



Summary of Decision

The following table is a high level summary of the decision of the Legal Services Board. It is not a formal part of the decision notice.

Purpose of notice
To grant an application from the Faculty Office on behalf of the Master of the Faculties approving alterations to its regulatory arrangements in respect of its Notaries Practice Rules 2014 and its Notaries Qualification Rules 2013.
Alterations that are being approved by this decision
<p>With respect to the Notaries Practice Rules 2014:</p> <ul style="list-style-type: none">• Introducing a provision for a notary who practises within a limited company or a limited liability partnership to be able to share individual notary professional fees, or collect them through that company or partnership. In approving this change the LSB did not form a view on the legality of it in relation to compliance with taxation law.• Amending the requirements regarding when a notary shall notify the Registrar of the name under which he practises, or the form of notaries within which he practices.• Introducing the requirement for a notary not to practise under a name which is likely to mislead or bring the notarial profession into disrepute. <p>With respect to the Notaries Qualification Rules 2013:</p> <ul style="list-style-type: none">• Re-casting the rules as Notaries Qualification Rules 2017.• Introducing a provision for appropriately qualified Chartered Legal Executives to apply for admission as a notary.• Extending the provisions which allow individuals who are qualified and practising as notaries, or who have qualified to practise but have not yet been admitted, in Scotland, Ireland or the European Economic Area, to all Notaries outside England and Wales.

Decision notice

Issued by the Legal Services Board under Part 3 of Schedule 4 to the Legal Services Act 2007

The Faculty Office's application for approval of changes to its regulatory arrangements in respect of its Notaries Practice Rules 2014 and its Notaries Qualification Rules 2013.

The Legal Services Board (**LSB**) has granted an application from the Faculty Office on behalf of the Master of the Faculties approving alterations to the regulatory arrangements in respect of its Notaries Practice Rules 2014 (**NPR 2014**) and its Notaries Qualification Rules 2013 (**NQR 2013**). The Master of the Faculties is an approved regulator and the Faculty Office is the regulatory arm to which the Master of the Faculties has delegated its regulatory functions.

This decision notice sets out the decision taken, including a brief description of the changes. The notes at the end of this notice explain the statutory basis for the decision. The chronology for the LSB's handling of this application is set out at the end of this decision notice.

Proposed changes

1. The proposed changes are to the Faculty Office's NPR 2014 are as follows:
 - Introducing a provision for a notary who practises within a limited company or a limited liability partnership to be able to share his professional fees, or collect them through that company or partnership, provided that the equity of that company or partnership is wholly owned by the notary or notaries who are the directors or partners of the company or partnership.
 - Amending the requirements regarding when a notary shall notify the Registrar of the name under which he practises, or the form of notaries within which he practises.
 - Introducing the requirement for a notary not to practise under a name which is likely to mislead or bring the notarial profession into disrepute.
2. The proposed changes are to the Faculty Office's NQR 2013 are as follows:
 - Re-casting the rules as Notaries Qualification Rules 2017.
 - Introducing Chartered Legal Executives as a new category of persons who, being appropriately qualified, may apply for admission as a notary.
 - Extending the provisions which allow individuals who are qualified and practising as notaries, or who have qualified to practise but have not yet been admitted, in Scotland, Ireland or the European Economic Area, to all Notaries outside England and Wales.

Key issues considered in the assessment of the application

3. The LSB broadly welcomes the Faculty Office's approach in making these changes, which give thoughtful consideration to the principles of better regulation and removing unnecessary burden and barriers to innovation within the notarial profession.

4. The LSB sought assurance on two key issues in its assessment:
- Fee sharing arrangements
 - Impact assessment/consultation

Fee sharing arrangements

5. The LSB sought clarity from the Faculty Office about how the proposed fee-sharing arrangements introduced in the NPR 2014 would work in practice. The Faculty Office set out the following:
- All legal services offered by notaries will continue to be carried out in the name of the individual authorised person in possession of a current practising certificate issued by the Faculty Office on behalf of the Master of Faculties. The proposed changes will facilitate fee sharing with the entity for accounting purposes only, and the entity itself will not need to be authorised.
 - In response to the LSB's query about consumer protections available for clients who prepay fees to a company owned by notaries who utilise fee sharing arrangements, the Faculty Office advised that any misappropriation of client funds would be the action of the individual authorised person. The Faculty Office identified this would result in disciplinary action being taken against the individual, in the same way as a notary that has not received client funds through a fee-sharing arrangement.
 - The Faculty Office confirmed that it had not sought independent legal advice on whether the proposed arrangements are consistent with taxation law. The Faculty Office advised it would be for any notary wishing to utilise fee-sharing arrangements to seek independent advice as to the compliance of the arrangement with current taxation law. It should be noted that the LSB has not formed a view as to the legality of the proposed arrangements. However, we trust that the Master of the Faculties will issue appropriate guidance to notaries that they must adhere to relevant legislation in implementing fee sharing arrangements.

Impact assessment/consultation

6. The LSB raised a question about the amendments in the NQR 2013 pertaining to applications for Notaries from outside England & Wales to determine the impact upon Scottish and Northern Irish applicants. The Faculty Office advised that the amendments would not create adverse impacts for these applicants. Further, they advised there have been no applicants from Scotland or Northern Ireland since 2013. However, benefit may have been garnered from more open and public consultation, specifically with Scottish and Northern Irish Notaries that have the potential to be impacted by these amendments. The LSB asks the Faculty Office give consideration to consult more broadly, and not always restricted to the representative societies, when seeking to make significant changes to its regulatory arrangements.

Decision

7. The LSB has considered the Faculty Office's application against the criteria in paragraph 25(3) of Schedule 4 to the Legal Services Act 2007 (the Act) and has decided to grant the application.
8. For the avoidance of doubt, in approving the arrangements with respect to fee sharing, the LSB did not form a view on the legality of them in relation to compliance with taxation law.
9. The Annexes to this decision notice contains the specific amendments to the Faculty Office's regulatory arrangements approved by the LSB.

