

Between law and language: notarial terminology in the Basque language

ANDRÉS URRUTIA BADIOLA

Public Notary & Lecturer on Basque and Spanish Civil Law
University of Deusto, Bilbao (Spain) and Member of
the Board of the Basque Academy of Law

SUMMARY: 1. INTRODUCTION: BASQUE AND CASTILIAN AS CO-OFFICIAL LANGUAGES AND THEIR IMPACT ON THE WORK OF NOTARIES. 2. THE LEGAL TASKS OF NOTARIES: ORGANISATIONAL AND LINGUISTIC CONTEXT IN THE BASQUE COUNTRY AND NAVARRE. 3. THE PROFESSION OF THE NOTARY IN THE BASQUE COUNTRY AND NAVARRE: CHARACTERISTICS. 4. TERMINOLOGICAL NEEDS OF A BILINGUAL NOTARIES' PRACTICE. 5. DESCRIPTION OF THE RESOURCES USED ON A DAILY BASIS BY A BILINGUAL NOTARIES' PRACTISE. 6. AN EVALUATION OF THESE RESOURCES IN RELATION TO PERCEIVED NEEDS. 7. PROPOSAL FOR IMPROVING RESOURCES AND PROVIDING NEW ONES, AND JUSTIFICATIONS FOR SAME. 8. CONCLUSIONS

1. INTRODUCTION: BASQUE AND CASTILIAN AS CO-OFFICIAL LANGUAGES AND THEIR IMPACT ON THE WORK OF NOTARIES

The introduction of the different territorial languages of Spain other than Castilian as co-official languages has given rise to their use in law and consequently to the need to renew the terminology of those languages so that they can be used not only in the formal legal order but also in legal practice.

Within the different aspects of the practice of the law affected by the existence of co-official languages, one must highlight the tasks carried out by notaries on a daily basis, which are of great importance from both a legal and linguistic point of view.

The legal basis for the recognition of the Basque language in the case of both the Basque Autonomous Community and Navarre can be found in various legal provisions, founded initially in Article 3 of the Spanish Constitution of 1978:

1. *Castilian is the official language of the State. All Spaniards have the obligation to know and the right to use it.*
2. *The remaining Spanish languages shall also be official in their respective Autonomous Communities, in accordance with their respective devolution legislation.*

Article 3 was implemented in the Basque Autonomous Region's Devolution Act (*Estatuto de Autonomía*) 1979, Article 6 of which provides as follows:

1. *Basque (Euskera), the language of the Basque people, shall together with Castilian be an official language of the Basque Country (Euskadi) and all of its inhabitants have the right to know and use both languages...*
2. *No one may be discriminated against on the grounds of language.*

This provision was further developed in Law 10/1982 of the 24th November on the normalisation of the use of *Euskera*. Although no specific mention is made as regards the co-official status of *Euskera* in the work of notaries, the following is provided:

Article 5

1. *All citizens of the Basque Country have the right to know and use the official languages, both orally and in writing.*
2. *The following fundamental linguistic rights shall be recognized in favour of the citizens of the Basque Country: a) The right to communicate in Euskera or Castilian both orally and/or in writing with the Public Administration or any Organ or Entity based in the Autonomous Region ... d) The right to carry out one's professional, employment and trade union activities in Euskera.*

Article 6

1. *The right of all citizens to use both Euskera and Castilian in their relations with the Public Administration in the territory of the*

Autonomous Region and to be dealt with in the official language of their choice is recognized.

Article 9

1. *Petitions in writing and documents presented in Euskera as well as judicial acts shall be fully valid and effective.*

As regards the Community of Navarre (*Comunidad Foral de Navarra*), the constitutional provision has been applied through Article 9 of *Ley Orgánica 13/1982* of the 10th August on the reintegration and improvement of the traditional system providing for local privileges in Navarre (*Reintegración y Amejoramiento del Regimen Foral de Navarra*) which provides as follows:

1. *Castilian is the official language of Navarre.*
2. *Basque shall also be considered official in the Basque-speaking areas of Navarre. A local law shall establish such areas, shall regulate the official use of Basque, and shall provide for teaching of this language within the general legal framework of the State.*

Further to the Basque-speaking having been established as indicated above, Local Law (*Ley Foral*) 18/1986 of the 15th December on the Basque Language (in this case the Castilian term “Vascuence” is used) provides as follows with respect to the Basque-speaking areas:

Article 12

Public documents shall be drafted in the official language chose by the grantor, or, in the case of more than one grantor, in the language chose by them. Persons authorized to publicly certify the valid execution of documents (fedatarios públicos, which would include notaries) shall issue copies or certificates in Castilian or Basque as requested by interested parties and translate originals and documents as required and shall be responsible for same. In any event, documents intended for use outside the Basque-speaking areas shall be issued in Castilian.

2. THE LEGAL TASKS OF NOTARIES: ORGANISATIONAL AND LINGUISTIC CONTEXT IN THE BASQUE COUNTRY AND NAVARRE

The framework for the co-official status of the Basque language with Castilian in the Basque Country and Navarre with respect to the work of notaries must be considered together with provisions relating to the organization of the functions of notaries and their linguistic regulation in both autonomous regions.

These rules on the organization and linguistic regulation of notaries arise in the case of both autonomous regions, both under the Basque Autonomous Region's *Estatuto de Autonomía* as well as the *Ley de Reintegración y Amejoramiento del Regimen Foral* in the case of Navarre, both of which are laws which grant the respective regions powers with respect to the appointment of notaries. More specifically, the relevant provisions are Article 10.22 in the case of the Basque Autonomous Region and Article 52.1 in the case of the Navarre, whether furthermore knowledge of local laws (*Derecho Foral de Navarra*) is taken into consideration. Nevertheless, in both cases, the organizational provisions of laws of the State apply.

Consequently, the specific and linguistic rules on the activities of notaries must be complemented by Articles 1 and 25 of the statute on notaries (*Ley del Notariado*) of 1862, which provide as follows:

Article 1

1. The notary is the public civil servant authorized to certify facts (dar fe) in accordance with laws, contracts and other extrajudicial acts. In the entire kingdom, there shall be a single class of such civil servants ...

Article 25

Public documents shall be drafted in Castilian, and shall be clearly written without abbreviations and blank spaces...

These provisions are then expanded in a Decree of the 2nd June 1944 which contains the Rules on the operation of notaries (*Reglamento Notarial*) and Article 1 of which provides as follows:

1. The body of notaries (el Notariado) shall be made up of all of the notaries of Spain, with identical functions and with the rights and obligations established by laws and regulations. Notaries are both civil servants and practitioners of the law, and the organization of notaries shall be based on this new characteristic. As civil servants, they certify the veracity of acts, a task which consists of and protects two separate elements: A) As regards facts, their precise content as seen, heard or perceived personally by the notary. B) As regards the law, the authenticity and proof of declarations of will expressed by the parties in public documents drafted in accordance with the law. As legal practitioners, their task is to advise those who seek their expertise and recommend the legal instruments best suited for achieving their legal objectives. ...

This dual characteristic of being both a civil servant and legal practitioner which is peculiar to notaries is also present in the new linguistic provisions on public documents in article 149 of the Rules as provided in Royal Decree 45/2007 of the 19th January:

Public documents shall be drafted in the official language of the place where they are executed agreed by the grantors. In the event that the grantors do not agree to the use of only one of the official languages, the public documents must be drafted in the official languages which exist. Copies of the document shall be issued in the official language requested by the person requiring same.

This new system of linguistic rules is debtor of the system already referred to with respect to the Basque Country and Navarre and highlights an important initial characteristic for this paper, given that once the use by notaries of the Basque language in both autonomous regions has been guaranteed, one may then consider the terminological needs which arise from such use of the language by notaries.

