

Practice Note 10 – Ministry of Justice Conviction Check Letters

The DIA will issue apostille certificates on MOJ conviction check letters (and for other government-issued documents as set out on pages 2 and 3 of the Apostille application form

<https://www.govt.nz/assets/Documents/Passports-citizenship-and-identity/Request-a-document-authentication-or-apostille> without the need for prior notarisation. Regardless of this, you may be asked to notarise a conviction check letter, the most likely reason being the turnaround time.

Currently the DIA is taking up to fifteen working days to obtain verification from the MOJ before an Apostille certificate can be issued on a (non-notarised) conviction check letter.

New Zealand has a “clean slate” scheme <https://www.justice.govt.nz/criminal-records/clean-slate>

This means that in certain circumstances, criminal convictions are automatically concealed.

However, the clean slate scheme does not apply outside of New Zealand, which means a full record will likely be required by the overseas country. As a notary, you have no knowledge of the type of application made by the applicant (i.e. clean slate or full disclosure) but it is advisable to check to the best of your ability, that all the information given by the MOJ matches the information on the document you are notarising.

In addition to any qualification that you may elect to make in your notarial certificate, the recommended process is to ask the applicant to forward to you the original email from the MOJ with the conviction check letter attachment included. If you rely on a version of the conviction check letter sent to you directly by the applicant, not all of the information may necessarily be included.