Chronology

- The LSB confirmed receipt of an application from the Faculty Office on 2 December 2016.
- The LSB issued an extension notice on 16 December 2016 which extended the initial decision period to 2 March 2017.
- This decision notice is effective from 3 February 2017
- The decision notice will be published on our website on 7 February 2017

Neil Buckley, Chief Executive of the Legal Services Board
3 February 2017

Notes:

1. The LSB is required by Part 3 of Schedule 4 to the Act to review and grant or refuse applications by approved regulators to make alterations to their regulatory arrangements.
2. Paragraph 25(3) of Schedule 4 to the Act explains that the LSB may refuse an application setting out a proposed change to the regulatory arrangements only if it is satisfied that
 - (a) granting the application would be prejudicial to the regulatory objectives
 - (b) granting the application would be contrary to any provision made by or by virtue of this Act or any other enactment or would result in any of the designation requirements ceasing to be satisfied in relation to the approved regulator
 - (c) granting the application would be contrary to the public interest
 - (d) the alteration would enable the approved regulator to authorise persons to carry on activities which are reserved legal activities in relation to which it is not a relevant approved regulator
 - (e) the alteration would enable the approved regulator to license persons under Part 5 [of the Act] to carry on activities which are reserved legal activities in relation to which it is not a licensing authority, or
 - (f) the alteration has been or is likely to be made otherwise than in accordance with the procedures (whether statutory or otherwise) which apply in relation to the making of the alteration.
3. The designation requirements referred to in paragraph 2(b) above are set out in paragraph 25(4) of Schedule 4 to the Act and are
 - (a) a requirement that the approved regulator has appropriate internal governance arrangements in place
 - (b) a requirement that the applicant is competent, and has sufficient resources to perform the role of approved regulator in relation to the reserved legal activities in respect of which it is designated, and
 - (c) the requirements set out in paragraphs 13(2)(c) to (e) of Schedule 4, namely that the regulatory arrangements are appropriate, comply with the requirements in respect of resolution of regulatory conflict (imposed by sections 52 and 54 of the Act) and comply with the requirements in relation to the handling of complaints (imposed by sections 112 and 145 of the Act).
4. In accordance with paragraphs 20(1) and 23(3) of Schedule 4 to the Act, the LSB has made rules¹ about the manner and form in which applications to alter regulatory arrangements must be made. Amongst other things, the rules highlight the applicant's obligations under section 28 of the Act to have regard to the Better Regulation Principles. They also require applicants to provide information about each proposed change and details of the consultation undertaken.
5. If the LSB is not satisfied that one or more of the criteria for refusal are met, then it must approve the application in whole, or the parts of it that can be approved.

¹ Rules for Rule Change Applications – Version 2 (November 2010)

NOTARIES PRACTICE RULES 2014 (as amended February 2017)

WE CHARLES RICHARD GEORGE One of Her Majesty's Counsel Commissary or Master of the Faculties of the Most Reverend Father in God JUSTIN PORTAL by Divine Providence Lord Archbishop of Canterbury Primate of All England and Metropolitan in exercise of the powers conferred by section 4 of the Public Notaries Act 1843 and section 57 of the Courts and Legal Services Act 1990 and of all other powers Us enabling hereby make the following Rules:

PART I: PRELIMINARY

1. Citation and Commencement

- 1.1 These rules may be cited as the Notaries Practice Rules 2014.
- 1.2 These rules shall come into force on 1st May 2014 save for rule 20 which shall come into force on a date to be appointed by the Master by Order made under these rules.
- 1.3 Rules 18 and 19 were amended in February 2017 and came into force on 1st March 2017

2. Interpretation

- 2.1 In these rules:-
 - **“approved regulator”** has the meaning given to it in section 20 of the Legal Services Act 2007;
 - **“arrangement”** means any express or tacit agreement between a notary and another person whether contractually binding or not;
 - **“client”** includes any person who has instructed a notary to carry out a reserved legal activity within the meaning of section 12 of the Legal Services Act 2007;
 - **“firm”** includes a sole practitioner and professional partnership (which expression shall include a limited liability partnership and any other body corporate) the members of which are authorised to conduct legal practice as such;
 - **“holding company”** and **“subsidiary company”** have the meanings assigned to them by the Companies Act 2006, and two companies are “associated” where they are subsidiary companies of the same holding company;
 - **“the Master”** means the Master of the Faculties;
 - **“notarial act”** means any act that has validity by virtue only of its preparation

performance authentication attestation or verification by a notary and includes any such act carried out by electronic means;

- **“notary”** includes a firm of notaries;
- **“performance”** includes execution completion and carrying out;
- **“person”** includes a body corporate or unincorporated association or group of persons;
- **“principles”** means the general principles set out in rule 4;
- **“qualified legal practitioner”** means
 - (i) a person qualified to provide legal services to the public in England and Wales; or
 - (ii) a person qualified to provide legal services to the public under the laws of any other jurisdiction who practises as such in England and Wales;
- **“the Registrar”** means the Registrar of the Court of Faculties;

2.2 for the purposes of these rules:

2.2.1 a notary’s practice includes the preparation and performance of notarial acts and any other service undertaken as a notary whether or not such service may only be undertaken by a notary;

2.2.2 for the avoidance of doubt the Interpretation Act 1978 applies to these rules as it applies to an Act of Parliament;

2.2.3 reference to any other rules or regulations which govern the practice of a notary in England and Wales and made by the Master shall include any rules and regulations made in substitution therefor;

2.2.4 words importing the masculine gender shall include the feminine gender and words importing the singular shall where the context so admits include the plural and vice versa

PART II: PRACTICE AS A NOTARY

3. Oath of Office and Recognition of Notarial Acts

3.1 A notary shall exercise the office of public notary in accordance with the Oath or Declaration made by him at the time of the grant of his Notarial Faculty as set out in section 7 of the Public Notaries Act 1843 and shall offer appropriate notarial services to any person lawfully and reasonably requiring the same.

3.2 A notary in possession of a valid practising certificate issued pursuant to the Notaries (Practising Certificate) Rules 2012 may issue notarial acts in the public or private forms intended for use in England and Wales and in any other jurisdiction.

4. **General Principles**

- 4.1 Without prejudice to rule 3.1 above a notary shall exercise his office at all times in accordance with the principles set out below and these rules shall be read in accordance with such principles.
- 4.2 A notary shall:
 - 4.2.1 uphold the rule of law and the proper administration of justice;
 - 4.2.2 act with integrity;
 - 4.2.3 maintain his independence and impartiality;
 - 4.2.4 provide a prompt and proper standard of service for all clients;
 - 4.2.5 act in a way that maintains the trust in the office of notary which the public may reasonably expect;
 - 4.2.6 comply with all legal and regulatory obligations and cooperate with the Master and any persons or body appointed by him in exercise of the Master's regulatory functions;
 - 4.2.7 operate his notarial practice in accordance with proper governance and sound financial and risk management principles; and
 - 4.2.8 operate his notarial practice in such a way as to provide equality of opportunity and respect for diversity.