One must also refer to two characteristics which derive not just from the fact that there are two official languages, but also because of the application of civil law in the Basque Country and Navarre, given that in both regions, specific local systems of civil law exist. In Castilian they are referred to as “*derechos civiles forales*”, and they have their own linguistic rules, in addition to those specifically provided for in Article 684 of the Spanish Civil Code with respect to wills executed before a notary:

When the testator expresses his will in a language which the notary does not understand, the presence of interpreter is required, to be chosen by the testator, and who shall translate the testamentary disposition to the official language of the place applicable to the notary. The document shall be drafted in both languages and indicating which was used by the testator. Open wills and documented closed ones shall be drafted in the foreign language expressed by the testator and in the official one used by the notary, even when the notary knows the foreign one.

Local civil law in the Basque Country, established by law 3/1992 of the 1st July, provides as follows:

Article 15

Acts and contracts regulated by this legislation may be formalized in the Basque language. Save as provided in linguistic legislation for the time being in force, when such a document is executed before a notary who does not know Basque, an interpreter chosen by the grantor shall intervene in order to translate the document to Castilian, and the document shall be drafted in both languages, as provided in the Reglamento Notarial (the rules on the operation of notaries).

To end, Law 192 on the Compilation of Local Civil Law or *Fuero Nuevo* in Navarre from 1973 provides as follows:

The people of Navarre may make their wills in the Basque language. If the will is made before a notary who does not understand Basque, the presence of two interpreters chose by the testator is required, and

they shall translate his wishes to Castilian. The will shall be drafted in both languages, as provided in the Reglamento Notarial.

We are therefore in a position to characterize the work of the notary from his role as a linguistic and legal-cultural mediator with needs of a terminological nature resulting from the fact that his function is both that of a civil servant and a professional adviser. The characteristic of this role are therefore as follows:

1. The notary is a linguistic and legal-cultural mediator as he has legal training and his task socialises his legal knowledge through his relationship with his clients as a professional legal adviser, as defined in Article 1 of the *Reglamento Notarial*, with a view to advising them on the legal means available to best achieve their lawful objectives.

2. The notary is a linguistic and legal-cultural mediator as he formalizes the wishes of his clients in a series of documents which are of a public nature and so are irrefutable proof of their contents by virtue of the fact that the notary is a civil servant.

3. The notary is a linguistic and legal-cultural mediator as he is obliged to use a series of linguistic and legal resources to which he has recourse as a result of his knowledge of the law are more specifically of the branches of the law in which he specializes, such as civil and commercial law, in addition to taxation and other related disciplines, such as the law applicable to notaries. Consequently, he is a first-rate legal practitioner in the sphere of private law.

4.-The notary, in autonomous communities with co-official languages, is a linguistic and legal-cultural mediator as he uses both languages and furthermore does so in carrying out functions of a legal nature, including the use of a language in the formal drafting public deeds as well as in less formal tasks, such as dealing with his clients orally or in writing, in the official language requested by the client.

5. The notary, in autonomous communities with co-official languages, is furthermore a linguistic and legal-cultural mediator, and agent for regulating and normalizing the use of the co-official languages other than Castilian, as he uses specialised legal terminology¹ and specific legal language² of his own both in Castilian and in the other co-official language. In the case of the Basque Country and Navarre, he uses Castilian, the language which is consolidated in the work of notaries, and Basque, a language in the past not used by notaries and which consequently required terminology and legal language suited to the work of notaries.

To conclude, in the case of the Basque Country and Navarre, we can consider the notary a specialist in the field of private law, with a theoretical and practical knowledge of private law both with respect to the Civil Code and specific local private law, applying both on a daily basis in the co-official languages of these regions. As a result of this, he is also a linguistic and legal-cultural mediator by explaining the content of private law to his clients, thus satisfying their legal and linguistic needs.

Another important point which results from the existence of the local civil laws which are particular to the Basque Country and Navarre and different to those in the Spanish legal system is that they have an extensive legal terminology of their own in the Basque language which has made its way into the Castilian drafts of those local laws and which the notary needs to be familiar with and use. It includes words such as *alkar-*

¹ IMAZ LEUNDA, M. (2012). "Terminologia euskal itzulpengintzan". In García Murga, F. y Madariaga Pisano, N. (arg.). Bilbo: Udako Euskal Unibertsitatea. 197: She insists on the idea of the dependence of legal terminology in Basque with that in Castilian and French as the legal and administrative terminology is linked to the legal and political systems of each of the two States, and where applicable, to European Union Law.

² ALCARAZ VARÓ, E. (2000). *El jurista como traductor y el traductor como jurista*. Barcelona: Universitat Pompeu Fabra. 15-16: This author highlights the macrostructures of legal texts and within them their similarity on the basis of the area involved, as well as their communication function, method of discourse and common socio-pragmatic convictions, all of which must be borne in mind by translators of specialist legal texts.

poderoso (reciprocal will), *hilburukoa* (will made when in fear of dying, *ondazilegia* (communal land), *langa*, *keleta* (easements) and others which make up the focal point of these local laws of the Basque Country and Navarre, and which are of a customary nature have been formed over the centuries and today are still used by the people.

3. THE PROFESSION OF THE NOTARY IN THE BASQUE COUNTRY AND NAVARRE: CHARACTERISTICS

From a professional point of view, notaries from the Basque Country and Navarre can be characterised by the fact that their professional and linguistic training is broadly similar and conditioned by the means of access to the profession existing today at State level, which requires a Degree in Law followed by preparation for the public exams which lead to being awarded a post, during all of which knowledge of the co-official languages is not taken into consideration.

Although it is true that course and exam contents require knowledge of what is strictly legal, that is, knowledge of Spanish Civil Law, both common and local, the same does not occur with respect to knowledge of the Basque language in the case of notaries practising in the Basque Country and Navarre, where such knowledge is minimal, never exceeding 2% or 3%. However, it is true that newer generations entering the profession have greater knowledge of the Basque language and it is hoped that through the introductions of the Basque language in the course programmes of law faculties in the Basque Country and Navarre, the percentage of notaries with knowledge of Basque will increase substantially in the future.

Even without a basic socio-linguistic analysis on the attitudes and uses of the Basque language in the daily work of notaries in the Basque Country and Navarre, it is commonly used in Basque-speaking areas in

making the initial verbal contacts with notaries, although its subsequent use in writing drops to around 3% in the best of cases³.

Furthermore, given the linguistic characteristics of the Basque Country and Navarre, the relationship is usually maintained by employees of the notary's office who are generally locals and native speakers of Basque who however may not have any specific written training in the language, both in general terms as with respect to specific legal vocabulary.

This situation greatly conditions the use of the Basque language both at written and oral level and in particular with respect to the possibility of being used normally by notaries in the immediate future. However, it is also true slowly but surely, there is an ever-increasing demand for the use of Basque in notarial documents. This is a demand which today is met in the case of the Basque Country through the translation services offered by the *Ilustre Colegio Notarial del País Vasco* (Faculty of Notaries of the Basque Country) and in the case of Navarre, through the translation services of the Government of Navarre which verifies the quality of translations.

To summarise, with respect to the common use of both Castilian and Basque, the body of notaries in the Basque Country and Navarre uses the Basque language on a very small scale, and shows a lack of preparation for the needs of the use of both languages. However, such needs are not backed by a massive demand for the use of Basque in the work of notaries.

Therefore, this article is based specifically on a bilingual notaries' practice which uses both languages in the drafting of notarial deeds as well as in the oral and written dealings with its clients, and in which both of the practicing notaries are versed in both oral and written Basque, and half of the staff are also bilingual, some with the ability to draft deeds in both languages. This is therefore an exception to the general rule, and indeed an exception to what the writer indicated above, but nevertheless an exception which allows us to question and meditate on the ter-

³ Own statistics.

minological needs of notaries in the Basque Country and Navarre through the daily dealings of a bilingual practice. In so doing, it also allows us to ask questions of the terminological needs of other linguistic and cultural mediators such as translators, interpreters and persons charged with achieving the standardization of both languages, when faced with producing notarial texts and deeds in Basque.

