

CHAPTER 4:02

PUBLIC NOTARIES ACT

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Appointment of public notary.
3. Oath to be taken by notary.
4. Register to be kept.
5. Fees not to be in excess of those prescribed.
6. Proceedings in case of misconduct of notary.
7. Offences.

SCHEDULE—Form of oath.

1953 Ed.

c. 31

52 of 1932

An Act to provide for the appointment of Notaries and for the registration of Notaries and to regulate the duties of the office of Public Notary.

[24TH DECEMBER, 1932]

1. This Act may be cited as the Public Notaries Act.

Short title.

2. (1) The President may by warrant under his hand and seal appoint a legal practitioner of not less than ten years' standing to be a public notary, hereinafter referred to as a "notary".

Appointment of public notary.

(2) Notaries may be appointed for Guyana or for any of the counties of Demerara, Essequibo or Berbice.

(3) A notary appointed by the President shall perform the same duties and exercise the same functions as a notary in Guyana immediately before the 26th May, 1966.

LAWS OF GUYANA

4

Cap. 4:02

Public Notaries

Oath to be taken by notary. Schedule.

3. A notary before being admitted to and entering on the duties of his office shall take and subscribe the oath set out in the Schedule before such person as the President shall appoint generally or specially.

Register to be kept.

4. The Registrar of the Supreme Court shall keep a register in which he shall enter the name of every person who shall be appointed and admitted to the office of notary and the date of his appointment and admission.

Fees not to be in excess of those prescribed.

5. A notary shall not charge for the performance of any of the duties of his office any sum in excess of the fee which is prescribed or fixed by rules of court under the High Court Act or under any other Act.

Proceedings in case of misconduct of notary.

6. (1) If a notary shall be convicted of any offence, or be adjudged guilty of any misconduct whether in his capacity of notary or otherwise, the court before which he is so convicted or by which he is so adjudged shall make a report thereof to the President, the President may revoke his warrant of appointment and direct the Registrar to remove the name of the notary from the register.

(2) If any person shall make a complaint on oath charging a notary with misconduct in his office the President may appoint a fit and proper person to inquire into the facts and report thereon to the President and if the President is of opinion that the notary has been guilty of misconduct he may suspend him from practice for a specified time or revoke his warrant of appointment and direct the Registrar to remove his name from the register.

(3) When a notary has been suspended from practice or the Registrar in pursuance of a direction by the President removes the name of a notary from the register he shall cause notice of the fact to be published in the *Gazette*.

(4) Every complaint charging a notary with misconduct shall contain a statement of the material facts on which the person complaining relies.

LAWS OF GUYANA

Public Notaries

Cap. 4:02

5

7. If any person who is suspended from practice or whose name is not on the register shall for reward make, do, exercise or perform any act matter or thing appertaining or belonging to the office, function or practice of a notary he shall be liable on summary conviction to a fine of nineteen thousand five hundred dollars and to imprisonment for four months.

Offences.
[6 of 1997]

SCHEDULE

s. 3

FORM OF OATH

I, A.B., do swear that I will faithfully exercise the office of a public notary; I will faithfully make contracts or instruments for or between any party or parties requiring the same, and I will not add or diminish any thing without the knowledge and consent of such party or parties that may alter the substance of the fact; I will not make or attest any act, contract or instrument in which I shall know there is violence or fraud; and in all things I will act uprightly and justly in the business of a public notary, according to the best of my skill and ability. So help me God.