5. **Code of Practice**

- 5.1 A notary shall at all times have regard to any code or codes of practice approved by the Master from time to time.
- 5.2 Failure to comply with this rule may amount to "Notarial Misconduct" as defined by rule 2 of the Notaries (Conduct and Discipline) Rules 2015.

6. **Bankruptcy**

A notary who is bankrupt may not practise as a notary on his own behalf or as the sole member of a professional partnership until he is discharged from bankruptcy, provided that this rule shall not prevent him from practising as the employee of another notary.

7. **Obtaining Instructions**

A notary shall not directly or indirectly obtain or attempt to obtain instructions for professional work or permit another person to do so on his behalf, or do anything in the course of practising as a notary, in any manner which compromises or impairs or is likely to compromise or impair any of the following:

- 7.1 the principles;
- 7.2 a person's freedom to instruct a notary of their choice;
- 7.3 the notary's ability to act in the best interests of the client;
- 7.4 the good repute of the notary or of the notarial profession;
- 7.5 the notary's proper standard of work;
- 7.6 the notary's duty of care to persons in all jurisdictions who may place legitimate reliance on his notarial acts.

8. **Duty to inform instructing person of right to complain**

- 8.1 When a notary accepts instructions for professional work or changes the terms on which he is acting he must provide the client with a copy of a form of words prescribed by the Master from time to time (the "prescribed form of words") which explains that the client has a right to make a complaint under **Part III** of the Notaries (Conduct and Discipline) Rules **2015** and how to make such a complaint.
- 8.2 The prescribed form of words may be provided to the client electronically.

9. **Conflicts of Interest**

9.1 Conflicts of Interest (General)

- 9.1.1 In the conduct of his practice a notary shall not favour the interests of one client over those of another and shall not favour his own interests or those of any other person over those of his clients.

9.2 Conflicts of Interest (Conveyancing Transactions)

- 9.2.1 A notary conducting a conveyancing transaction in the capacity of a solicitor, or a licensed conveyancer, or member of another professional body with an approved regulator, is subject to the rules and any guidance relating to (a) conflicts of interest and (b) relations with third parties laid down by the approved regulator of that professional body, and should comply with such rules and have regard to any such guidance accordingly.
- 9.2.2 A notary conducting a conveyancing transaction in the capacity of a notary must not act for both seller and buyer in a transaction relating to property situated in England and Wales unless:
 - (a) the notary is satisfied that no conflict of interest exists or is likely to arise during the course of the transaction, whether or not the transaction is between parties at arm's length; and
 - (b) both parties are established clients in that they have instructed the notary on previous occasions; or

- (c) the consideration does not exceed £10,000 in an individual transaction; and
- (d) both clients are informed of the advantages of separate representation before they give their written consent to the notary acting for both of them; and
- (e) both parties consent in writing.

9.2.3 For the avoidance of doubt this rule shall apply to a notary acting for one party in his capacity under rule 9.2.1 and another party in his capacity under rule 9.2.2.

9.3 Relations with third parties

9.3.1 A notary shall not communicate directly by any means whatsoever with any other party to a conveyancing transaction where that party is represented by a lawyer except:

- (a) to obtain information about the name and address (including e-mail address) of that lawyer; or
- (b) with the consent of that lawyer; or
- (c) after notifying the lawyer of the intention to contact the party direct because the other party's lawyer has refused or without good reason failed to pass on messages or to reply to communications; or
- (d) in exceptional circumstances where it is impracticable to contact that party's lawyer;

provided that any communication under (a) to (d) of this rule shall be in writing.

9.3.2 A notary who is dealing with any unrepresented party to a conveyancing transaction must not take unfair advantage of that party, and where it is necessary for practical reasons to communicate orally with an unrepresented party the notary should immediately thereafter make a written note of the communication and should as soon as possible confirm the substance of it in writing to the unrepresented party.

9.4 Conflicts of Interest (notarial activities other than conveyancing transactions)

9.4.1 In respect of notarial activities other than conveyancing transactions, a notary may act for both parties to a transaction but only if:

- (a) each party has consented in writing to the notary so acting; and
- (b) the notary is satisfied that there is no conflict of interest between the parties.

- 9.4.2 For the avoidance of doubt a notary does not act for both parties to a transaction merely by preparing or authenticating a notarial act in his capacity as a public certifying officer even though that act may concern two or more parties.

10. **Duty to Act Impartially in respect of Notarial Acts**

A notary must act impartially and in particular must not perform any notarial act which involves or may affect:

- 10.1 his own affairs, including matters in which he is personally interested jointly with another person;
- 10.2 the affairs of his spouse or partner or a person to whom the notary is engaged to be married (for the purpose of this sub-rule, “partner” means a person with whom the notary cohabits or with whom he has a sexual relationship and includes a partner of the same sex);
- 10.3 the affairs of a person to whom he is directly and closely related;
- 10.4 the affairs of a person with whom he is in a professional partnership or by whom he is employed or from whom he receives a benefit by being provided with office accommodation or other facilities for his notarial practice;
- 10.5 the affairs of a person who has appointed the notary to be his attorney which concern a matter within the scope of the power of attorney granted;
- 10.6 the affairs of a trust of which he is a trustee or of an estate where he is a personal representative of the deceased;
- 10.7 the affairs of a body corporate of whose board of directors or governing body he is a member;
- 10.8 the affairs of an employee of the notary;
- 10.9 the affairs of a partnership of which he is a member or of a company in which the notary holds shares either exceeding five percent of the issued share capital or having a market value exceeding such figure as the Master may from time to time specify.

11. **Employed Notaries**

- 11.1 Save as permitted by rule 11.2 a notary who is the employee of a non-notary shall not perform any notarial act as part of his employment or do or perform any notarial act for his employer or his employer’s holding, associated or subsidiary company.

11.2 A notary may act for a person who is also the client of the qualified legal practitioner or firm of qualified legal practitioners by which he is employed but he shall take all proper and reasonable steps in the exercise of his notarial practice to maintain his independence of his employer and in particular he shall:

11.2.1 ensure that his independence and integrity as a notary is fully recognised in writing in any contract of employment entered into by him; and

11.2.2 annually send to his employer a written statement of professional independence in a form approved by the Master from time to time, and shall declare in his application for a notarial practising certificate that he has complied with this rule.

