

## **Notarisation of Documents in the United States of America for use with the German *Handelsregister* (Commercial Register)**

### **Notaries Public**

Certifications of US Notaries Public are generally accepted by the German authorities. The use of a specific wording is not required, however due to the purpose of certifying the authenticity of a signature some basic features are mandatory:

1. Personal data (at least name, preferably also date of birth and address) of the signatory;
2. Confirmation by the notary that the signatory has signed or acknowledged the signature;
3. Date of Notarisation;
4. Signature of Notary;
5. Seal/Stamp of Notary.

Additional information (e.g. means of identification of the signatory, expiry of license of the notary, oaths) may be included. Some States have published standard acknowledgements (e.g. the “California All Purpose Acknowledgement”) that, in our experience, meet the above requirements.

All certificates by US Notaries Public will require an Apostille. The Apostille is a standardised certificate issued by the Secretary of State of the notary’s state of residence.

### **Consulates**

Another way of notarisation is the use of German consulates abroad. Such consulates exist in many major US cities. Notarisation by a German consulate has the advantage that no Apostille (see above) is needed and that compatibility with other German authorities is practically guaranteed. The disadvantage is the possible distance to the next consulate and other inconveniences commonly associated with public services.

6 July 2017 – Notare Schemmann Ludewig