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Legal translation - Requirements

Services de traduction juridique

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ISO 20771:2020(E)**Foreword**

ISO (the International Organization for Standardization) is a worldwide federation of national standards bodies (ISO member bodies). The work of preparing International Standards is normally carried out through ISO technical committees. Each member body interested in a subject for which a technical committee has been established has the right to be represented on that committee. International organizations, governmental and non-governmental, in liaison with ISO, also take part in the work. ISO collaborates closely with the International Electrotechnical Commission (IEC) on all matters of electrotechnical standardization.

The procedures used to develop this document and those intended for its further maintenance are described in the ISO/IEC Directives, Part 1. In particular the different approval criteria needed for the different types of ISO documents should be noted. This document was drafted in accordance with the editorial rules of the ISO/IEC Directives, Part 2 (see www.iso.org/directives).

Attention is drawn to the possibility that some of the elements of this document may be the subject of patent rights. ISO shall not be held responsible for identifying any or all such patent rights. Details of any patent rights identified during the development of the document will be in the Introduction and/or on the ISO list of patent declarations received (see www.iso.org/patents).

Any trade name used in this document is information given for the convenience of users and does not constitute an endorsement.

For an explanation of the voluntary nature of standards, the meaning of ISO specific terms and expressions related to conformity assessment, as well as information about ISO's adherence to the World Trade Organization (WTO) principles in the Technical Barriers to Trade (TBT), see: www.iso.org/iso/foreword.html.

This document was prepared by Technical Committee ISO/TC 37, *Language and Terminology*, Subcommittee SC 5, *Translation, interpreting and related technology*.

Any feedback or questions on this document should be directed to the user's national standards body. A complete listing of these bodies can be found at www.iso.org/members.html.

Introduction

Legal translation is a specialization which covers law-related or legal specialist field translation in terms of content as well as context (e.g. legal settings). Given the highly specialist field, potential legal consequences, and formal and liability issues, this specialization requires specific competences and a very professional approach from the specialist translators involved. Due to the formalized, official or sensitive nature of the subject matter in some countries, settings and under certain circumstances, legal translators may be subject to specific professional, confidentiality and ethical requirements, authorization, certification, and security clearance procedures. Furthermore, in some countries, certain types of legal translation are performed by authorized legal translators who have to comply with specific official requirements.

Serious legal issues and other consequences can be avoided if the legal translation service is provided by competent legal translators who have professional understanding of the relevant legal systems, knowledge of legal terminology and target language genre conventions and can produce authentic texts. Legal documents constitute the basis for many personal and business undertakings. Legal translation is a highly specialized type of translation service which is frequently used in official and legal settings and this requires meeting the highest professional quality benchmarks. Taking the above into account as well as the fact that there are no international standards in this area, this document was developed in response to the evident market need.

This document is intended for implementation by individual translators who specialize in the provision of legal translation services.

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Legal translation — Requirements

1 Scope

This document specifies requirements for the competences and qualifications of legal translators, revisers and reviewers, best translation practices and the translation process directly affecting the quality and delivery of legal translation services. In particular, it specifies the core processes, resources, confidentiality, professional development requirements, training and other aspects of the legal translation service provided by individual translators.

Fulfilment of all the requirements set out in this document enables the individual legal translator to demonstrate conformity of their legal translation services to this document and their capability to maintain a level of quality in legal translation services that will meet the client's and other applicable specifications.

The use of output from machine translation, even with post-editing, is outside the scope of this document. Consulting of a machine translation resource by a legal translator, does not constitute use of raw machine translation plus post-editing.

This document does not apply to interpreting services.

2 Normative references

There are no normative references in this document.

3 Terms and definitions

For the purposes of this document, the following terms and definitions apply.

ISO and IEC maintain terminological databases for use in standardization at the following addresses:

- ISO Online browsing platform: available at <https://www.iso.org/obp>
- IEC Electropedia: available at <http://www.electropedia.org/>

3.1 Concepts related to legal translation and legal translation services

3.1.1

translate

render *source language content* (3.3.2) into *target language content* (3.3.3) in written form

[SOURCE: ISO 17100:2015, 2.1.1]

3.1.2

translation

set of processes to render *source language content* (3.3.2) into *target language content* (3.3.3) in written form

Note 1 to entry: A translation may refer to formats other than text-based formats, e.g. an audio file, image, etc.

[SOURCE: ISO 17100:2015, 2.1.2]

3.1.3

legal translation

law or legal specialized *translation* (3.1.4) by a *legal translator* (3.4.5)

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3.1.4

specialized translation

translation (3.1.2) within a field of specialization by a *specialist translator* (3.4.4)

Note 1 to entry: Specialized translation is often also referred to as specialist translation.

3.2 Concepts related to translation workflow, technology and project management

3.2.1

computer-aided translation**CAT**

translation (3.1.2) in which software applications are used to support the task of *human translation* (3.2.3)

[SOURCE: ISO 17100:2015, 2.2.1, modified – ‘part of’ removed from beginning of definition and Note 1 to entry removed.]