12. Language

12.1 Notarial acts shall normally be drawn up in the English language.

12.2 A notary may upon request or in appropriate circumstances prepare a notarial act in a language other than English if he has sufficient knowledge of the language concerned.

12.3 A notary may not authenticate by means of a notarial act a document drawn up in a language other than English unless he has satisfied himself as to its meaning but this does not prevent a notary from authenticating the execution or signature of a document in any language.

12.4 A notary may not certify the accuracy of a translation that has been made by someone other than himself unless he has knowledge of the language sufficient to satisfy himself as to the accuracy of the translation but this does not prevent a notary from attesting a translator's affidavit or authenticating a verification.

13. Undertakings

13.1 Any notary giving an undertaking, whether oral or in writing, shall be personally liable for that undertaking, and the implementation of any such undertaking is required as a matter of conduct. Save in exceptional cases a failure by a notary to honour an undertaking will constitute Notarial Misconduct as defined in rule 2 of the Notaries (Conduct and Discipline) Rules 2015.

13.2 An undertaking given by a notary in writing or confirmed in writing shall be signed by the notary giving it.

14. Publicity

A notary may advertise his practice and seek to obtain directly or indirectly clients and business in any manner and through any medium whether informative or promotional with the exception of unsolicited telephone calls or unsolicited visits to persons or organisations provided that:

14.1 the principles are upheld;

14.2 the client's freedom to instruct a qualified person of the client's choice is not

thereby unduly restricted;

14.3 the notary's good reputation for integrity and professional standards of work is not thereby damaged;

14.4 he complies with any relevant non-statutory code of advertising standards and practice currently in force;

but nothing in this rule shall be construed as authorising the use of the word "notary" or any word designating or indicating notarial services in any publicity for activities which are not of a notarial nature.

15. **Scrivener Notaries**

No notary shall describe himself professionally as a Scrivener or a Scrivener notary unless he holds the qualifications to practise as a Scrivener notary from time to time prescribed by the Incorporated Company of Scriveners.

16. **Introductions and Referrals**

When a notary enters into an arrangement with another person for the introduction of clients to the notary or by the notary to the other person he must ensure:

16.1 that the client is informed in writing of the arrangement and of any commission or other benefit the notary may be receiving or pay;

16.2 that he either obtains the client's written agreement as to the destination of the commission or accounts to the client for the commission;

16.3 that he remains able to advise the client independently in accordance with these rules and continues to do so regardless of his own interests.

17. **Offering Services other than as a Notary**

17.1 Where a notary by himself or with any other person operates, actively participates in or controls any business, other than a notary's practice, the notary shall ensure:

17.1.1 that the name of that business has no substantial element in common with the name of any practice of the notary;

17.1.2 that the words "notary", "notaries," "attorney(s)" or "lawyer(s)" or any words designating or indicating a notarial or legal practice are not used in connection with the notary's involvement with that business;

17.1.3 that any client referred by any practice of the notary to the business is informed in writing that, as a customer of that business, he does not enjoy any protection attaching to the client of a notary, and that where that business shares premises or reception staff with any practice of the notary, every customer of the business is informed in writing that, as a customer of that business, he does not enjoy the protection attaching to the client of a notary.

17.2 Rule 17.1 does not apply to the practice of a qualified legal practitioner.

18. Fees

18.1 A notary may charge a professional fee for all notarial work undertaken by him, and the basis upon which that fee will be calculated or the fee to be charged for the work done, shall be made known in advance to any new client.

18.2 Subject to rule 18.3 and 18.4 below a notary shall not share or agree to share his professional fees with any person not entitled to act as a notary; provided that this rule shall not prohibit the payment of any allowance or allowances, sum or sums of money, that are or shall be agreed to be made or paid to the widows or children of any deceased notary or notaries, by any surviving partner or partners of such deceased notary or notaries.

18.3 A notary who also practises as a qualified legal practitioner either in a professional partnership or as an employee may share professional fees provided that:

18.3.1 his professional partners or employer are also qualified legal practitioners;

18.3.2 the notary shall keep accounts which enable the income and expenditure arising from his practice as a notary to be distinguished from the income and expenditure arising from his practice or employment as a qualified legal practitioner; and

18.3.3 shall furnish the Faculty Office with such additional information as to his professional partnership and accounting arrangements or his employment as may be prescribed in rules or orders of the Master.

18.4 A notary who practises as such within or on behalf of a limited company or limited liability partnership may share his professional fees, or collect them through, that company or partnership provided that the equity of that company or partnership is wholly owned by the notary or notaries who are the directors or partners of the company or partnership.

19. Name of a Notary's Practice

19.1 A notary shall notify the Registrar of the name under which he practises, or the firm of notaries within which he practises:

19.1.1 at the time of his admission;

19.1.2 at any time the name is to change; and

19.1.3 annually when he applies for a practising certificate pursuant to Rule 4 of the Notaries (Practising Certificate) Rule 2012.

19.2 A notary shall not practise under a name which is likely to mislead (whether intentionally or unintentionally) or bring the notarial profession into disrepute.

20. Investment Business

[This rule came into force by Order of the Master made on 20 August 2014]

20.1 In this rule “appointed representative”, “investment” and “regulated activity” have the meanings assigned to them by the Financial Services and Markets Act 2000 and the Financial Services and Markets Act 2000 (Regulated Activities) Order 2001 as extended by the Financial Services Act 2012

20.2 A notary shall not in connection with any regulated activity:

20.2.1 have an exclusive arrangement with a provider of financial services nor with a provider of financial services advice (whether of independent advice or restricted advice or both) under which the notary could be constrained to recommend, introduce or refer clients or effect for them (or refrain from so doing) transactions or contracts:

- a. in some investments or markets but not others;
- b. with some persons or companies but not others;
- c. through the agency of some persons or companies but not others.

20.2.2 be an appointed representative.

20.3 Notwithstanding any provision in rule 17 a notary shall not by himself or with any other person set up, operate, actively participate in or control any separate business which is an appointed representative.

20.4 For the avoidance of doubt a notary shall comply with this rule in connection with regulated activity carried on within England and Wales and in any other jurisdiction

21. Supervision of a Notary’s Office

21.1 A notary shall take reasonable steps to ensure that every office where he practises is and can be seen to be:

21.1.1 open, save exceptionally and for a good reason, during normal office hours for the provision of appropriate notarial services to members of the public; and

21.1.2 properly supervised.