4. TERMINOLOGICAL NEEDS OF A BILINGUAL NOTARIES' PRACTICE

Given the circumstances already mentioned, it is obvious that the terminological of a bilingual notaries' practice are determined by various factors. The first is due to the fact that translation and terminological overlap considerably within this area of specialised communication which arise in the work of notaries. It is a specialised communication which involves the drafting of documents in a starting-off language (Castilian) being transformed into another language, Basque⁴. Its typical characteristics are as follows:

a) The topic (Private Law) and its cognitive perspective, which are specific to it, in so far as the subject dealt with is specialised and the resulting text brings together specialised knowledge. This is what happens in the case of documents typically drafted by notaries, such as deeds, wills and minutes.

b) Those intervening are the notary and the persons listening to him. The notary is the specialist, the holder of the knowledge which he pos-

⁴ ENGBERG, J. (2013). "Why Translator are not Lawyers. On Differences and Similarities of Interest and Knowledge". En ALONSO, I.; BAIGORRI, J y CAMPBELL, H. (eds.) *Translating the Law. Theoretical and Methodological Issues. Traducir el Derecho. Cuestiones teóricas y metodológicas*. Granada: Editorial Comares. 31: *If we start by looking at the description of the act of translating, we observe that it concentrates upon producing texts that convey the same choice of knowledge elements in a target text as those presented in a source text. Thus, the task is, so to speak, one of depicting a previous instance of communication. What a lawyer does is different: the lawyer solves social problems on the basis of legal knowledge. In a previous work... I have suggested to see this difference as one between an architect (=the lawyer) and a portrait painter (= the translator)*

esses because of his training and professional experience, while the information is aimed at persons of differing backgrounds but are basically the notary's clients or other legal practitioners.

c) The message, which takes the form of a public document or advice given, and the most relevant points of which are its legal and notarial terminology which result in the texts having a denser level of terminology as they become more specialised, and the use of formulas which have become consolidated through their usage.

It is because of this that today an adequate terminology is required which allows us to achieve a specialised translation with a high level of quality and which at the same time achieves a linguistic and legal equality which results in legal certainty. This is a concept which after all arises because of terminological precision as well as legal knowledge as without either it would be impossible for a notary to certify legal facts (in Spanish, *dar fe*).

Consequently, it is important to bear in mind the legal and linguistic aspects of legal translations⁵ as well as the concept of legal certainty which is fundamental when considering a specialised translation from Castilian to Basque in the sphere of the work of notaries⁶.

⁵ GÉMAR, J.-Cl. (1997). "Traduire le langage du droit en contexte bilingue et bijuridique. Le Canada : un cas d'espèce ? En Schena, L. (ed.) *La lingua del Diritto. Difficoltà traduttive. Applicazioni didattiche*. Roma: Cisu. 83-84. *En fin, le problème de l'équivalence des effets juridiques du texte qu'il traduit ne se pose pas dans les mêmes termes pour le traducteur et pour le juriste. En schématisant, à l'extrême, disons que le premier visera l'équivalence linguistique, pensant être quitte de la partie juridique, la lettre -donc le sens- étant respectée. Le second cherchera à réaliser l'équivalence juridique, estimant que, le droit étant exprimé, la lettre suit ipso facto. Or, dans un cas comme dans l'autre, c'est la rencontre et la fusion harmonieuses des deux éléments constitutifs du texte -contenant e contenu- qui produiront l'équivalence souhaitable.*

⁶ BELLOCH JULBE, J.-F. (2006). «Sistema público extrajudicial de seguridad jurídica preventiva». *El Notario*, 5. En <http://www.elnotario.com/egest/noticia>: a) "La seguridad jurídica, entendida como certeza en el comportamiento de los poderes públicos y en las consecuencias de los actos y omisiones de los ciudadanos, constituye una "conditio sine qua non" de la economía de mercado". b) "Nuestro sistema público de seguridad jurídica preventiva extrajudicial está basado en las presunciones de legalidad, autenticidad de forma y fondo, e integridad del contenido de los documentos públicos notariales. Tra-

So, the objective is that the notary as a specialist or, when applicable, as a translator, or other linguistic and cultural experts who take part, can achieve a sufficient degree of specialised knowledge in order to satisfy the terminological and linguistic needs, and consequently those required to secure legal certainty, all of which are requirements of the work of the notary, through specialised texts. For this purpose, knowledge is required not only of the law (in this case of Spanish private law as well as of local private laws in the Basque Country and Navarra) but also of both the Basque and Castilian languages.

With respect to the four different levels of implication by the translator with the terminology, there has been progress in the work of notaries in both the Basque Country and Navarre, although the final level of implication has not yet been achieved.

The process can be described diachronically as follows:

1. First level of implication

The notary, as both a legal specialist and translator, or, where applicable, the linguistic and cultural assistant, is faced with the need to translate a specialised term of private or notarial law in Castilian and because of the fact that traditionally such terms have not been translated, does not have access to an equivalent in Basque. He turns to general bilingual dictionaries of Castilian and Basque. In 1978, these dictionaries lack of the required specialization to resolve his problems, so, it was necessary for him to make an explanation of the term or, also, reproduce the castilian term in Basque language.

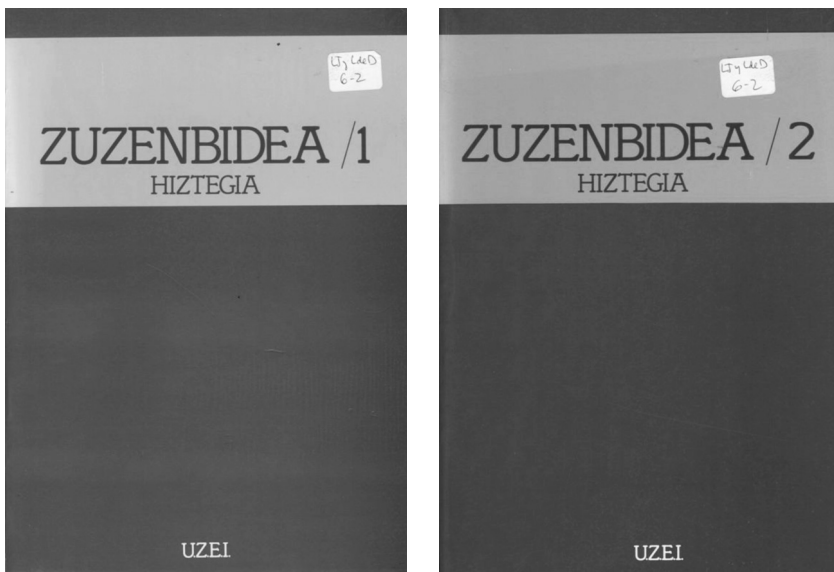
2. Second level of implication

Here, the notary or the linguistic and cultural assistant decides to fill the linguistic vacuum by creating a neologism in Basque.

tándose de transacciones inmobiliarias, lo está, además, en las presunciones de legalidad, exactitud e integridad del contenido de los asientos de “inoponibilidad” y “adquisición a non domino”, y se justifican las llamadas “presunciones legitimadoras” (de existencia y posesión de los derechos inscribibles inscritos).

3. Third level of implication

At this level, we find a notary or a linguistic and cultural assistant who is active in the field of terminology which he gathers from the texts he translates, and organises it into a data base which enables him to provide terminology which is more coherent than at the previous levels. In the case of Basque, the origins of this task were the collaboration of the body of notaries with the *Centro de Terminología en Euskera UZEI* and the publication of a dictionary of law in Basque (*Zuzenbidea Hiztegia*, 1985. Annex 1), which is encyclopaedic and terminological in nature is the basis of all subsequent development of legal terminology in Basque, including that used by notaries.



