

CHAPTER 295

THE NOTARIES PUBLIC ACT

Arrangement of Sections

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NOTARIES PUBLIC

(1st January, 1878.)

5/1877.
S.R.O. 22/1956.
15/1961.

1. This Act may be cited as the Notaries Public Act. **Short title.**

2. (1) The Chief Justice of the Supreme Court may, **Power to Chief Justice to appoint notaries public.** from time to time, appoint any person, whom he shall consider a fit and proper person, to be a notary public for Antigua and Barbuda to discharge the duties assigned to such office by the laws of Great Britain and Northern Ireland and of Antigua and Barbuda, 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 Supreme Court, or unless the Chief Justice, on special grounds, dispenses with the examination.

(3) Every person so appointed shall, on his appointment, pay into the Treasury the sum of twenty-four dollars.

Notary to take oath.

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

Enrolment.

4. 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 Antigua and Barbuda.

Notaries to be deemed officers of Supreme Court.

5. Every person discharging the duties of a notary public shall be deemed to be an officer of the Supreme Court, and, upon a certificate from any Judge of the said 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 the said office.

Penalties on unqualified persons acting as notaries.

6. Any person who discharges the duties of a notary public, not being duly qualified so to do, shall be liable, on summary conviction to a penalty not exceeding three thousand dollars.

Notary may refuse to act in certain cases.

7. 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:

Provided that 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 High 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 Antigua and Barbuda, as are interested in the subject of the protest.

8. 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.

Duties of notary when refusing to act.

9. 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, shall be guilty of a misdemeanour, and shall be liable to be imprisoned for any term not exceeding two years.

Penalty against notary for wilful misfeasance, &c.

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

Fees of notaries. Schedule.

LAWS OF ANTIGUA AND BARBUDA

CAP. 295)

Notaries Public

SCHEDULE

NOTARIES' FEES OF OFFICE

	\$	c.
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 and, for every additional mile beyond the first mile	1	20
	0	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	0	24
Declaration thereto for the master, and for each additional declarant	0	24
Attendances, each	1	44

TRANSLATIONS

	\$	c.
From Danish, German or Swedish per folio of 72 words	0	48
From French	0	48
From Latin	0	60
From Russian	1	80
Attestation to translation	2	28
Translation of common attestation to power for stocks	2	52