In particular a notary shall ensure that he or another notary holding a Practising Certificate shall spend sufficient time at such office to ensure adequate control of the staff employed there and afford requisite facilities for consultation with clients. Such notary may be a principal, employee or consultant of the firm or a locum tenens.

- 21.2 In determining whether or not there has been compliance with the requirement as to supervision in rule 21.1, account shall be taken of, inter alia, the arrangements for the principals to see or be apprised of incoming communications.
- 21.3 Where the operation or supervision of a notary's office in accordance with this rule is prevented by illness, accident or other sufficient or unforeseen cause for a prolonged period, suitable alternative arrangements shall be made without delay to ensure compliance.
- 21.4 In cases where a notary is not in attendance on days when his office is normally open to the public, he shall make adequate arrangements to ensure the provision of notarial services to persons requiring the same.

22. Continuing Professional Education

- 22.1 After commencing practice and having satisfactorily completed the required period of supervision, a notary shall, within every such successive period as shall be determined by the Master, participate in such programmes, courses or seminars approved by the Master as may be necessary to acquire the number of credit points determined by the Master.
- 22.2 Upon determination by the Master of the periods and number of credit points, they shall be included in regulations made by the Master under this rule from time to time.

PART III: RECORDS AND INSPECTIONS

23. Duty to Keep Records

- 23.1 A notary shall keep proper records of his notarial acts in accordance with this rule.
- 23.2 The records so kept must clearly identify:
 - 23.2.1 the date of the act;
 - 23.2.2 the person at whose request the act was performed;
 - 23.2.3 the person or persons, if any, intervening in the act and, in the case of a person who intervened in a representative capacity, the name of his principal;
 - 23.2.4 the method of identification of the party or parties intervening in the notarial act, and in the case of a party intervening in a representative capacity, any evidence produced to the notary of that party's entitlement so to intervene;
 - 23.2.5 the nature of the act;
 - 23.2.6 the fee charged.

- 23.3 In the case of a notarial act in the public form, the notary shall place an original of the act or a complete photographic copy of the same in a protocol which shall be preserved permanently by the notary and for the avoidance of doubt such preservation may be by means of a suitable digital or other electronic system providing for the storage of documents in an indelible and unalterable format.
- 23.4 Records of acts not in public form kept in accordance with rule 23.2 shall be preserved for a minimum period of twelve years and for the avoidance of doubt such preservation may be by means of a suitable digital or other electronic system providing for the storage of documents in an indelible and unalterable format.
- 23.5 A notary who preserves records by means of a digital or other electronic system in accordance with rules 23.3 and 23.4 shall notify the Registrar of any username and password required for access to such digital or electronic system and the Registrar shall keep such information confidential.
- 23.6 A copy of a notarial act or of the record of a notarial act preserved in accordance with rules 23.3 and 23.4 shall, upon payment of a reasonable fee, be issued upon the application of any person or authority having a proper interest in the act unless prevented by order of a competent court.
- 23.7 Any question as to whether a person has a proper interest in an act for the purposes of rule 23.6 shall be determined by the Master.

24. Inspections of Records and Practice

- 24.1 A notary's premises, records and practice may be inspected from time to time on behalf of the Master and as directed by him
- 24.2 The records which may be inspected in accordance with rule 24.1 shall include all documents in the notary's possession relating in any way to his practice as a notary, whether or not they also relate to non-notarial matters, and shall include documents stored by means of a digital or other electronic system.
- 24.3 Copies of documents inspected in accordance with rule 24.1 may be taken for onward transmission to the Master where requested by the person carrying out the inspection.
- 24.4 Inspections shall be carried out in accordance with regulations to be made by the Master from time to time under this rule.

25. Notaries Ceasing to Practise

- 25.1 When a notary ceases to practise as such then he, or failing him his continuing notarial partners or the person having possession or custody of the records maintained by him pursuant to rule 23, shall arrange for such records to be transferred:
- 25.1.1 to another notary in practice appointed by him or by his continuing notarial partners;

25.1.2 to another notary in practice appointed, with the approval of the Master, by the persons having possession or custody of the records; or

25.1.3 to any archive designated for the purpose under regulations made by the Master from time to time;

and the persons making such transfer shall give written particulars to the Registrar of the date of transfer and the person or archive to which the records were transferred.

25.2 The provisions of rules 23 and 24 shall apply to a notary or archive to which the records of any notary are transferred pursuant to this rule as they apply to the notary himself.

26 **Application to Ecclesiastical Notaries**

The provisions of this Part shall apply to notaries appointed for ecclesiastical purposes only subject to the following modifications:

26.1 The requirement of rule 23 to keep a record of notarial acts shall apply only to such ecclesiastical acts as law or custom requires to be performed in the presence of a public notary and recorded in writing.

26.2 Any act or transaction properly recorded in the Act Book of any Archbishop or Bishop, or in the Minute Book of any Cathedral Chapter, shall be deemed to have been properly recorded in accordance with rule 23.

26.3 Rule 25 shall not apply to ecclesiastical notaries, but upon a person ceasing for any reason to hold the office in respect of which he was appointed an ecclesiastical notary, any records kept by him pursuant to this Part shall be transferred to the succeeding holder of that office (being an ecclesiastical notary) upon his appointment.

PART IV: MISCELLANEOUS

27 **Waivers**

The Master shall have power to waive any of the provisions of these rules in any particular case or classes of case for the purpose expressed in such waiver, and to revoke such waiver.

28 **Repeals and Savings**

28.1 Subject to rule 28.2 the Notaries Practice Rules 2009, with the exception of Rule 17 thereof, are hereby revoked. **[NPR2009 Rule 17 was revoked by an Order of the Master dated 20 August 2014]**

28.2 Rule 28.1 does not absolve any notary from the duty to comply with the Notaries Practice Rules 2009 prior to the coming into force of these rules and records maintained by a notary in accordance with Rules 20-23 of the Notaries Practice

Rules 2009 prior to the coming into force of these rules shall continue to be so maintained by him and rules 23.5, 23.6, 24, 25 and 26 of these rules shall apply to such records.

