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الجريدة الرسمية لجمهورية العراق

روژنامه‌ى فهرمى كوّمارى عىراق

تصدر عن وزارة العدل

وهزاره‌تى داد ده‌رى ده‌كات



Legislation

No. 52

Law of Ratification of Signatures on Iraqi and Foreign Instruments and Documents

No. (52) of 1970

With its amendments

قانون تصديق التواقيع على المستندات والوثائق العراقية والأجنبية

مع تعديلاته

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Laws

In the name of people

Presidency of Republic

Based on the provisions of Paragraph (c) of the Article (5), amended of the Interim Constitution, and based on what had been presented by the Ministers of Foreign Affairs and Justice and approved by the Revolutionary Command Council;

The following law was promulgated:

No (52) of 1970

Law of Ratification of Signatures on Iraqi and Foreign Instruments and Documents

Article 1

Agencies, instruments and documents signed in a foreign country organized in accordance with its law shall be valid in Iraq if the Iraqi consul or whoever carries out the consular duties on behalf of Iraq endorses them in one of the following forms by ratifying:

1. Ratification by the foreign notary public or any competent authority after the ratification of the Ministry of Foreign Affairs in the foreign country or the local authorities that have the competence of ratification.



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2. Ratification by the university or institute administration if the Ratification applicant is an Iraqi student belonging to a recognized university or institute.
 3. Ratification by the Chamber of Commerce or its equivalent in the foreign country in accordance with local dealing.
- a. For the purpose of ratification, the Iraqi consulate shall be provided in the official manner with the seals and signatures of the authorized foreign authorities referred to in the previous paragraph.
- b. In the absence of an Iraqi consul or his representative in a foreign country, the ratification referred to in Paragraph (a) of this Article shall be done by the foreign consul of that country in Iraq or his/ her representative.

Article 2

a. (Amended, see amendments, 1)

Ratification shall be accompanied by the endorsement of the Iraqi Ministry of Foreign Affairs in all cases mentioned in Article (1), provided that it has the right to ratify the documented instruments in a country where there is no Ministry of Foreign Affairs, or there is no Iraqi consul or someone acting for his/ her, or there is no consul in Iraq if the Ministry of Foreign Affairs is convinced of the correctness issuance of the instrument from its competent reference.

- b. The Ministry of Foreign Affairs may accept the certification of the foreign consul or his/ her representative in Iraq with regard to the instrument, agencies and documents mentioned in Article (1) if they are not accompanied by the certification of the Iraqi consul or his /her representative in the foreign country in which they are organized.



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Article 3

(Repealed, see Amendments, 2, 5)

Country-of-origin certificate issued by one of the member states of the Arab Common Market and attested by an official reference in the country of origin shall be applicable in Iraq.

Article 4

Instruments and documents organized and issued by consulates and foreign diplomatic missions accredited there, foreign bodies and international and regional organizations operating in Iraq shall be applicable in Iraq, provided that they are accompanied by the approval of the Ministry of Foreign Affairs.

Article 5

The Iraqi references to whom the instruments and documents referred to in the previous articles are presented may request the submission of an Arabic translation of them to be attached to them.

Article 6

The provisions of agreements and treaties concluded between the Republic of Iraq and foreign countries shall be taken into account if they include procedures and other rules for documenting and ratifying the signatures on instruments and documents in force in the other country.



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Article 7

Instruments, agencies and documents signed organized inside Iraq for the purpose of using them in foreign countries shall be accompanied by the approval of the competent authorities as follows:

- a. The approval of each ministry on the document or instrument issued by the departments affiliated to it.
- b. The Ministry of Justice's endorsement of documents and instrument issued by departments, institutions, organizations and other bodies of legal personality that are not affiliated with one of the ministries.
- c. The approval of the Ministry of Foreign Affairs after that.
- d. The Iraqi country-of-origin certificate shall be excluded from the ratification of the Iraqi Ministry of Foreign Affairs and consular bodies abroad if it is to be used in one of the member states of the Arab Common Market.

Article 8

(Repealed, see Amendments, 6)

The approval of the Public Income Tax Directorate and External Transfer Department at the Central Bank of Iraq shall be required when ratifying the following documents, whether these documents are organized inside Iraq for the purpose of using them abroad or vice versa:

- a. Islamic law division or the regular division of the inheritance.
- b. Arguments for limiting inheritance and matters relating to the release of estates.
- c. Proofs of wills, trusteeship and endowments.
- d. Public agencies in general, and private agencies if they relate to property.
- e. All about patents and distinguishing trademarks.



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Article 9

The aforementioned ratification procedures shall be taken into account in each copy of the original document to be ratified.

Article 10

(Amended, see Amendments, 7)

- a. For the purposes of this law, the ratification of documents, instruments, agencies and their copies by the ministries shall be subject to a stamp fee of one hundred fils for each ratification, in addition to other fees imposed on these instruments pursuant to the laws in force.
- b. Documents and instruments issued by foreign diplomatic and consular missions and international and regional organizations operating in Iraq related to their members and employees who enjoy exemptions in accordance with international dealings or under the provisions of international conventions shall be exempted from the fee prescribed in Paragraph (a) of this Article.

Article 11

(Amended, see Amendments, 3)

Subject to the provisions of this Law, the ratification carried out by the competent Iraqi authorities in accordance with the provisions of this law shall be intended to confirm the authenticity of signatures and seals in documents and instruments.



