

Rosreestr clarified the conditions under which notarized powers of attorney from unfriendly countries are accepted

Such powers of attorney must be legalized in accordance with the laws of the countries and international treaties

In connection with the complicated international situation, the editorial staff of the Notariate Says publication asked Rosreestr two clarifying questions regarding actions in Russia with real estate under powers of attorney issued by authorities of foreign countries, namely:

1. Does Rosreestr now accept documents for registration of ownership (transfer of ownership), if the set of documents contains a notarized power of attorney certified by a notary from the list of unfriendly countries?

2. Is it true that now Rosreestr considers only those notarized powers of attorney that can be verified, namely: powers of attorney certified by Russian notaries, as well as those issued by Russian consular offices outside the territory of Russia?

To these questions, the main answer was given as follows: yes, such powers of attorney are accepted. However, a number of conditions must be met for this to happen:

- they must be translated into Russian
- they must be legalized by consular offices of Russia or consular departments of diplomatic missions of Russia, unless otherwise provided by the norms of an international treaty (based on Federal Law No. 154-FZ of 05.07.2010 "Consular Charter of Russia")
- without consular legalization, powers of attorney are accepted in cases that cancel the requirements of legalization: in particular, between the states parties to the Hague Convention of October 5, 1961, powers of attorney certified by a special stamp (apostille) are recognized as proper

Consular legalization of a foreign power of attorney certifies the authenticity of the signature, the authority of the person (notary) who signed the document, the authenticity of the seal or stamp that affixes the power of attorney, and the compliance of this document with the legislation of the state of residence of the citizen.

In cases stipulated by Russian international treaties on legal assistance, foreign notarized powers of attorney are accepted without consular legalization - in particular, notarized powers of attorney are accepted without their legalization in cases provided for by the Convention Abolishing the Requirement for Legalization of Foreign Public Documents (The Hague, October 5, 1961). In accordance with this Convention, a special stamp (apostille) is affixed to documents made by the competent authorities of one state and intended for use in the territory of another state.

Information about the status of this Convention and the circle of its participants, as well as about the reservations made by the participants of the Convention, can be checked on the [official website of the Hague Conference on Private International Law](#).

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