C R George

**The Right Worshipful Charles R George, Q.C.
Master**

2017

FACULTY OFFICE

We, CHARLES RICHARD GEORGE One of Her Majesty's Counsel, Commissary or Master of the Faculties of the Most Reverend Father in God JUSTIN PORTAL by Divine Providence Lord Archbishop of Canterbury Primate of All England and Metropolitan in exercise of the powers conferred by section 4 of the Public Notaries Act and section 57 of the Courts and Legal Services Act 1990 and of all other powers Us enabling and so far as We lawfully can or may do hereby ORDER that:

1. The Rule set out in the Schedule hereto shall be inserted into the Notaries Practice Rules 2014 as Rule 20 thereof;
2. This Rule shall come into force with immediate effect; and
3. Rule 17 of the Notaries Practice Rules 2009 is hereby revoked.

As witness Our hand this 20th day of August 2014

C R George

MASTER

SCHEDULE

20. Investment Business

20.1 In this rule “appointed representative”, “investment” and “regulated activity” have the meanings assigned to them by the Financial Services and Markets Act 2000 and the Financial Services and Markets Act 2000 (Regulated Activities) Order 2001 as extended by the Financial Services Act 2012

20.2 A notary shall not in connection with any regulated activity:

20.2.1 have an exclusive arrangement with a provider of financial services nor with a provider of financial services advice (whether of independent advice or restricted advice or both) under which the notary could be constrained to recommend, introduce or refer clients or effect for them (or refrain from so doing) transactions or contracts:

- a. in some investments or markets but not others;

- b. with some persons or companies but not others;
- c. through the agency of some persons or companies but not others.

20.2.2 be an appointed representative.

20.3 Notwithstanding any provision in rule 17 a notary shall not by himself or with any other person set up, operate, actively participate in or control any separate business which is an appointed representative.

20.4 For the avoidance of doubt a notary shall comply with this rule in connection with regulated activity carried on within England and Wales and in any other jurisdiction.

NOTARIES (QUALIFICATION) RULES 2017

WE CHARLES RICHARD GEORGE One of Her Majesty's Counsel Commissary or Master of the Faculties of the Most Reverend Father in God Justin Portal by Divine Providence Lord Archbishop of Canterbury Primate of All England and Metropolitan in exercise of the powers conferred by section 4 of the Public Notaries Act 1843 and section 57 of the Courts and Legal Services Act 1990 and of all other powers Us enabling hereby make the following Rules:

Part I: Preliminary

1 *Citation and Commencement*

- 1.1 These rules may be cited as the Notaries (Qualification) Rules 2017
- 1.2 These rules shall come into force on the 1st day of January 2017

2 *Interpretation*

In these rules:

'the Board' means the Qualifications Board established under rule 6;

'the Company' means the Incorporated Company of Scriveners of London;

'Degree' means a qualification awarded following a post secondary course of at least three years' duration (or of an equivalent duration part time) at a university or an establishment of higher education or an establishment of similar level;

'the Directive' means the Directive 2005/36/EC of the European Parliament and of the Council of 7th September 2005 as amended from time to time;

'the Faculty Office' means the Registry of the Court of Faculties;

'the Master' means the Master of the Faculties;

'the Notarial Practice Course' means a course approved from time to time by the Master comprising the prescribed subjects set out in paragraphs 9, 10 and 11 of schedule 2;

'the Office Practice Course' means a course approved from time to time by the Master comprising the matters set out in schedule 5; and

'the Registrar' means the Registrar of the Court of Faculties.

Part II: General Provisions as to Admission

3 Qualification for Admission as a Notary Public

No person shall be admitted as a notary public to practise in England and Wales unless such person:

- 3.1 Is at least 21 years of age and has satisfied the requirements of these rules;
- 3.2 Has taken the oath of allegiance and the oath required by Section 7 of the Public Notaries Act 1843; and
- 3.3 Is, except where such application is made under rule 4 (ecclesiastical notaries) or rule 8 (~~European Economic Area notaries~~) either a solicitor of the Senior Courts of England and Wales, or a barrister at law, **or a Chartered Legal Executive**, or holds a Degree.

4 Ecclesiastical Notaries

Any person appointed as registrar of either of the provinces of Canterbury or York, as registrar to the Archbishop of Wales, as legal adviser to the General Synod to the Church of England, as legal secretary to the Governing Body of the Church in Wales, as registrar of any diocese in England or Wales, as an officer of the ecclesiastical court in Jersey or Guernsey, or as the deputy to any such officer, may apply for admission as a notary public for ecclesiastical purposes only, upon satisfying the Master of the fact of such an appointment.

5 General Notaries

Any person who satisfies the requirements of rule 3 and who has obtained the qualifications required under Part III of these rules may apply for admission as a general notary to practise in England and Wales.

Part III: Qualifications

6 Qualifications Board and Fees for Applications

- 6.1 There shall be established a Qualifications Board constituted in accordance with schedule 1.
- 6.2 The functions of the Board shall be:
 - 6.2.1 To advise the Master whether a degree or other qualification should be approved by him for the purpose of these rules.
 - 6.2.2 To advise the Master on the standard of the qualifications of any person applying for admission as a general notary under these rules.

- 6.2.3 To advise the Master on the qualifications and experience of persons applying for recognition that they are eligible for admission as a general notary under rule 8.
- 6.2.4 To advise any other body concerned with the administration or regulation of the notarial profession in England and Wales or any part of it on matters relating to qualifications and experience.
- 6.3 The Master may by Order delegate to the Board any of his functions under these rules relating to the approval or recognition of degrees, qualifications and experience.
- 6.4 The Master may from time to time by Order prescribe fees or the maximum fees which may be charged in respect of any application to the Master under these rules and such fees may be applied by the Faculty Office towards meeting the expenses of the Board but subject thereto the expenses of the Board and of its members shall be paid from and such fees shall form part of the general notarial income of the Faculty Office.

7 *Practical Qualifications*

- 7.1 Any person wishing to be admitted as a general notary under rule 5 shall have undertaken and attained a satisfactory standard in a course or courses of studies covering all of the subjects listed in schedule 2.
- 7.2 Whether a particular course of studies satisfies the requirements of these rules and whether a person has obtained a satisfactory standard in that course shall be determined by the Master after seeking the advice of the Board.
- 7.3 The Master after seeking the advice of the Board may by Order direct that the award of a particular qualification meets the requirements of these rules as to some or all of the subjects listed in schedule 2.
- 7.4 The Master may as a condition of making a direction under rule 7.3 require the body by which the qualification is awarded to issue those pursuing a course of studies leading to that qualification with such information about the notarial profession, these rules and other rules made by the Master and the Company as the Master may specify.
- 7.5 The Master may by Order add any subjects to the list in schedule 2 or remove any subjects from that list or alter any of the provisions of that schedule but before doing so he shall consult the Board.

