure to take effect, the original has to be stamped, therefore the document cannot be laminated. Fee for the legalization is 25, € payable in TZS.

Why legalize a document.

Internationally, People legalize documents for various reasons such as private matters, commercial or legal matters. However, the most general purpose of legalization of a document is to allow a person to use the document in the designating country of choice legally. Such authentication is a legal necessity for all cross-border undertakings involving personal or career-related advancements. This also, allows the reduction of unnecessary follow-ups by the designated country's authorities on your national status, marital status, financial application, commercial status (if any) and purpose of visit. The stamp or sticker on your document means only that the correct signature is on your document.

Legalization does not prove that the content is correct or that the document is authentic. The designated country's authorities may decide to check the authenticity of such documents.

Nationally, people legalize documents for reasons such as legal transparency i.e. employments applications, tender applications, Intellectual Property

applications for registrations, sale contracts, birth certification and national status.

Who Can Legalize A Document?

Legalizations have been categorized to different authorities in Tanzania such as;

- Embassies or consulates for visa or passport issuance
- Immigration office in case of visa application, emigration request or work status change etc.
- Equivalency requirements for Ministry of Education (MOE) or Ministry of Higher Education and Scientific Research (MOHESR).
- Ministry of Education or notary in Tanzania
- Ministry of Foreign Affairs in Tanzania or
- Relevant ministry concerned with the pending application.

Who can make an application to legalize his, her or its documents?

Any free sane person requiring the services of legalization of documents may make such application to the local or national authorities or agents authorized to perform legalization services. Such as registered advocates, notary public and commissioner for oaths.

Procedure of legalization in Tanzania.

The procedure for legalization of documents is a detailed process documents in Tanzania. It entails certifications to be done by the public many officials. The documents should be endorsed by the issuing authorities. Furthermore, you need to submit proper paperwork that includes the original copies of the relevant documents, a copy of your passport, a duly signed declaration form, or

any other document deemed necessary by the authorities. There are some steps that may be included in this process. The general procedures are:

- i. Legal and precise translation of the documents.
- ii. Notarization or certification from state-level authorities in Tanzania.
- iii. Legalization to be done by the Ministry of Foreign Affairs in Tanzania.
- iv. Attestation from the Embassy in Tanzania.

However, there are various procedures for legalization of different documents.

Examples; **the procedures of Attesting Commercial Documents**

- i. Legal and precise translation of the documents. (if need be)
- ii. Concerned authority or Govt. department in Tanzania
- iii. Ministry of Foreign Affairs in Tanzania.
- iv. Embassy or consulate in Tanzania

Procedures of Attesting Personal Documents

- i. Legal Translation from Tanzania (If Necessary)
- ii. Stamp from Notary in Tanzania
- iii. Ministry of Foreign Affairs in Tanzania.
- iv. Embassy or consulate in Tanzania

If you are struggling with your documents to be legalized in Tanzania and Zanzibar, ENDO & CO. team we are there for you.