[Annex 1]

Dictionary of Law in Basque, 1985

4. Fourth level of implication

Here, the notary or linguistic and cultural assistant is active in producing texts and in co-operating with various public and private institutions such as *UZEI* or the *Servicio Oficial de Traductores del País Vasco* (official translators' service), *Comisión de Terminología del Gobierno Vasco* (EUS-KALTERM, the Basque Government's Committee of Terminology) or the *Ilustre Colegio Notarial del País Vasco* (Faculty of Notaries in the Basque Country) in editing, through bilingual glossaries, the work he produces, so that it can be used by others. He becomes a systematic terminologist and applies a plurilingual terminology. A still embryonic example of this fourth level of implication is the *Glosario de términos notariales y de Derecho civil foral del País Vasco* (Glossary of Terminology for Notaries and of local civil law in the Basque Country, Annex 2), in which new technology and the bilingual terminology of notaries in relation to general and local civil law in the Basque Country are inter-related.



[Annex 2]

Glossary of Terminology for Notaries and of Basque civil law in the Basque Country

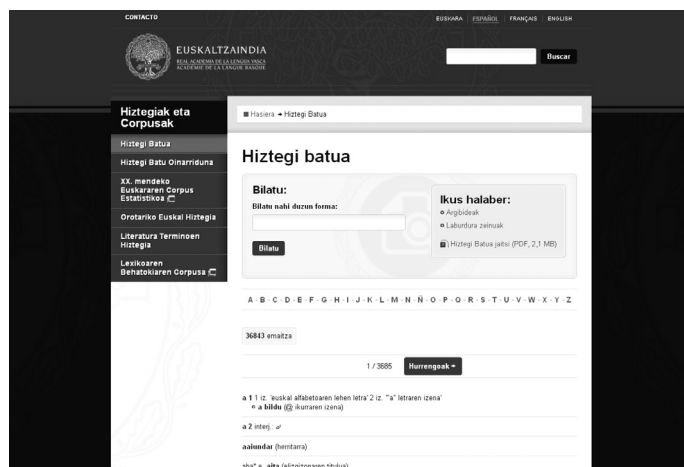
5. DESCRIPTION OF THE RESOURCES USED ON A DAILY BASIS BY A BILINGUAL NOTARIES' PRACTISE

Form the point of view of the terminology involved, today we have at our disposal material which is considerably more advanced than thirty years ago. However, because we're dealing with a highly specialised area, these materials do not entirely satisfy the terminological needs of a notary's office.

The materials used are:

1. Orthographical dictionary of Euskaltzaindia (*Hiztegi Batua*),

This is a now fundamental lexicographic resource with over 43,009 entries and subentries, and is official as given the recognition of the *Real Academia de la Lengua Vasca-Euskaltzaindia* which edits it. It is therefore a first-rate source for knowing normalised terminology and its areas of specialisation include *Zuz.* (Law), *Admin.* (Administration) and *Pol.* (Politics). The writer believes that approximately 10% of its entries and subentries have legal connotations, including those relating to the specialised areas referred to above. It can be consulted on internet and was brought up to date on November 2013 (Annex 3). Nor should one for-



[Annex 3]

Orthographical Dictionary of Euskaltzaindia

get the *Diccionario Ortográfico Fundamentado (Hiztegi Batu Oinarriduna)* which provides the entire evolution of an entry or subentry until it is accepted in the *Diccionario ortográfico* (orthographical dictionary) which is also available on internet (Annex 4).

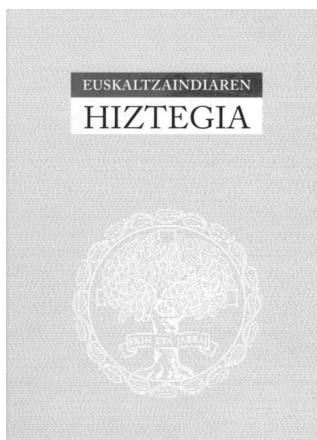
The screenshot displays the Euskaltzaindia website's interface for the 'Hiztegi batu oinarriduna'. The top navigation bar includes 'EUSKALTZAINDIA' and 'Hiztegi Batu Oinarriduna'. The main content area features a search form with the following fields: 'Bilatu', 'Forma', 'Kategoria gramatikala', 'Aditza mota', 'Erabilerak', 'Erdaketa', 'Garaia', 'Salto', and 'Ondare mota'. Below the form is a list of entries for the letter 'A', including 'abade', 'abadea', 'abadea', 'abadea', and 'abadea', each with a brief definition and a 'Bilatu' button.

[Annex 4]

Orthographical Dictionary of Euskaltzaindia. Evolution of the entries and subentries

2. Dictionary of Euskaltzaindia. Meanings and examples (*Euskaltzaindiaren Hiztegia. Adierak eta adibideak*)

It is the first monolingual dictionary in Basque which encompasses approximately 20,000 definitions and examples of the entries and subentries in the orthographic dictionary, uses the same marks as that dictionary and provides meanings and examples of the words together with some grammatical categories, and therefore provides defines some legal terms from the perspective of a general dictionary. The first edition was published in 2012 and the second edition is now being worked on (Annex 5).



[Annex 5]

Dictionary of Euskaltzaindia. Meanings and examples, 2012

Apart from these important but purely lexicographical and normative sources which guide both professionals and translators in a language, Basque, which has not tradition in specialised use of such terminology, the following terminological sources are also commonly used by notaries:

1. *Glosario de términos notariales y de Derecho civil foral del País Vasco.* (Glossary of notarial terminology and local law of the Basque Country)

From the point of view of specialisation in the field of the work of notaries, it is the most useful terminological source available at present,

as it covers the four factors involved in the work of notaries in the Basque Country and Navarre by covering terminology of the ordinary civil law as well as local laws and furthermore does so through a glossary which includes definitions of each of the terms together a short commentary and example, as well as tightly connecting both languages.

2. *Memoria de traducción* (Translation data base)

Documents drafted by notaries which have been translated over the past 25 years have been added to a translation data base through *Trados*. The data base can be consulted for terminology and provides a growing number of texts which in turn have given rise to bilingual precedent documents, which are very important in the day-to-day work of the notary. This data base is what is used the translation service of the *Ilustre Colegio Notarial del País Vasco* (Faculty of Notaries of the Basque Country – Annex 6).

[Annex 6]

Faculty of Notaries of the Basque Country

Model of last will or testament in basque language (Basque civil law)

┆GARREN ZENBAKIA.-----
 *(e)n, nire egoitzan, *(e)ko *aren *(e)an,
 goizeko/arratsaldeko * orduak eta * minutu direnean.
 Nire, *, *(e)ko Notario Elkargo Txit Prestuko
 kide naizen honen aurrean,-----
 AGERTZEN DA:-----
 * JAUNA/ANDREA, *(e)n jaioa, *(e)ko *aren
 *(e)an, hilda dauden * jaunaren/andreak eta *
 jaunaren/andreak semea/alaba, *(e)ko biztanlea,
 *(e)an egoitza duena, eta nortasun-agiriaren
 zenbakia * duena.-----
 Bere inguruabar pertsonalak bere
 adierazpenetatik atera dira.-----
 Badu, nire aburuz, testamentua egiteko behar
 adinako lege-gaitasuna. Bere azken nahia adierazten
 du, eta nik, notarioak, azken nahi hori idatziz
 jasotzen dut, haren ahozko jarraibideen arabera,
 hurrengo klausulekin bat etorritz.-----
 KLAUSULAK:-----
 LEHENENGOA.- Bere ezkontzari, gaur egun

berarentzat bakarra den horri, foru-komunikazioaren
 lege-arabidea (edo kasuan kasukoa) aplikatzen zaio.
 Ezkontza horretatik, * seme-alaba izan ditu, *, *
 eta * izenekoak.-----
 BIGARRENA.- Adierazten du Bizkaiko foru-
 legeriaren mende dagoela, jatorriaren ondorioz eta
 auzotasunaren ondorioz.-----
 HIRUGARRENA.- Aipatu senarrari/emazteari, *
 jaunari/andreak, testamentu-ahalordea ematen dio,
 bakoitzak, foru-komisario izaeraz, bere ondasunak
 xeda ditzan, bi-bion seme-alaba eta ondorengoen
 artean, edo bestelakoen artean, batzuei gehiago eta
 beste batzuei gutxiago emanez, edo zati berdinetan,
 horretarako dohaintzak, legatuak, jaraunle-
 izendapenak eta bazterketak eginez, Bizkaiko foru-
 zuzenbidearen arabera, behingoz nahiz behin baino
 gehiagotan, baita izaera ezetagarriarekin ere.----
 Ahalorde hori alargunaren bizi osorako ematen
 da; baina, alarguna berriz ezkontzen bada edo
 izateko bikotea eratzen bada, ezetaturik geratuko
 da.-----
 Alargunak, ahalordea erabiltzen ez duen
 bitartean, herentziako ondasunen administrazioari
 eta gozamenari eutsiko die.-----