8. *Notaries from jurisdictions outside England and Wales*

8.1 This rules applies to a person who:

- 8.1.1 holds the office of a notary public in a jurisdiction other than England and Wales;
- or

8.1.2 holds all the qualifications and has completed all the practical training necessary for appointment or admission to that office in such a jurisdiction but has not yet been so admitted.

8.2 Any person to whom this Rule applies may apply to the Master for recognition that he is qualified for the purposes of Rule 9.1 for admission as a general notary to practise anywhere in England and Wales and such application shall be made to the Faculty Office in such form and accompanied by such information as the Master may from time to time by Order prescribe.

8.3

8.3.1 Any person applying to the Master for recognition under this Rule shall satisfy the Master, in consultation with the Board, that:

- (a) he can demonstrate a knowledge sufficient for a notary to practise in England and Wales in those subjects contained in schedules 3 and 4 either through examinations set by such institution or body recognised by the Board for the purpose taken within the last 5 years in those subjects, or from the applicant's own practical experience of the areas of law covered by those subjects; and
- (b) he can demonstrate a competence in Notarial Practice with respect to the practice of a notary in England and Wales, and in particular the matters listed in paragraph 11 of schedule 2.

8.3.2 Where an applicant is unable to demonstrate the requisite knowledge or experience set out in 8.3.1 above, he may be required:

- (a) to take an aptitude test by way of an examination or examinations in such form and set by an institution or body recognised by the Board as may be prescribed from time to time by the Master; or
- (b) undertake a period of supervision under a qualified and admitted notary for such period as may be specified by the Master not exceeding 3 years and such period may include a requirement to undertake further training and assessment.

8.4 Where an application is made to the Master under rule 8.2 he shall determine the application as soon as possible and communicate the outcome to the applicant in a reasoned decision within four months of the production of all such certificates and documents relating to the applicant as the Board shall reasonably require.

8.5 If the Master refuses an application under rule 8.2 or has not determined the application within the time prescribed by rule 8.4 the Master shall be deemed to have refused an application for a faculty and the applicant may pursue the remedy provided for in the Ecclesiastical Licences Act 1533 and section 5 of the Public Notaries Act 1843.

~~9 — Notaries of Scotland and Northern Ireland~~

~~9.1 This rule applies to a person who holds the office of notary public in Scotland or Northern Ireland.~~

~~9.2 A person to whom this rule applies wishing to be admitted as a general notary for England and Wales shall have satisfied the requirements of rule 7 with such~~

exemptions in any particular instance as the Master shall determine after seeking the advice of the Board.

Part IV: Procedure for Admission

9 *Application for Admission*

9.1 A person qualified for admission as a notary under these rules shall apply in writing to the Faculty Office on such form as the Master may from time to time specify.

9.2 The application shall be accompanied by:

- (a) A certificate of fitness in such form as the Master may from time to time prescribe to be given by a notary public to the effect that the applicant is known to him and that having made due enquiry to the best of his knowledge and belief the applicant is a fit and proper person to be created a notary public; and
- (b) A certificate of good character in such form as the Master may from time to time prescribe to be given by a person who is qualified under paragraph **9.3** testifying to the good character, honesty, reliability, diligence and trustworthiness of the applicant and stating that the person giving the certificate knows of no reason why the applicant should not be created a notary public;
- (c) Evidence that the applicant has successfully completed the Notarial Practice Course within a period not exceeding two years prior to the date of the application provided that this requirement shall not apply to an applicant under rule 8.2 who has demonstrated to the satisfaction of the Master his knowledge and competence in accordance with rule 8.3, the application to be accompanied by evidence that such demonstration was within the same period.

- 9.3 A person is qualified to give the certificate of good character required by paragraph 9.2(b) of this rule if he is a person of good standing and character, he has known the applicant for a period of not less than five years, he is not related to the applicant by blood, marriage or adoption, and he is not a professional partner, employer or employee of the applicant.
- 9.4 In the case of a person qualified under rule 4 the certificate of fitness shall further state that the applicant is conformable to the doctrine and discipline of the Church of England as by law established (or, in the case of a person qualified only by reason of holding an ecclesiastical appointment in Wales, the doctrine, discipline and constitution of the Church in Wales).
- 9.5 The certificate of fitness and the certificate of good character may be given in the case of a person qualified under rule 8 by suitably qualified persons in the applicant's home jurisdiction ~~Home state and in the case of a person qualified under rule 9 by suitably qualified persons in Scotland or Northern Ireland as appropriate.~~
- 9.6 The application shall be accompanied by such fee as the Master may from time to time prescribe.

10 *Publicity, Refusal of Applications and Admissions*

- 10.1 The Master may give, or require an applicant to give, such publicity to an application made under rule 9 as in the circumstances appear to the Master to be necessary.
- 10.2 Any representations made to the Master following such publicity shall be notified to the applicant, and the Master shall consider any response thereto made by the applicant before deciding whether a faculty shall be granted.
- 10.3 Any decision by the Master to refuse an application under rule 9 shall be notified to the applicant by the Registrar in writing to enable the applicant to pursue (if so advised) the remedy provided for in The Ecclesiastical Licences Act 1533 and mentioned in Section 5 of the Public Notaries Act 1843.
- 10.4 Upon the Master deciding to grant an application under rule 9, the Registrar shall cause a faculty to pass the seal in accustomed form. The applicant shall appear personally before the Registrar to make the oaths mentioned in rule 3.2 and the Registrar shall then admit him by delivering the faculty to him and causing his name to be entered upon the roll of notaries. The Master may appoint a Commissioner to act in place of the Registrar for this purpose.
- 10.5 Before admitting the applicant in accordance with rule 10.4 the Registrar shall be satisfied that the applicant has successfully completed the Office Practice Course.

Part V: Repeals and Savings

11 *The following Rules are hereby revoked:*

11.1 **The Notaries (Qualification) Rules 2013**

~~12.2 The Notaries (Qualification) (Amendment) Rules 2008~~

~~12.3 Rule 10 of the Notaries (Access to Justice Act) (Consequential Provisions) Rules 1999~~

12 Subject to any further Order of the Master, the certificates of fitness and of good character prescribed by the Master's Orders of 27th August 1992 and 13th September 1993 respectively shall be the certificates prescribed for the purposes of rule **9.2**. (a) and (b) of these rules .

