

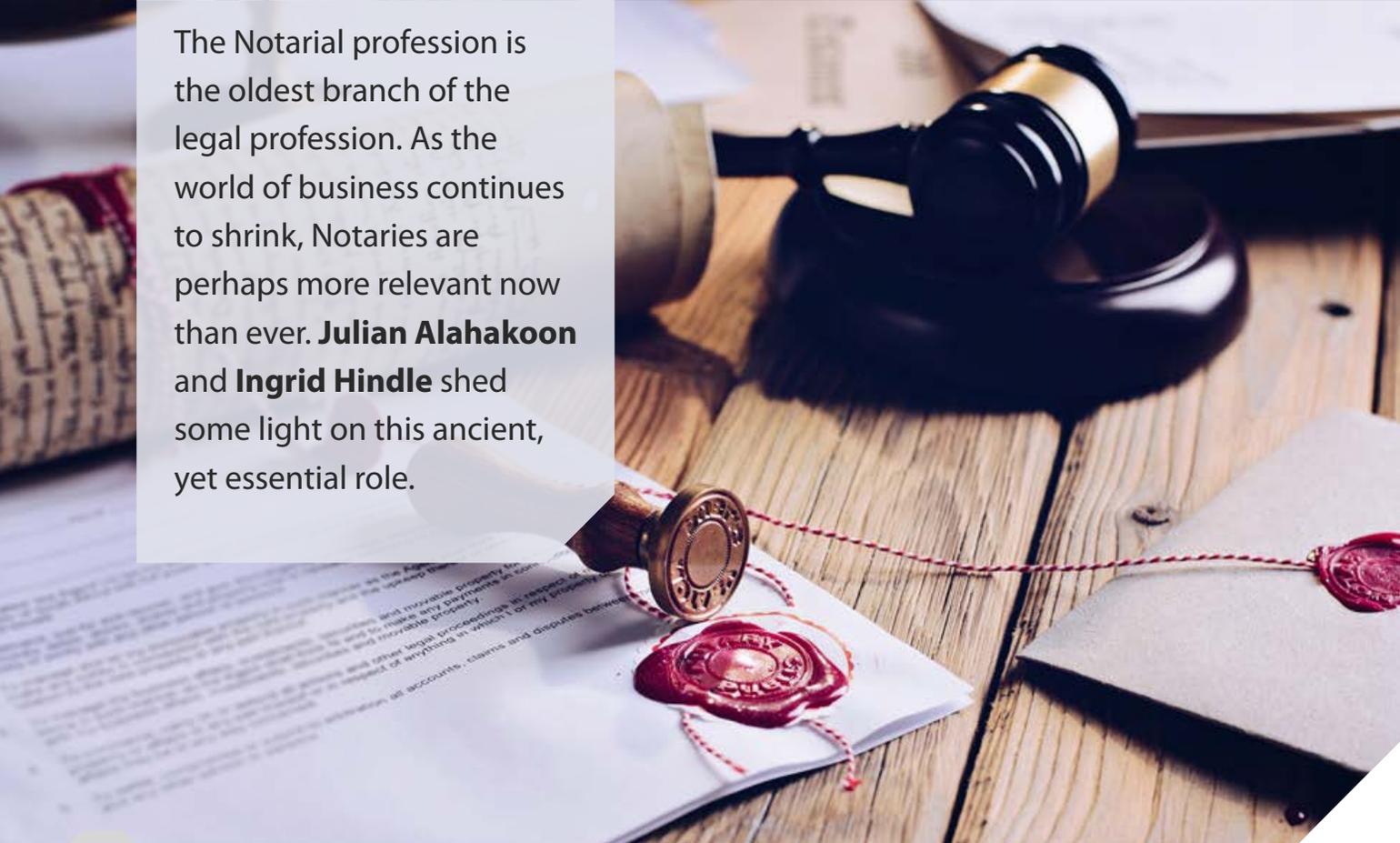
Making the world go round...

An essential function for companies with overseas business



Notary Publics assist businesses and companies whose activities stretch abroad. They continue to be in demand, playing an integral and substantive role in facilitating international trade and commerce.

Notaries form the oldest branch of the legal profession. As most people were, historically, illiterate, traders and merchants needed someone to record agreements. And so the Pope – head of the single most literate group at that time – appointed notaries, usually from the clergy.



The Notarial profession is the oldest branch of the legal profession. As the world of business continues to shrink, Notaries are perhaps more relevant now than ever. **Julian Alahakoon** and **Ingrid Hindle** shed some light on this ancient, yet essential role.



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Not surprisingly Notary Publics are trained in matters relating to Roman Law, which still forms the basis of many civil and codified legal systems throughout the world.

Following the introduction of the Ecclesiastical Licences Act 1533, during the reign of Henry VIII and the English Reformation, the power to appoint notaries in England and Wales transferred to the Faculty Office of The Archbishop of Canterbury.

Authentication of signatures

Notary Publics are primarily concerned with the authentication and certification of signatures, relating to documents for use abroad. Their seal and signature are recognised not only by the Foreign and Commonwealth Office, various High Commissions and Embassies based in the UK, but also by many countries throughout the world regardless of which legal system has been adopted.

When companies and businesses look to expand their activities abroad, they will often require the services of a Notary Public. It is not always practical for company directors to fly to foreign countries to sign business documents. Therefore a Notary Public is likely to be involved in assisting

a director here in England and Wales to execute Powers of Attorney to enable overseas lawyers or agents to act on behalf of a company.

Verifying information

Companies in England and Wales looking to undertake activities abroad will often require information about the company to be verified by a Notary Public to satisfy the legal requirements of another country. In doing so, a Notary Public acts as cross-over between a private international lawyer and a public official. That means their confirmation of details relating to companies is treated with the utmost regard by the foreign recipient.

Notaries regularly authenticate company and business documents in transactions, provide certificates on the status of companies or verify the identities of directors. This is documentation that will very often be required in order to engage contracts, in banking matters, the creation of subsidiaries, and dealing with land or buildings abroad.

All of this means that a Notary Public plays an integral and substantive role in facilitating international trade and commerce. Unless a lawyer has undergone

further training to qualify as a Notary, they will only be qualified to deal with the laws of England and Wales, meaning they cannot provide this unique service.

Every Notary has their own official seal, usually engraved with a personal symbol that makes them entirely unique. Notarial acts impressed with this seal and signed by a Notary are universally recognised and any facts contained in notarial documents are treated as the evidence of a responsible legal officer.

IN SHORT

Notaries form the oldest branch of the legal profession

Notary Publics are uniquely qualified and universally recognised to assist English and Welsh companies with overseas activities

Roman Law, in which Notary Publics are highly trained, still forms the basis of many jurisdictions throughout the world.

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