Model of last will or testament in castilian language (Basque civil law)

NUMERO *.-----
 En *, mi residencia, a * de * de *, siendo las
 * horas y * minutos de la mañana/tarde.-----
 Ante mí, *, Notario/ria del Ilustre Colegio No-
 tarial de *,-----
 COMPARECE:-----
 DON/DOÑA *, nacido/da el * de * de *, en *,
 hijo/ja de Don/Doña * y Don/Doña *, ya fallecidos,
 vecino/na de *, con domicilio en *, y con documento
 Nacional de Identidad número *.-----
 Constan las circunstancias personales de sus ma-
 nifestaciones.-----
 Tiene a mi juicio la capacidad legal suficiente
 para testar, y ordena su última voluntad que yo,
 el/la Notario/ria, redacto conforme a sus instruc-
 ciones verbales en las siguientes,-----
 CLAUSULAS:-----
 PRIMERA.- Manifiesta que, de su único y actual
 matrimonio, regido por el régimen legal de comunica-
 ción foral (o el que proceda), tiene * hijos, llana-

dos *, * y *.-----
 SEGUNDA.- Manifiesta hallarse sujeto/ta a la le-
 gislación foral vizcaína, por razón de su origen y
 vecindad.-----
 TERCERA.- Que confiere a su citado/da esposo/na,
 Don/Doña *, poder testatorio para que, con el carác-
 ter de Comisario/ria, disponga de sus bienes en
 favor de los hijos y descendientes comunes, u otras
 personas, dando a unos más y por lo tanto a otros
 menos, o a partes iguales, haciendo al efecto las
 donaciones, legados, instituciones de herederos,
 exclusiones y apartamientos, con arreglo al Derecho
 Foral Vizcaíno, en una o varias veces e incluso con
 carácter revocable.-----
 Dicho poder se confiere por toda la vida del
 cónyuge superviviente, pero si éste contrajera poste-
 rior matrimonio o se constituyere en pareja de
 hecho, quedará revocado el mismo.-----
 En tanto no haga uso del Poder retendrá la admi-
 nistración y usufructo de los bienes relictos.-----
 El cónyuge superviviente podrá también atribuirse
 el usufructo universal de la herencia, mientras se
 conserve viudo/da o no se constituya en pareja de
 hecho.-----

Model of last will or testament in basque language (Spanish civil law)

*GARREN ZENBAKIA.-----
 *(e)n, nire egoitzan, *(e)ko *aren *(e)an,
 goizeko/arratsaldeko * orduak eta * minutu direnean.
 Nire, *, *(e)ko Notario Elkargo Txit Prestuko
 kide naizen honen aurrean,-----
 AGERTZEN DA:-----
 * JAUNA/ANDREA, *(e)n jaioa, *(e)ko *aren
 *(e)an, hilda dauden * jaunaren/andreairen eta *
 jaunaren/andreairen semea/alaba, *(e)ko birtanlea,
 *(e)an egoitza duena, eta nortasun-agiriaren
 zerbakia * duena.-----
 Bere inguruabar pertsonalak bere
 adierazpenetatik atera dira.-----
 Badu, nire aburuz, testamentua egiteko behar
 adinako lege-gaitasuna. Bere azken nahia adierazten
 du, eta nik, notarioak, azken nahi hori idatziz
 jasotzen dut, haren ahozko jarraibideen arabera,
 hurrengo klausulekin bat etorritz.-----
 KLAUSULAK:-----
 LEHENENGOA.- Adierazten du bere ezkontzari, gaur

egun berarentzat bakarra den horri, irabazpidezkoen
 lege-araubidea (edo kasuan kasuko) aplikatzen
 zaiola, eta, ezkontza horretatik, * seme-alaba izan
 dituela, *, * eta * izenekak.-----
 BIGARRENA.- Adierazten du *(e)ko legeriaren
 mende dagoela, jatorriaren ondorioz* edota
 auzotasunaren ondorioz*.-----
 *HIRUGARRENA.- Aipatu ezkontideari, *
 jaunari/andreaire, legatua ematen dio bere
 jarauntsiaren gaineko gozamen unibertsal eta bizi
 artekoa. Inbentarioa egiteko eta fidantza emateko
 betebeharretatik askatzen du, eta ahalmena ematen
 dio legatu honen gaineko edukitza beraren kabuz
 eskuratzeko. Seme-alabei, nahitaezko jaraunse diren
 neurrian, arren eskatzen die gozamen hori oso-osorik
 errespetatzea, eta agintzen du, semea edo alabak,
 eurretatik batek, gozamina aurkaratzen badu, horrek
 bere seniparte hertsia besterik ez duela jasoko. Eta
 guztiak ere gozamina aurkaratzen badute, eta kasu
 horretan bakarrik, aipatu ezkontideari, *
 jaunari/andreaire, legatua ematen dio bere
 jarauntsiaren xedapen askeko herena, jabetza osoz,
 legez hari dagoen gozamen-kuotaz gain.-----
 *HIRUGARRENA.- Aipatu ezkontideak, *

Model of last will or testament in castilian language (Basque civil law)

*GAREN ZENBAKIA.-----
 *(e)n, nire egoitzan, *(e)ko *aren *(e)an,
 goizeko/arratsaldeko *orduak eta * minutu direnaren.
 Nire, *, *(e)ko Notario Elkargo Txit Prestuko
 kide naizen honen aurrean,-----
 AGERTZEN DA:-----
 * JAUNA/ANDREA, *(e)n jaioa, *(e)ko *aren
 *(e)an, hilda dauden * jaunaren/andrearen eta *
 jaunaren/andrearen semea/alaba, *(e)ko biztanlea,
 *(e)an egoitza duena, eta nortasun-agiriaren
 zenbakia * duena.-----
 Bere inguruabar pertsonalak bere
 adierazpenetatik atera dira.-----
 Badu, nire aburuz, testamentua egiteko behar
 adinako lege-gaitasuna. Bere azken nahia adierazten
 du, eta nik, notarioak, azken nahi hori idatziz
 jasotzen dut, haren ahozko jarraibideen arabera,
 hurrengo klausulekin bat etorri.-----
 KLAUSULAK:-----
 LEHENENGOA.- Adierazten du bere eskontzari, gaur
 egun berarentzat bakarra den horri, irabazpidezkoen
 lege-arauidea (edo kasuan kasukoa) aplikatzen
 zaioa, eta, ezkontza horretatik, * seme-alaba izan
 dituela, *, * eta * izenekok.-----
 BIGARRENA.- Adierazten du *(e)ko legeriaren
 mende dagoela, jatorriaren ondorioz* edota
 auzotasunaren ondorioz*.-----
 *HIRUGARRENA.- Aipatu eskontideari, *
 jaunari/andreari, legatuan ematen dio bere
 jarauntsiaren gaineko gozamen ubiratsal eta bizi
 artekoa. Inbentarioa egiteko eta fidantza emateko
 betebeharretatik askatzen du, eta ahalmena ematen
 dio legatu honen gaineko edukitza beraren kabur
 eskuratzeko. Seme-alabei, nahitaezko jaraunse diren
 neurrian, arren eskatzen die gozamen hori oso-ozorik
 errespetatzea, eta agintzen du, semeak edo alabak,
 euretatik batek, gozama aurkaratzen bada, horrek
 bere seniparte hartzea besterik ez duela jasoko.
 gutziak ere gozama aurkaratzen badute, eta kasu
 horretan bakarrik, aipatu eskontideari, *
 jaunari/andreari, legatuan ematen dio bere
 jarauntsiaren xedapen askeko herena, jabetza osoz,
 legez hari dagoekin gozamen-kutaz gain.-----
 **HIRUGARRENA.- Aipatu eskontideak, *

