ANGUILLA

REVISED STATUTES OF ANGUILLA

CHAPTER N15

NOTARIES PUBLIC ACT

Showing the Law as at 15 December 2010

This Edition was prepared under the authority of the Revised Statutes and Regulations Act, R.S.A. c. R55 by the Attorney General as Law Revision Commissioner.

This Edition consolidates Act 6/2010, in force 1 November 2010

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NOTARIES PUBLIC ACT

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SCHEDULE: Notaries' Fees of Office

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NOTARIES PUBLIC ACT

Power to Chief Justice to appoint notaries public

1. (1) The Chief Justice of the Eastern Caribbean Supreme Court may, from time to time, appoint any person, whom he shall consider a fit and proper person, to be a notary public for Anguilla to discharge the duties assigned to such office by the laws of Great Britain and Northern Ireland and of Anguilla, or by the practice of commerce.

(2) No person shall be appointed a notary public without being previously examined, by or under the direction of the Chief Justice, as to his competency to discharge the duties of the office, unless he is a barrister or solicitor of the Eastern Caribbean Supreme Court, or unless the Chief Justice, on special grounds, dispenses with the examination.

(3) Every person so appointed shall, on his appointment, pay the Comptroller of Inland Revenue the sum of $24.

(Act 6/2010, s. 41)

Notary to take oath

2. Every person so appointed shall, before entering upon the duties of his office, be sworn before the Governor, or any person authorised by him to administer oaths, well and faithfully to discharge the duties of his office.

Enrolment

3. Every person appointed to the office of a notary public shall cause his name to be enrolled in a book to be kept for the purpose in the office of the Registrar, and to be called the roll of notaries public, and he shall be entitled to a certificate of enrolment under the seal of the Court, and no person whose name shall not be enrolled as aforesaid shall be entitled to perform the duties of a notary public within Anguilla.

Notaries to be deemed officers of Supreme Court

4. Every person discharging the duties of a notary public is deemed to be an officer of the Eastern Caribbean Supreme Court, and, upon a certificate from any Judge of the Court that any notary public has been guilty of misconduct in the discharge of the duties of his office, such notary public shall be forthwith discharged by the Chief Justice from the duties of his office.

Penalties on unqualified persons acting as notaries

5. Any person who discharges the duties of a notary public, not being duly qualified so to do, is liable, on summary conviction, to a penalty of $9,600.

Notary may refuse to act in certain cases

6. In all cases where the circumstances shall appear to the notary suspicious, and not warranting the protest or other notarial act demanded, the notary shall refuse to act, but any person who considers himself aggrieved by the refusal of the notary to note the protest or do any other notarial act demanded may apply to the Eastern Caribbean Supreme Court, or any Judge thereof, for an order calling upon the notary to act in the execution of his office, and, before applying for such order, notice of the application shall be given to the notary refusing to act, and to such persons, if any, in Anguilla, as are interested in the subject of the protest.

Duties of notary when refusing to act

7. When any protest or other notarial act shall be refused to be noted or done, the notary so refusing shall mark in the log book, bill of exchange, or other document, his refusal with his signature and the date of refusal subscribed thereon.

Penalty against notary for wilful misfeasance, etc.

8. Any notary public or other person who wilfully certifies or propounds any false statement or document, or who fraudulently, with intent to deceive, conceals, withholds, or perverts any fact or document pertinent to the subject of protest, or other notarial act, is guilty of an offence and is liable to be imprisoned for a term of 2 years.

Fees of notaries

9. All fees for discharging the duties of a notary public shall be as specified in the Schedule.

Citation

10. This Act may be cited as the Notaries Public Act, Revised Statutes of Anguilla, Chapter N15.

SCHEDULE

(Section 9)

NOTARIES' FEES OF OFFICE

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Noting protest on bill or note	1.20
Extending protests on bills of exchange and promissory notes	3.60
Should the acceptor or drawer of a bill or note reside out of town, and the Notary has to present the bill or note, a further charge for the first mile	1.20
and, for every additional mile beyond the first mile	.24
Minuting or noting ship's protest	1.92
Extending ship's protest	15.36
Furnishing copy of extended protest	7.68
Attestation to any document, if in town,	3.84
if out of town, additional for the first mile	1.20
and, for every additional mile beyond the first mile	.24
Declaration thereto for the master, and for each additional declarant	.24
Attendances, each	1.44

TRANSLATIONS

	$
From Danish, German or Swedish per folio of 72 words	.48
From French	.48
From Latin	.60
From Russian	1.80
Attestation to translation	2.28
Translation of common attestation to power for stocks	2.52