



AMT FÜR JUSTIZ
FÜRSTENTUM LIECHTENSTEIN

COMMERCIAL REGISTER

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Legalisation of foreign documents or signatures when you deal with the Land Register Division and the Commercial Register Division

1. General matters

In principle, Liechtenstein formal provisions also apply to documents drawn up abroad insofar as these are used for land register or commercial register matters in Liechtenstein. With regard to signatures legalised abroad, it is naturally often difficult to establish whether this signature legalisation was carried out by the competent registrar in the respective country and in the prescribed manner. In these cases, it is thus necessary that what is called a “supplementary legalisation” (or “superlegalisation”) be placed on the document.

2. Supplementary legalisation

The supplementary legalisation must be placed on the document by a diplomatic or consular mission of the country in whose sovereign territory the document shall be presented (☐ Liechtenstein Mission). In this context, the authenticity of the signature, the capacity in which the signatory of the document (officer) has acted and, if applicable, the authenticity of the seal or stamp of the document must be certified.

3. Precedence of international treaties

With regard to documents from foreign countries which are States signatory to the “Hague Convention abolishing the requirement of legalisation for foreign public documents”, the relevant provisions apply (Liechtenstein Law Gazette 1987, No. 60).

4. Hague Convention/Apostille

Pursuant to Art. 3 in conjunction with Art. 4 of the Hague Convention, the sole formal requirement is the “Apostille”. The Apostille must be placed on the document itself or on an “allonge” and it must be in the form of the model annexed to the Hague Convention. The title “Apostille” (Convention de la Haye du 5 octobre 1961) must be in the French language (see p. 2 of the fact sheet). The properly filled in Apostille certifies the authenticity of the signature, the capacity in which the person signing the document has acted and, if applicable, the authenticity of the seal or stamp which the document bears. The signature and the seal or the stamp on the Apostille are exempt for all certification.

The authorities competent in the individual States signatory to issue Apostilles are listed in the Annex to the Hague Convention (see Annex).

Model of the Apostille

The Apostille shall be in the form of a square with sides of at least nine centimeters long:

APOSTILLE	
(Convention de La Haye du 5 octobre 1961)	
1. Country:.....	
This public document	
2. has been signed by	
3. acting in the capacity of	
4. bears the seal/stamp of.....	
.....	
Certified	
5. at.....	6. the.....
7. by	
.....	
8. No.	
9. Seal/stamp:	10. Signature:
.....

Agreement between the Principality of Liechtenstein and the Republic of Austria on Mutual Legal Assistance, Legalisation, Documents and Guardianships (Liechtenstein Law Gazette 1956 No. 10; official collection: 0.274.910.21):

Pursuant to Art. 11 to 13, public documents as well as official legalisations of signatures and document copies are recognised mutually without the need for any further legalisation.

European Convention on the Abolition of Legalisation of Documents Executed by Diplomatic Agents or Consular Officers (Liechtenstein Law Gazette 1972 No. 64; official collection: 0.172.030.3):

This Convention inter alia exempts legalisations of signatures affixed by diplomatic agents or consular officers of the contracting parties (⇒ Members of the Council of Europe) from the requirement of further legalisations in the form of supplementary legalisation or Apostille.

5. How the Office of Justice acts

Due to the provisions of the law, all foreign public documents and legalisations (of signatures or document copies) filed with the Office of Justice must therefore bear either a supplementary legalisation or an Apostille. Only public documents or legalisations drawn up in Austria or legalisations from European diplomatic agents or consular officers are exempt from this requirement. If legalisations of signatures are made in Switzerland or in Germany, no supplementary legalisation or Apostille is necessary either. However, in these cases, the Office of

Justice reserves the right to request a supplementary legalisation or an Apostille in cases of doubt about the subject-matter and territorial authorisation of the registrar.

6. List of the authorities competent to issue an Apostille under the Convention Abolishing the Requirement of Legalisation of Foreign Public Documents

Current list retrievable at:

<https://www.hcch.net/de/instruments/conventions/authorities1/?cid=41>

7. Legal bases:

- *Convention of 5 October 1961 abolishing the requirement of legalisation for foreign public documents; Liechtenstein Law Gazette 1987 No. 60*
- *European Convention of 7 June 1968 on the Abolition of Legalisation of Documents Executed by Diplomatic Agents or Consular Officers; Liechtenstein Law Gazette 1972 No. 64*
- *Agreement between the Principality of Liechtenstein and the Republic of Austria on the Recognition and Enforcement of Court Decisions, Arbitral Awards, Settlements and Public Documents; Liechtenstein Law Gazette 1975 No. 20*
- *Persons and Companies Act (PGR) of 20 January 1926; Liechtenstein Law Gazette 1926 No. 24 as amended from time to time*
- *Ordinance of 11 February 2003 on the Commercial Register (Commercial Register Ordinance; HRV); Liechtenstein Law Gazette 2003 No. 66 as amended from time to time*
- *Ordinance of 11 February 2003 on the Land Register and Commercial Register Fees; Liechtenstein Law Gazette 2003 No. 67 as amended from time to time*