Translation data base

The screenshot shows a search interface with a search bar containing 'testamento'. Below the search bar, there are several search results. Each result includes a snippet of text from a legal document, followed by a small icon (possibly a document or a person) and a list of metadata including the date of the document, the notary's name, and the location. The results are numbered 1 through 10. The interface also includes navigation buttons like 'Anterior', 'Siguiente', 'Búsqueda', 'Opciones', 'Cerrar', and 'Ayuda'.

3. Legal dictionaries of the *Instituto de Estudios Vascos* (Institute of Basque Studies) of the University of Deusto.

Over the past few years, the University of Deusto and its Law faculty, together with the *Instituto Vasco de Administración Pública* (Basque Public Administration Institute), have published a series of fundamental legal texts on the current legal system in the Basque Country and Navarre in Basque and Castilian. They relate to Civil Law, Company Law, and in general private law and they include analytical indexes usual in this type of publication and which are genuine terminological glossaries since they provide a term in bilingual form and its place within the legal texts. In other words, they use the legal text itself as the basis of the terminology referred to (Annex 7).

[Annex 7]

University of Deusto: Law Dictionaries

The screenshot shows the website interface for Deusto Publications. The main header includes the Deusto logo and navigation links. Below the header, there are several tabs: Inicio, Novedades, Los más vendidos, Noticias, and Deusto Open Books. A search bar is located on the right side of the header. The main content area displays a book listing for 'Konstituzio Zuzenbideko Berbatgia / Vocabulario de Derecho Constitucional' by Cesar Gallastegi, Santiago Larrazabal, and Arantza Etxebarria. The listing includes the book's title in both Basque and Spanish, the authors' names, and pricing information for PDF (1,65 €) and printed (2,00 €) versions. A 'Resumen' (Summary) section is visible below the pricing, providing a brief overview of the book's content. The website also features a sidebar with navigation options and a search bar.

Deusto
Publicaciones Universidad de Deusto

Inicio | Novedades | Los más vendidos | Noticias | Deusto Open Books

Áreas temáticas: Verde, Azul, Amarillo, Verde, Todos Legales, Ciencias Sociales, **Derecho Serie Minor**, Zuzenbidea, Derecho, Cuadernos Penales José María Lako, Estudios de Deusto, Ots.

Administrazio Zuzenbideko Berbategia / Vocabulario de Derecho Administrativo
 Cesar Gallastegi, Andrés Urrutia, Esther Urrutia, Arantza Etxebarria

Derecho Serie Minor, 3, 2005
 71 págs. 15 x 17 cm.
 ISBN: 94-9038-061-0 (Impreso)
 ISBN: 978-84-9038-769-2 (Digital)

PDF 2,05 € Comprar
 Impreso 3,00 € Comprar

Resumen

Aparece ahora el tercer volumen de la Serie *minor*, una colección que reúne todos legales, vocabularios jurídicos y otras obras de interés para el estudio y desarrollo del derecho en lengua vasca. Esta serie de publicaciones en pequeño formato se inició en 2004 con la edición de la Constitución española, que recoge, además del texto en castellano, la nueva versión en euzkera proporcionada por la Real Academia de la Lengua Vasca-Euzkaidarria. Ese mismo año vio la luz un pequeño diccionario euzkera-castellano, compuesto por los términos y conceptos básicos del Derecho Constitucional y la Ciencia Política. Continuando con esa línea de trabajo tiene el lector en sus manos el segundo vocabulario bilingüe dedicado a una rama del derecho, en este caso, el Derecho Administrativo. Esta especialidad jurídica presenta, además de una parte general con expresiones de utilización común, parcelas muy características como el derecho de la función pública o el urbanismo, por citar algunas de ellas.

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Inicio | Novedades | Los más vendidos | Noticias | Deusto Open Books

Áreas temáticas: Verde, Azul, Amarillo, Verde, Todos Legales, Ciencias Sociales, **Derecho Serie Minor**, Zuzenbidea, Derecho, Cuadernos Penales José María Lako, Estudios de Deusto, Ots.

Lan Zuzenbideko Berbategia / Vocabulario de Derecho Laboral
 F. Javier Arrieta, Cesar Gallastegi, Andrés Urrutia, Esther Urrutia, Arantza Etxebarria

Derecho Serie Minor, 6, 2009
 84 págs. 15 x 17 cm.
 ISBN: 978-84-9038-223-3 (Impreso)
 ISBN: 978-84-9038-067-1 (Digital)

PDF 2,60 € Comprar
 Impreso 4,00 € Comprar

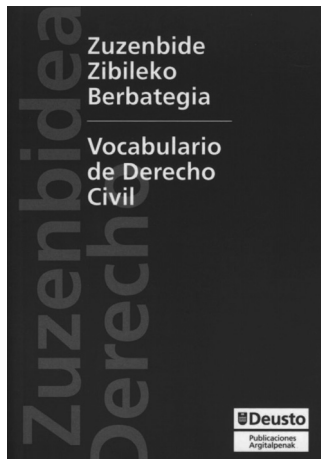
Resumen Sumario Otros libros

Resumen

Segundo volumen de la Serie *Minor*, una colección que reúne todos legales, vocabularios jurídicos y otras obras de interés para el estudio y desarrollo del derecho en lengua vasca. Continuando, por tanto, con esa línea de trabajo, tiene el lector en sus manos un vocabulario bilingüe dedicado a una rama del derecho, concretamente, al Derecho Laboral. A la hora de confeccionar estos pequeños diccionarios hemos pensado en un público amplio. Por un lado, nos dirigimos al estudiante de derecho, que en sus años de universidad debe adquirir y utilizar la terminología propia de la disciplina. Por otro, pensamos que esta obra puede ser interesante para cualquier profesional que desarrolle su actividad de forma bilingüe, y también para juristas, funcionarios y traductores, que en su trabajo diario necesitan manejar los términos de la especialidad en las dos lenguas oficiales. Finalmente, no olvidamos a los profesionales del periodismo y, en general, a todos los ciudadanos, en atención a la importancia y relevancia del tema que nos ocupa. Nuestra intención ha sido proporcionar a todos ellos una herramienta práctica y concisa. Por ello se han evitado los tecnicismos —por ejemplo, las categorías gramaticales— y las abreviaturas que dificultan su utilización, además, en las correspondencias en castellano no se han señalado las formas femeninas, cuando las hubiera. Se trata sencillamente de proporcionar un vocabulario básico que aporte ideas y soluciones a la terminología en un campo del derecho.



Similarly, the University of Deusto has published a series of bilingual dictionaries with respect to different branches of the law, the most relevant for our purposes being the *Vocabulario de Derecho civil – Zuzenbide Zibileko Berbategia*, (Civil Law Dictionary) 2010. (Annex 8).



