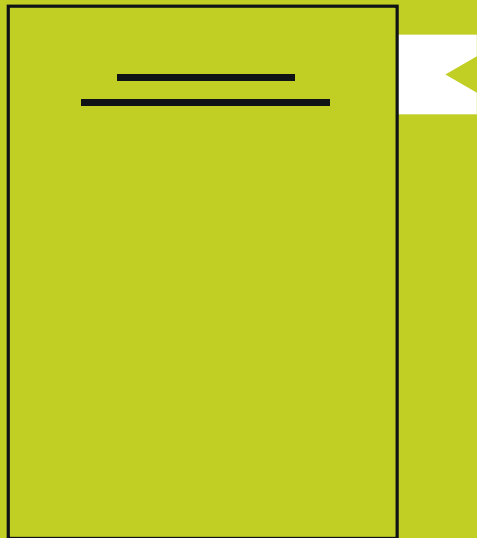




A GUIDE TO

Notarial Services



The notary public is the holder of a public office and a member of a distinct branch of the legal profession

What is a notary public?

In layman's terms the notary public is the holder of a public office and a member of a distinct branch of the legal profession. Most notaries are also solicitors. They must be fully insured and maintain fidelity cover for the protection of their clients and the public.

What notarial services are available?

Many notaries work for commercial firms as well as for private individuals. The most common notarial services available are:

- preparing and witnessing powers of attorney for use overseas
- dealing with purchase or sale of land and property abroad
- providing documents to deal with the administration of the estate of people who are abroad, or own property abroad
- authenticating personal documents and information for immigration or emigration purposes, or to apply to marry or to work abroad
- authenticating company and business documents and transactions

How does a notary public authenticate or notarise a document?

A notary public is required to check:

- the identity of the signatory;
- the signature of the individual involved; and
- that the document is signed in accordance with English law and with the legal requirements of the country for which the document is required

What evidence is needed?

A client is required to declare and prove their identity before the notary by producing "proper documents"; generally a current valid passport and something to confirm their address like a council tax bill or utility bill.

What costs are involved?

We will give you an estimate or a fixed price for the work when you book your appointment with us. This is based on our hourly rate as detailed on our Notarial Services - Client Information Form, which we encourage clients to complete in order to save time and therefore additional expense. Please ask to be sent a copy or go to our website where you will find the form on the "Notary Public" page. Please note that there may be extra costs for fees payable to the Foreign Office, Foreign Embassies or agents dealing with legalisation of documents, or courier or postal charges for sending notarised documents abroad.

How long does it take?

If the document is already prepared and in the correct form the notary should need to see you for 20 to 30 minutes. If they have to draw up the document or amend a draft, more time will be required. Providing drafts of all relevant documents prior to the meeting will help speed up the process.

How do I find a notary public?

Time is of the essence when the services of a notary are required. At Birkett Long we have several qualified notaries. We endeavour to have someone available at one of our offices the same day if necessary. The Notaries Society offers a useful search facility at www.thenotariessociety.org.uk

Mandatory information

1. My notarial practice is regulated by the Faculty Office of the Archbishop of Canterbury:

The Faculty Office, 1 The Sanctuary,
Westminster, London SW1P 3JT
tel: 020 7222 5381
email: facultyoffice@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,
PO Box 7655,
Milton Keynes MK11 9NR
tel: 01604 758908
email: secretary@thenotariessociety.org.uk

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.

What to do next

Birkett Long has a strong team of experienced professionals who can advise on related areas of law such as residential and commercial property, making a will or trust, or dealing with an estate. Contact the team on the email or phone numbers shown below.

COLCHESTER OFFICE:
T 01206 217300

CHELMSFORD OFFICE:
T 01245 453800

BASILDON OFFICE:
T 01268 244144

E NOTARY@BIRKETTLONG.CO.UK
WWW.BIRKETTLONG.CO.UK



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