

Jackson Russell Notarial Service

In New Zealand, Notaries generally provide Notarial Services in conjunction with other legal services – the need for Notarial Services is increasing with globalization of trade and increasing immigration.

Notarial services include:

- Attesting the signature and execution of documents;
- Authenticating the execution of documents;
- Authenticating the contents of documents;
- Administration of oaths and declarations;
- Drawing up or noting (and extending) protests of happenings to ships, crews and cargoes;
- Presenting bills of exchange for acceptance and payment, noting and protesting bills in cases of dishonour and preparing acts of honour;
- Verifying of translation from foreign languages to English and vice versa;
- The provision of Notarial copies; and
- Powers of Attorney, corporate records, contracts.

For the most efficient use of a notary service, it is recommended that you:

1. Contact a Notary as soon as possible;
2. Be ready to provide the Notary with a copy of the document needed to be notarised and any covering letter received detailing the requirements of the foreign country in respect of the documentation; and

3. On meeting the Notary have available a passport and a utility bill which confirms the identity and residential address of each person signing the document.

There may be additional requirements for a company. The Notary will be able to supply the relevant information.

Notarial Fees

Please enquire for full details of our charges.

Notarial Responsibilities

Notarial acts require a high standard of care, as reliance on such acts is made by clients, third parties and foreign governments and officials. The Notary has a responsibility to protect against error, omission, alterations, fraud, and forgery.

Notarial acts are not rubber stamping exercises and the requirements of accuracy and validity cannot be overridden by urgency or expense.

Unless otherwise agreed in writing Notarial responsibility is limited to the Notarial formalities and does not extend to advice on or drafting of documentation or on the matter under consideration.

Proof and Identification

In order to meet the high standard of Notarial acts, the Notary is required to; obtain proof (to his discretion and satisfaction), of identity, any represented legal capacity and authority, clients' understanding of documentation, interpretation/or translation into or from other languages, effectiveness of documentation, validity, signature and witnessing, observance of required formalities both in New Zealand and abroad, and the requirements of any relevant consular or similar authorities.

In the case of individuals, proof may be required, with production of appropriate certificates where applicable, of birth, baptism, marriage, divorce,

deed poll on change of name, or statutory declaration. Identification of individuals will be required.

Individuals should produce a current passport or, in exceptional cases, other proof of similar validity and reliability, which may include identification by third parties known both to the individual and to the Notary.

In the case of companies, details of the proof and information required, depending on the circumstances and service required, should be discussed in advance with the Notary. Notarial attendance at a company board meeting may be required in some cases, which may be arranged at our offices if required.

Company searches may be required in support or proof of certain corporate acts. These can normally be obtained by the notary from the companies office at the cost of the client. Some countries require an Apostille or other verification from New Zealand Departments of Internal Affairs and Foreign Affairs and Trust. Additionally, endorsements of the relevant High Commission/Embassy/Consulate of the country in which it is proposed to use the document the subject of a Notarial act), is required in some cases for use abroad, as an additional authentication to notarised documents. This is usually obtained by the Notary at the expense of the client and is usually applied for by post. In urgent cases clients may have to attend in person or incur despatch/courier charges.

Documentation

Preparation of documentation for Notarial action is formal and prior preparation of documents or draft documents may be required.

Early discussion of outline requirements with the Notary is advised.

Time, expense, and error, may be saved if clients, or their advisors, provide, in advance of any personal consultation, the originals or exact and complete photocopies of:-

- All documents to be notarised;

- Covering correspondence or forms of instructions from the country to which the documentation is to be provided that relate to that act; and
- Identification evidence (as referred to above).

Copies of documents produced ancillary to or in support of Notarial acts may be required for retention, as will copies or original duplicates of Notarial acts, to form part of the required Notarial register/record.

Documents to be notarised should not be bound, as the Notary may have to re-bind them with a covering Notarial Certificate.

Translations may be required of documents before and/or after or as part of a Notarial act. The Notary can usually arrange or advise on this aspect if required.

Consultation

Personal attendance at our office will be required to ensure all necessary secretarial facilities are available. To make an appointment please contact our offices.