3.2.2

machine translation**MT**

automated *translation* (3.1.2) of *content* (3.3.1) from one natural language to another using a computer system

[SOURCE: ISO 17100:2015, 2.2.2, modified – ‘text and speech’ replaced by ‘content’.]

3.2.3

human translation

translation (3.1.2) performed by a *translator* (3.4.3)

[SOURCE: ISO 20539:2019, 3.5.1.1]

3.2.4

check

examination of *target language content* (3.3.3) against the *source language content* (3.3.2) carried out by the *translator* (3.4.3)

[SOURCE: ISO 17100:2015, 2.2.5, modified – ‘against the *source language content*’ added.]

3.2.5

revision

bilingual examination of the entire *target language content* (3.3.3) against the *source language content* (3.3.2), in order to ensure its factual and linguistic accuracy, and suitability for the agreed purpose, carried out by the *reviser* (3.4.8)

[SOURCE: ISO 17100:2015, 2.2.6, modified – ‘entire’ added before target language content and ‘for its suitability for the agreed purpose’ replaced by ‘in order to ensure its factual and linguistic accuracy, and suitability for the agreed purpose, carried out by the *reviser*’.]

3.2.6

review

monolingual examination of the entire *target language content* (3.3.3), in order to ensure its factual and linguistic accuracy, and suitability for the agreed purpose, carried out by the *reviewer* (3.4.9)

[SOURCE: ISO 17100:2015, 2.2.7, modified – ‘entire’ added before target language content and ‘for its suitability for the agreed purpose’ replaced by ‘in order to ensure its factual and linguistic accuracy, and suitability for the agreed purpose, carried out by the *reviewer*’.]

3.2.7

proofread

examine the final *target language content* (3.3.3) and apply corrections before publication

[SOURCE: ISO 20539:2019, 3.3.12]

3.2.8**project management**

coordinating, managing and monitoring a project throughout its complete lifecycle

[SOURCE: ISO 17100:2015, 2.2.9]

3.2.9**style guide**

set of editing and formatting instructions

[SOURCE: ISO 17100:2015, 2.2.10]

3.2.10**specification**

client's (3.4.2) or other stakeholder's instructions or best practice guides to what is required

Note 1 to entry: Specifications for translators are often also referred to as translation briefs.

3.2.11**record**

document (3.5.3) or report stating results achieved or providing evidence of activities performed

[SOURCE: ISO 17100:2015, 2.5.3]

3.2.12**post-editing**

editing and correcting *machine translation* (3.2.2) output

[SOURCE: ISO 20539:2019, 3.5.1.13]

3.2.13**translation management system****TMS**

software for managing a *translation* (3.1.2) project

3.3 Concepts related to language and content**3.3.1****content**

anything representing meaningful information or knowledge

[SOURCE: ISO 17100:2015, 2.3.1]

3.3.2**source language content**

language *content* (3.3.1) to be *translated* (3.1.1)

[SOURCE: ISO 17100:2015, 2.3.2]

3.3.3**target language content**

language *content* (3.3.1) *translated* (3.1.1) from *source language content* (3.3.2)

[SOURCE: ISO 17100:2015, 2.3.3]

3.3.4**text**

content (3.3.1) in written form

[SOURCE: ISO 17100:2015, 2.3.4]

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3.3.5

source language

language of the *source language content* (3.3.2)

[SOURCE: ISO 17100:2015, 2.3.5]

3.3.6

target language

language into which *source language content* (3.3.2) is *translated* (3.1.1)

[SOURCE: ISO 17100:2015, 2.3.6]

3.3.7

language register

language variety used for a particular purpose or in an event of language use, depending on the type of situation, especially its degree of formality

[SOURCE: ISO/TR 20694:2018, 3.3]

3.3.8

locale

set of characteristics, information or conventions specific to the linguistic, cultural, technical and geographical conventions of a target audience

[SOURCE: ISO 17100:2015, 2.3.11]

3.3.9

genre conventions

subset of *specifications* (3.2.10) for the *target language content* (3.3.3) related to the content type and *specialization* (3.3.11)

Note 1 to entry: For example, in the case of legislation there are formal genre conventions that are used by legislators.

Note 2 to entry: Genre conventions used to be sometimes referred to as “text-type conventions”.

3.3.10

domain

area of knowledge or activity having its own culture, social context and linguistic characteristics

[SOURCE: ISO 17100:2015, modified – ‘subject field, sphere of knowledge or activity having its own specialized culture for its suitability for the agreed purpose’ replaced by ‘area of knowledge or activity having its own culture, social context and linguistic characteristics’.]

3.3.11

specialization

process of becoming an expert in a *specialist field* (3.3.12) or area of knowledge having its own unique linguistic characteristics, including *language register* (3.3.7) and specialist terminology

3.3.12

specialist field

subject field

specific area of knowledge having its own unique linguistic characteristics, including *language register* (3.3.7), style, specialist terminology and *genre conventions* (3.3.9)

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