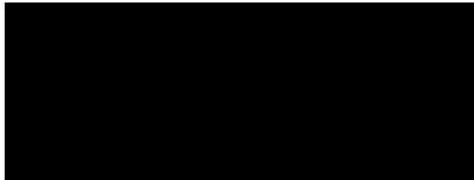


NPM No. 098-2016

15 November 2016



Re: Authentication of Documents Written in Foreign and English Language

Dear [REDACTED]:

This refers to your letter inquiring whether a document written both in the English language and another foreign language needs to be authenticated by a Philippine foreign service establishment/post or the equivalent office having jurisdiction over the foreign bidder's affairs in the Philippines.

Section 23.2 of the IRR embodies the rules on translation and certification of foreign documents issued by foreign bidders. If the eligibility requirements or statements, the bids, and all other documents submitted to the BAC are in a foreign language other than English, it must be accompanied by a translation of the documents in English by the relevant foreign government agency, agency authorized to translate documents, or a registered translator in the foreign bidder's country; and shall be authenticated by the appropriate Philippine foreign service establishment/post or the equivalent office having jurisdiction over the foreign bidder's affairs in the Philippines. Thus, this provision finds application in cases where the documents to be submitted is written in foreign language other than English, which needs to be translated.

In contrast with the situation contemplated above, the documents presented in your letter request are written in a foreign language but already has an equivalent or corresponding English translation. It is worthy to mention that in our earlier opinion¹, we had the occasion to explain that the **certification required under Section 23.2** applies only when **the equivalent eligibility requirements submitted by the foreign bidder are initially expressed in another foreign language, which has been duly translated to English**. Conversely, **in case the foreign documents are originally written in English, the required certification coming from the appropriate embassy or consulate is not necessary.**

As the documents are already written in English, it is not required to be certified by the appropriate embassy or consulate of the Republic of the Philippines or the equivalent office having jurisdiction in the foreign bidder's affairs here in the Philippines when submitted as part of the eligibility documents under Section 23 of the IRR. To reiterate, the requirement for

¹ NPM No. 073-2012 dated June 8, 2016

certification is limited to documents that are originally written in a non-English foreign language and are consequently translated to the English language.

We hope that this opinion issued by the GPPB-TSO provided sufficient guidance on the matter. Note that this is issued on the basis of particular facts and situations presented, and may not be applicable given a different set of facts and circumstances. Should there be other concerns, please do not hesitate to contact us.

(sgd.)

DENNIS S. SANTIAGO
Executive Director 