[Annex 8]

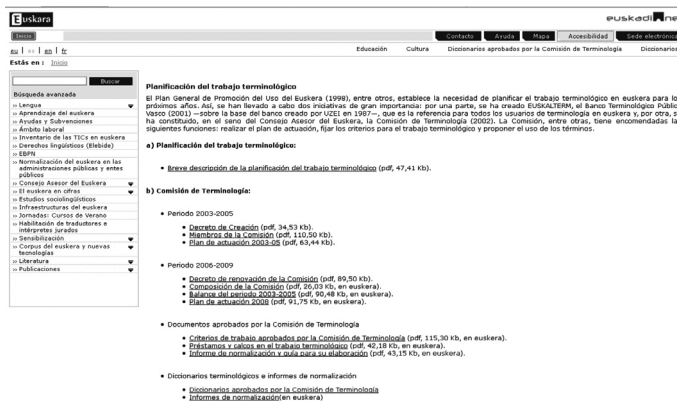
Bilingual Civil Law Dictionary. University of Deusto

4. *Euskalterm* and the *Comisión de Terminología* (Terminology Commission)

Euskalterm is the public Basque terminological data base established in 2001 on the basis of the data base created by UZEI (Annex 9). It is now an essential reference point as it is in constant contact with the Terminology Commission of the *Consejo Asesor del Euskera* (Basque Advisory Council) since 2002. It has published a series of terminological dictionaries, including some relating to the law, although for now it has not ventured into the areas which are most relevant from a notary's perspective (Annex 10).



[Annex 9]

Euskalterm data base

[Annex 10]

Terminological Dictionaries. Terminology Commission of the Basque Advisory Council

Euskadi.net

Inicio | Educación | Cultura | Diccionarios aprobados por la Comisión de Terminología | Diccionarios

Estás en: Inicio

Diccionarios terminológicos

Los diccionarios que aquí se presentan han sido realizados dentro de los planes de actuación aprobados por la Comisión de Terminología del Consejo Asesor del Euzkera. En primer lugar los diccionarios han sido elaborados por el IZEL Centro de Terminología y Lexicografía, después analizados por comisiones técnicas formadas por lingüistas y especialistas en los diferentes ámbitos trabajados, y finalmente aprobados por la Comisión de Terminología. Por tanto, la terminología incluída en estos diccionarios es la terminología recomendada por la Comisión de Terminología.

Palasio lingüístico (Comercio y Consumo)

1. **Jabeta, Taberna eta Kafetegien Hiztegia**. Diccionario de Restaurantes, Bares y Cafeterías (pdf, 640,73 kb, en euzkera)
2. **Harmaitz Jarduera Produktibaren Hiztegia**. Diccionario de productos de Hipermercado (pdf, 1,17 Mb, en euzkera)
3. **Kirol-materialetan Hiztegia**. Diccionario de Materiales Deportivos (pdf, 897,98 kb, en euzkera)
4. **Marka-merkatuetan Hiztegia**. Diccionario de Rotulación de Centros Comerciales (pdf, 537,09 kb, en euzkera)
5. **Buruzko-materialetan Hiztegia**. Diccionario de Materiales de Oficina (pdf, 604,54 kb, en euzkera)
6. **Erretan dabilen Hiztegia**. Diccionario de Tiendas de Ropa (pdf, 483,25 kb, en euzkera)
7. **Contabilazio Hiztegia**. Diccionario de Calzados (pdf, 341,46 kb, en euzkera)
8. **Hiztegia erabilera, zer-erabilpenak eta Estetika Hiztegia**. Diccionario de Imagen Personal, Peluquería y Estética (pdf, 415,12 kb, en euzkera)
9. **Enbriagaritza-erregulazio Hiztegia**. Diccionario de Tiendas de Electrónica (pdf, 464,63 kb, en euzkera)
10. **Enbriagaritza Hiztegia**. Diccionario de Huérfanos (pdf, 408,83 kb, en euzkera)
11. **Hiztegia Hiztegia**. Diccionario de Fontanería (pdf, 395,13 kb, en euzkera)
12. **Teknologia Hiztegia**. Diccionario de Telefonía (pdf, 506,47 kb, en euzkera)
13. **Erosketa Hiztegia**. Diccionario de Rotulación (pdf, 477,98 kb, en euzkera)
14. **Lanbideen Hiztegia**. Diccionario de Profesiones (pdf, 467,15 kb, en euzkera)

Administración Pública y Derecho

1. **Toki-administratzaileen Hiztegia**. Diccionario de Administraciones Locales (pdf, 352,55 kb, en euzkera)
2. **Toki-administratzaileen Hiztegia**. Diccionario de Protección de Datos (pdf, 270,00 kb, en euzkera)
3. **Hautaketa-erregulazio Hiztegia**. Diccionario de Elecciones (pdf, 264 kb, en euzkera)
4. **Lanbide-erregulazio Hiztegia**. Diccionario de Seguridad Laboral (pdf, 492 kb, en euzkera)
5. **Herriaren Kontuaren Hiztegia**. Diccionario de Organización Colectiva (pdf, 403 kb, en euzkera)
6. **Administratzaileen Hiztegia**. Diccionario de la Contaduría Administrativa (pdf, 397 kb, en euzkera)

Enseñanza (Formación Profesional y Empresa)

1. **Irudia, Irudi-erregulazioa eta Semea Hiztegia**. Diccionario de Imagen, Audiovisuales y Señales (pdf, 323,63 kb, en euzkera)
2. **Zerbitzuko Kontrolaren Hiztegia**. Diccionario de Control Numérico (pdf, 3,77 Mb, en euzkera)
3. **Material-enbriagaritza Hiztegia**. Diccionario de Materiales Herramienta (pdf, 436 kb, en euzkera)
4. **Automóbilaren Materialaren Hiztegia**. Diccionario de Mantenimiento del Automóvil (pdf, 397 kb, en euzkera)
5. **Opinuzko Heziketaaren Hiztegia**. Diccionario de Educación Física (pdf, 359 kb, en euzkera)

The Terminology Commission has furthermore published a series of guidelines on the manner of drafting terminological works in Basque (*Terminologia-lanaren metodologiako eskuliburua*, 2002) which are of great interest and indeed applicable in the work of the notary, and are linguistic, terminological, sociolinguistic and pragmalinguistic in nature (Annex 11).



[Annex 11]

Handbook for Drafting Terminological works in basque

5. The *Derecho civil foral vasco* (Basque Civil law) web – *www.forulege.com*

For some years, the Faculty of Notaries in the Basque Country which together with other professional bodies has participated in the creation of the *Academia Vasca de Derecho – Zuzenbidearen Euskal Akademia* (Basque Academy of Law) has promoted a bilingual web on local civil law, *www.forulege.com*, where one can find information on Basque civil law in Basque and Castilian, as well as bilingual precedents which prove very useful in the work of the notary. Although a specific terminological element for notaries is not yet available, the background information is very useful (Annex 12).

www.forulege.com Web de derecho civil vasco

Buscar: Euskara | Castellano

PRESENTACIÓN BÚSQUEDA LEYES BIBLIOGRAFÍA FORMULARIOS JURISPRUDENCIA FAQ MAPAS BLOG ENLACES CONTACTO

Presentación

Forulege es la base de datos de Derecho civil vasco que ha desarrollado la Academia Vasca de Derecho/Zuzenbidearen Euskal Akademia. Es un primer intento de transmitir una serie de contenidos básicos del Derecho civil vasco, a través de las nuevas tecnologías de la información.

La aproximación al contenido del Derecho civil vasco, desde una perspectiva profesional, y su estudio e investigación, desde una perspectiva académica, son objetivos que la Academia Vasca de Derecho/Zuzenbidearen Euskal Akademia persigue desde su fundación, en 2003.

La base de datos Forulege proporciona a la persona usuaria, tanto la legislación vigente, como la jurisprudencia, la bibliografía y los formularios que, en materia de Derecho civil vasco, le pueden resultar de utilidad. La base de datos ofrece, asimismo, una sección en la que, a través de una serie de preguntas y respuestas (FAQ), la persona usuaria puede obtener una primera idea de lo que es y significa el Derecho civil vasco. Es posible, por último, consultar en su totalidad la información recopilada en las distintas secciones, a través de varios sistemas de búsqueda: un sistema de búsqueda libre; un sistema de búsqueda rápida, mediante una serie de entradas predefinidas; y un sistema de búsqueda guiada, que tiene en cuenta la territorialidad del Derecho civil vasco y sus manifestaciones, tanto en el ámbito civil como en el fiscal.