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Article 12

(Amended, see Amendments, 4)

The Minister of Justice and Minister of Foreign Affairs may, each according to his/ her competence, issue instructions for the purpose of facilitating the implementation of the provisions of this law.

Article 13

The Law of Ratification of Signatures on Foreign Instruments No. (76) of 1960 shall be repealed.

Article 14

This law shall be implemented from as of the date of its publication in the Official Gazette.

Article 15

Ministers shall implement this law.

Written in Baghdad on the seventh day of the month of Muharram of 1390 AH, corresponding to the fifteenth day of the month of March of 1970 AD.

**Ahmed Hasan Al-Bakr,
Chairman of the Revolutionary Command Council
President of the Republic**



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Amendments



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Law no. (54) Of 1971

In the name of the people Revolutionary Command Council

In accordance with the provisions of Paragraph (a) of Article (42) of the Interim Constitution and based on what Ministers of Foreign Affairs and Justice had presented, the Revolutionary Command Council, at its meeting held on 1/ 4/ 1971, decided to promulgate the following:

Law no. (54) Of 1971 Law of Amendment to the Law of Ratification of Signatures of Iraqi and Foreign Instruments and Documents No. (52) Of 1970

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Article 1

The following phrase shall be added to Item (a) of Article (1) of the law of Ratification of Signatures of Iraqi and Foreign Instruments and documents No. (52) Of 1970 after the phrase "on behalf of Iraq" and before the phrase "in one of the forms", (excluding country-of-origin certificates and commercial lists).



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Article 2

The Article (3) of this law shall be repealed and replaced with the following:

Article 3

- a. The Iraqi trade attaché or his/ her representative in the institutions of the Republic of Iraq abroad shall ratify the country-of-origin certificates and the commercial lists to be certified and he/ she shall, prior to ratification, confirm if the following conditions are met in the country-of-origin certificate or the trade list:
 1. Ratification by the Chamber of Commerce or the same in the foreign country in accordance with the domestic dealing.
 2. The entity producing the goods is not be prohibited from dealing with.
 3. The goods shall be produced by the same entity mentioned in the country-of-origin certificate of or commercial list.
- b. The Ministry of Economy may accept the ratification of the trade attaché or his/ her representative in foreign representatives and bodies accredited in the Republic of Iraq regarding the country-of-origin certificate and commercial list.
- c. Country-of-origin certificate issued by one of the member States of the Common Arab Market and ratified by an official reference in the country of origin shall be applicable inside Iraq.

3

Article 3

The following phrase shall be added to the beginning of Article (11) of this law before the phrase of (the ratification means):



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Subject to what mentioned in Article (3), Paragraph (a) of this law:

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Article 4

The following phrase shall be added to the end of Article (12) of this law:
(The Minister of Economy may issue instructions for regarding the country-of-origin certificates and trade lists).

Article 5

This law shall be implemented from as of the date of its publication in the Official Gazette.

Article 6

The ministers shall implement this law.

Written in Baghdad on the first day of Sufar of 1391 AH, corresponding to the twenty-ninth day of the month of March of 1971 AD.

Ahmed Hassan al –Baker
Chairman of the Revolutionary Command Council



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Law No. (32) Of 1974

In the name of the people Revolutionary Command Council

In accordance with the provisions of Paragraph (a) of Article (42) of the Interim Constitution and on the basis of what had been presented by the Minister of economy and agreed by the President of Republic, the Revolutionary Command Council, at its meeting held on 9/ 3/1974, decided to promulgate the following:

Law no. (32) Of 1974 Second Amendment to the Law of Ratification of Signatures of Instruments and Documents No. (52) Of 1970, amended

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Article 1

The following shall be added to the end of the Article (3) amended of the Law of Ratification of Signatures of Instruments and Documents No. (52) Of 1970, amended, and it shall be deemed as Paragraph (d) of the mentioned Article:



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- d. Trade Regulation Council or whomever authorized by it may exempt the country-of-origin certificates and commercial lists relating to public sector transactions from the provision of Item (a) of this article.

Article 2

This law shall be implemented from as of the date of its publication in the Official Gazette.

Article 3

The ministers shall implement this law.

Ahmed Hassan al –Baker
Chairman of the Revolutionary Command Council



Laws

In the name of people

Presidency of Republic

Resolution No (17)

Based on what had been approved by the Parliament in accordance with the provisions of Item (First) of Article (61) and Item (Third) of Article (73) of the Constitution, The President of the Republic decided on 18/ 6/ 2015 promulgating the following law:

Law of Amendment to Law No (52) of 1970 on Ratification of Signatures on Iraqi and Foreign Documents and Instruments

No (16) of 2015

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Article 1

The phrase (External Transfer Department in the Central Bank of Iraq) stipulated in Article (8) of the ratification of signatures on Iraqi and Foreign Documents and Instruments Law No (52) of 1970 shall be repealed.



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Article 2

The following shall be added to the Article (10) of the law, and Item (c) shall be thereof:

- c. Ratification of the country-of-origin certificate for the Arab-origin commodities exported by the member states of the Greater Arab Free Trade Area, taking into account the principle of reciprocity shall be exempted from the fee stipulated in the Item (a) of this article.

Article 3

This law shall be effective once it is published in the Official Gazette.

Fouad Massoum

The President of the Republic