

ANDREW MARTIN JOHNSON

NOTARY PUBLIC

Canterbury Innovation Centre, University Road, Canterbury, CT2 7FG.
Tel: 01227 811 713 / 811714 Fax: 01227 811 715. Email: info@spanish-law.net

VISITING A NOTARY PUBLIC.

TERMS OF BUSINESS

1. **INTRODUCTION:** These notes are intended to help you understand the work that the Notary Public has to do on the terms of business. I hope that they may save time and expense, both for you and me.
2. **WHO ARE NOTARY PUBLICS? :** A Notary is a qualified lawyer – a member of the third and oldest branch of the legal profession in the United Kingdom subject to regulation by the Court of Faculties. The rules, which affect Notaries, are very similar to the rules, which affect Solicitors. We must be fully insured. We must keep clients' money separately from the business and comply with stringent rules of practice. A Notary Public in England has many of the same responsibilities as Notaries in European countries. Anyone who has dealings with a Notary Public in the USA may be surprised at the different formalities and cost over here. The role and responsibility of the Notary Public in the United States is very different.
3. **NOT A MERE RUBBER-STAMPING EXERCISE:** The international duty of a Notary involves a high standard of care. This is not only towards the client but also to anyone who may rely on the document and to Governments or officials of other countries. These people are entitled:
 - To assume that a Notary will ensure full compliance with the relevant requirements both here and abroad, and;
 - To rely on the Notary's register and records.Great care is essential at every stage to minimise the risks of errors, omissions, alterations, fraud, forgery, money laundering, the use of false identity, and so on.
4. **SIGNATURE:** the Notary should normally witness your signature. Please do not sign the document in advance of your appointment with me.
5. **PAPERS TO BE SENT TO ME IN ADVANCE:** It can save time, expense, and mistakes if, as long before the appointment as possible, you can let me have the originals or photocopies of:
 - The documents to be notarised;
 - Any letter or other form of instruction which you have received about what has to be done with the documents;
 - Your evidence of identification.
6. **IDENTIFICATION:** I will need you to produce by way of formal identification the original of (in preferred order):
 - Your current passport (or, if not available);
 - A current new driving licence (with photo)If neither of the above are available, at least **two** of the following
 - A current old style driving licence (without photo); or other formal means of identification;
 - A utility bill showing your current address;
 - **Any other means of ID, which may be referred to in the papers, sent to you as being required.**
7. **PROOF OF NAMES:** In a case where the name on the document is different from the name you are currently using, or there has been a variation in the form of spelling of the name over the years, please provide me with, eg, Certificates of Birth, Marriage, or a Divorce Decree. If there has been a change of name, then I will need to see a copy of the Deed Poll or Statutory Declaration, which dealt with it.
8. **CHAIN OF EVIDENCE:** Notarisation is accepted as a safeguard under international law. The signature and seal of the Notary are recognised as a link in the chain of evidence relating to international documents.
9. **EXAMINING THE EVIDENCE:** Accordingly, careful examination by the Notary is required to check whether both the document to be notarised and your personal ID are original, genuine, valid, complete, accurate, and unaltered.
10. **INCOMPLETE DOCUMENTS:** The Notary has to check that each document to be notarised is fully completed. If you can help in identifying the information needed to complete any blanks in documents, it will save time when we meet. However, please do not mark the document itself until I have seen it.

The Faculty Office
1, The Sanctuary
Westminster
London
SW1P 3JT
Telephone 020 7222 5381
Email Faculty.office@1thesanctuary.com
Website www.facultyoffice.org.uk

2. If you are dissatisfied about the service you have received please do not hesitate to contact me.
3. If we are unable to resolve the matter you may then complain to the Notaries Society of which I am a member, who have a Complaints Procedure which is approved by the Faculty Office. This procedure is free to use and is designed to provide a quick resolution to any dispute.
4. In that case please write (but do not enclose any original documents) with full details of your complaint to :-

The Secretary of The Notaries Society
Old Church Chambers
23 Sandhill Road
St James
Northampton. NN5 5LH
Email secretary@thenotariessociety.org.uk
Tel : 01604 758908

If you have any difficulty in making a complaint in writing please do not hesitate to call the Notaries Society/the Faculty Office for assistance.

5. Finally, even if you have your complaint considered under the Notaries Society Approved Complaints Procedure, you may at the end of that procedure, or after a period of eight weeks from the date you first notified me that you were dissatisfied, make your complaint to the Legal Ombudsman, if you are not happy with the result :

Legal Ombudsman
Baskerville House, Centenary Square,
Broad Street, Birmingham B1 2ND
Tel : 0300 555 0333
Email : enquiries@legalombudsman.org.uk
Website : www.legalombudsman.org.uk

6. If you decide to make a complaint to the Legal Ombudsman you must refer your matter to the Legal Ombudsman within six months from the conclusion of the complaint process.

I hope that these notes are of help to you in understanding what is expected of each of us.