Leer más...

Bizkaia

AVD-ZEA
Academia Vasca de Derecho
Zuzenbidearen Euskal Akademia

AVD - ZEA - Academia Vasca de Derecho - Zuzenbidearen Euskal Akademia
Alda. Recalde 8, 1º dcha. 48009 Bilbao. Tel.: (+34) 94 425 37 15 - Fax: (+34) 94 424 64 99
secretaria@avd-zea.com

Patrocinadores: Departamento de Justicia y Administración Pública
E2009. AVD-ZEA. Aviso legal

Colaborador:

[Annex 12]

Basque civil law web: *www.forulege.com*6. The *Instituto Vasco de Administración Pública (IVAP* – Basque Public Administration Institute) web and its official translation service (IZO) (Annex 13).

NIVAP Instituto Vasco de Administración Pública

HERRI ARDULARIAREN BURELUA EUSKARAZIA

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- 23/03/2012 **BOLSAS DE TRABAJO:** Nuevas bolsas tras la reorganización de los servicios prestados en 2012.
- 25/03/2012 **OPE AYUDANTES TÉCNICOS:** Opción Técnica Superior Desarrollo de Aplicaciones Informáticas. Publicada resolución de la Dirección del IVAP que establece un nuevo plazo para la elección de puestos.
- 25/03/2012 Nueva publicación: Komunikazio Elektronikoa. IVAPen genduzkoak web-ariari dardatzen.
- 25/03/2012 **OPE AYUDANTES TÉCNICOS:** Escala Laboratoria, Opción T. 5. Desarrollo de Preceptos Mecánicos e T. 6. Desarrollo de Aplicaciones Informáticas. Fecha de publicación de Orden de nombramientos.
- 26/02/2012 **OPE AYUDANTES TÉCNICOS:** Opción Técnica Superior Supervisión y Control de Máquinas e Instalaciones del Suscepto. Publicación de la relación complementaria definitiva de seleccionados y puestos adjudicados.
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[Annex 13]

Basque Public Administration Institute web and its official translation service (IZO)

Although not aimed specifically at the work of notaries, the web does provide documentation useful in bilingual legal work, such as bilingual legal texts, dictionaries and a translation data base, and which is furthermore easy to Access.

7. Other resources

One worthy of note is the *euskalbar* application which provides coordinated Access to a great deal of lexicographic resources, both monolingual and bilingual in Basque and Castilian and French. (Annex 14).



[Annex 14]

Euskalbar application

6. AN EVALUATION OF THESE RESOURCES IN RELATION TO PERCEIVED NEEDS

A first look suggests that the terminological resources available and of use to a bilingual notary's office in the Basque Country and Navarre are clearly insufficient for the purpose of globally dealing with all that arises and needs to be dealt with in a bilingual Basque-Castilian context.

This insufficiency arises due to various factors, as follows:

1. The low demand for notarial documentation in Basque in the Basque Country and Navarre.

2. That fact that the use of Basque in the sphere of private law has not been as extensive as in public law, where the role of the public adminis-

tration in the promotion of use of Basque as a co-official language has had a greater impact.

3. The terminological resources developed to date are gravely deficient. For example, the basic legislation and rules applicable to notaries (*Ley y Reglamento Notarial*), do not exist in bilingual format with an adequate analytical index which would facilitate greater coherence and certainty as regards terminology.

4. Similarly, another fundamental deficiency is the absence of a body of texts relating to the work of notaries and using material which up to now has been produced through translation, which would enable the collection, filtering and study of the legal terminology of notaries in Basque, which in turn would be the basis for completing the glossary which currently exists and thereby obtain a reliable terminological dictionary.

5. Lastly, as the specialised language used in the day-to-day work of the notary forms an integral part of legal terminology in general, a lack of precision arises, as happens with the Basque language, as a result of the absence of coordination between the different institutions responsible for linguistic standardisation, such as *Euskaltzaindia* (the Royal Academy of the Basque Language), the Terminology Commission, universities and language businesses.

7. PROPOSAL FOR IMPROVING RESOURCES AND PROVIDING NEW ONES, AND JUSTIFICATIONS FOR SAME

Proposal for improving the situation as referred to can be summarized as follows:

1. A greater degree of implication of the legal and linguistic institutions involved. There should be closer connections between the Faculties of Notaries in the Basque Country and Navarre and the Governments of the Basque Country and Navarre, the universities and businesses involved in language, with a view to regulating in a coordinated manner the bilingual terminology to be used by in both territories.

2. Coordinated efforts in the bilingual configuration of the sources used by notaries both as regards legislation applicable to notaries and precedent documents and translation and correction services used by them (by extending those already available), as well as the creation of a linguistic data base which would enable the adequate organization and development of terminology for notaries in Basque.

3. The socialization of the terminology used by notaries in Basque through courses for notaries and their staff, as well as others involved such as translators, interpreters and persons involved in linguistic standardization which would extend the contributions to the legal and linguistic work of notaries.

4.- The previous activities are connected with normative linguistic proposals of Euskaltzaindia (*The Royal Academy of the Basque Language*) with a view to contributing terminology from the work of notaries to the linguistic rules of Basque.

5. Lastly, an important proposal which would lead to improvement is the creation of a web on which the Basque Academy of Law (*Zuzenbidearen Euskal Akademia*) has been working. One of its objectives is to compile a Basque data base of the bilingual documentation generation over the past thirty years including that used by notaries while at the same time creating a data base of up-to-date legal information capable of covering the needs of bilingual legal practitioners and translators. This would be achieved through the use of all available information technology which would ensure fast and reliable access to information.

8. CONCLUSIONS

The terminological day-to-day needs of bilingual notaries' offices in the Basque Country and Navarre are currently met through translation which in the majority of cases are from Castilian to Basque.

The notary, as a specialist and/or a linguistic and cultural mediator, is faced, when having to use technical terminology in his bilingual work, with the need to use resources which are varied and discontinuous, configured in very different ways and very time-consuming to use. Furthermore, in many cases, translation is very often sporadic and not carried out in a systematic manner, so that its terminological value is very limited.

Consequently, apart from expecting a greater degree of coordination between the different parties involved in this process, there is obviously the need for interaction between specialists in terminology and those who because of their profession are specialists in the subject, as in this case notaries, or linguistic and cultural mediators (notaries themselves, translators, interpreters or persons responsible for linguistic standardisation) who bear the onus of stimulating the normal use of Basque in the work of notaries.

9. BIBLIOGRAPHY

ALCARAZVARÓ, E. (2000). *El jurista como traductor y el traductor como jurista*. Barcelona: Universitat Pompeu Fabra.

BELLOCH JULBE, J.-F. (2006). «Sistema público extrajudicial de seguridad jurídica preventiva». *El Notario*, 5. En <http://www.elnotario.com/egest/noticia>.

ENGBERG, J. (2013). “Why Translator are not Lawyers. On Differences and Similarities of Interest and Knowledge”. En Alonso, I.; Baigorri, J y Campbell, H. (eds.) *Translating the Law. Theoretical and Methodological Issues. Traducir el Derecho. Cuestiones teóricas y metodológicas*. Granada: Editorial Comares. 23-32.

GÉMAR, J.-Cl. (1997). “Traduire le langage du droit en contexte bilingue et bijuridique. Le Canada : un cas d’espèce ? En Schena, L. (ed.) *La lingua del Diritto. Difficoltà traduttive. Applicazioni didattiche*. Roma: Cisu. 73-87.

IMAZ LEUNDA, M. (2012). “Terminologia euskal itzulpengintzan”. En García Murga, F y Madariaga Pisano, N. (arg.). Bilbo: Udako Euskal Unibertsitatea. 189-199.