

Have you heard of a Notary Public and, even if you have, do you know who they are and what they do?

In general terms a Notary Public is an officer of the law who deals with documents for use abroad. If for example you are buying or selling a property overseas you are likely to need to execute the paperwork in England in the presence of a Notary who will authenticate the documents under his or her signature and official seal so as to make them acceptable to the relevant authorities in the country where the property is located.

Since 1533, when Henry VIII terminated the power of the Pope to appoint notaries, the power has been vested in the Crown and then devolved to the Archbishop of Canterbury who makes all such appointments today through the Court of Faculties.

In order to qualify as a Notary Public it is necessary to have a law degree or to have qualified as a solicitor or barrister and then to take a 2 year Postgraduate Diploma in Notarial Practice from the University of Cambridge and complete practical training with an existing Notary.

Perhaps these tough educational requirements are the reason why there are less than 900 Notaries currently practising in England and Wales!

Once qualified a Notary will register his or her seal with the Foreign and Commonwealth Office so that they can authenticate or legalize notarial acts for use in those countries which have signed up to the Hague Convention. For the countries which have not signed up the Notary usually needs to register with the Embassy of the country concerned.

It is inevitable that despite promising last week not to use 'legalese' this article is full of it, simply because notarial work is steeped not only in history but also complicated legal requirements.

The good news for readers in and around Hungerford is that you now have your very own Notary, Richard Drake, at DHC and he is here to help you with your international or domestic needs.

DHC