Dated this day of December 2016

Signed
 MASTER

SCHEDULE 1

QUALIFICATIONS BOARD

- 1 The Board shall comprise not more than 10 persons appointed by the Master after consultation with the Company, the Society of Scrivener Notaries and the Notaries Society and such other persons or bodies as the Master may consider appropriate.
- 2 The Master shall appoint one member of the Board to be Chairman for such period as the Master may determine.
- 3 Members of the Board, including the Chairman, shall hold office for such period as the Master may determine and may be removed from office by the Master at any time.
- 4 The Registrar shall act as Clerk to the Board or may appoint or nominate another person to act as Clerk in his place.
- 5 The Board shall meet as often as may be necessary and in any event not less than once each year.
- 6 The Board may delegate any of its functions under these rules to a subcommittee comprising not fewer than three of its members.

SCHEDULE 2

PRESCRIBED SUBJECTS

1. Public & Constitutional Law

- The nature and sources of constitutional law
- Conventions
- The sovereignty of parliament
- Introduction to the objectives and structure of the European Union
- Human Rights and Freedom of Expression
- Administrative Law

2. The Law of Property

- The definition of “land” and the distinction between real and personal property
- The nature of legal and equitable interests
- Registered and unregistered land
- Estates and interests in land: freehold, leases, mortgages, easements, covenants relating to land, licences
- Principles relating to the transfer of legal estates and interest in land, and contracts enforceable in equity
- Trusts of land, joint tenancies and tenancies in common

3. The Law of Contract

- Formation of a contract: offer, acceptance, consideration, intention to create legal relations
- Contents of a contract: express and implied terms
- Exemption clauses and unfair terms
- Vitiating factors: duress, undue influence, non-disclosure, misrepresentation, mistake
- Discharge of contracts: performance, agreement, breach, frustration
- Remedies: damages, specific performance, injunction

4. The Law of the European Union

- Evolution of the European Union
- The institutions of the European Union
- The law making process
- Sources and hierarchy of law in the European Union
- The supremacy of European Union law
- Overview of the substantive law of the European Union

5. Equity and the Law of Trusts

- Equity and equitable principles
- Formation of trusts: the three certainties; the beneficiary principle
- Formal requirements to create a trust
- Legality of a trust: perpetuities and accumulations
- Completely and incompletely constituted trusts
- Implied, resulting and constructive trusts
- Trusts of land
- Charitable trusts
- Appointment, retirement and removal of trustees
- Trustees' powers and duties
- Rights of beneficiaries under a trust
- Variation of trusts
- Remedies for breach of trust

6. Conveyancing

- Land registration and third-party rights
- Conflicts of interest, undertakings and professional negligence
- Contract: formation and enforceability
- Deducing and investigating title
- Pre-contract searches and enquiries
- Mortgages
- Planning considerations
- Exchange of contracts
- Pre-completion searches steps, completion and post-completion
- Investigation of Title - registered and unregistered
- Delayed completion and remedies
- Leasehold properties
- Commonhold

7. The Law and Practice of Companies and Partnerships

- Company formation
- Articles of association
- Shares and debentures
- The members of a company, including rights of minority shareholders
- Company directors and other officers
- Administration
- Winding up
- Formation of partnerships
- Relationship between partners, including partners as agents
- Dissolution
- Limited Liability Partnerships

8. Wills Probate and Administration

- The nature and validity of wills
- Intestacy
- Planning and drafting a will
- Construction of wills
- Taxation and accounts for taxation purposes
- Applying for the grant
- Family provision claims
- Duties and powers of personal representatives
- Completion of the administration
- Beneficiaries' rights and remedies

9. Roman Law as an Introduction to Civil-Law Systems

- The different areas of law: property, obligations, family, agency, succession
- The use of written instruments in Roman practice - the *tabellio* and the *notarius*
- The reception of Roman law in medieval Europe and its continuing relevance to modern civil-law jurisdictions
- The civil-law courts in England
- The role of Roman law in the development of the English common law
- The development of the modern European notariat

10. Private International Law

- The structure and elements of private international law
- EU and common law rules on jurisdiction
- Recognition and enforcement of judgments under EU law and the common law
- Authentic instruments
- Arbitration and alternative dispute resolution
- Choice of law rules: contractual and non-contractual obligations, moveable and immoveable property, insolvency, marriages and civil partnerships, and succession
- The meaning and use of nationality, domicile and habitual residence as connecting factors
- Characterisation and the distinction between rules of substance and rules of procedure
- The role of public policy and mandatory rules
- The pleading and proof of foreign law

11. Notarial Practice

- The legislation and rules governing notarial practice
- Personal identity and capacity
- Corporate identity and capacity
- The law of agency and powers of attorney
- Execution of documents and deeds by individuals and bodies corporate
- Forms of notarial act
- Affidavits and statutory declarations
- The noting and protest of bills of exchange
- Document security and record-keeping
- Apostilles and consular legalisation
- The regulation of notarial services
- Appointment, supervision, and continuing professional education
- Professional standards and the Conduct and Discipline Rules

SCHEDULE 3

PRESCRIBED SUBJECTS (Rule 8.3)

(details of subjects as in Schedule 2 above)

1. Public/Constitutional Law
2. The Law of Property
3. The Law of Contract
4. The Law of the European Union
5. Equity and the Law of Trusts
6. Conveyancing
7. The Law and Practice of Companies and Partnerships
8. Wills, Probate & Administration

SCHEDULE 4

PRESCRIBED SUBJECTS (Rule 8.3)

(details of subjects as in Schedule 2 above)

PART 1

- A. Roman Law as introduction to Civil Law systems
- B. Private International Law

PART 2

Notarial Practice (including Bills of Exchange)

In Part 1 of this Schedule, the applicant may be required either to have passed an examination in these subjects, or to have undertaken supervised practice in these subjects under a qualified and admitted notary or otherwise satisfied the Master of his proficiency by practice as a notary in another member state.

In Part 2, the applicant shall have satisfied the Master either by examination or by supervised practice under a qualified and admitted notary in these areas.

SCHEDULE 5

OFFICE PRACTICE COURSE

- The practical aspects of preparing notarial acts, including the function of a newly qualified notary's supervisor and the use of other resources
- The application in practice of the Notaries Practice Rules
- Consular legalisation and apostilles
- Record-keeping, with particular reference to notarial acts in the public form, and accounts
- Client care and handling complaints
- The Conduct and Discipline Rules