

WHAT IS A BC NOTARY PUBLIC AND WHAT DO THEY DO?

A question asked of Notaries almost every day.

Historically, Notaries Public (the correct plural of Notary Public) were the principal agents, scribes, and scribes for commercial and judicial law which dates back over 2000 years. Current Notaries are legal professionals who provide an alternative to lawyers in British Columbia and practice within clearly delineated areas of law. These areas include:

- ✓ Residential and commercial real estate transfers
- ✓ Manufactured home transfers
- ✓ Mortgage documentation and refinancing
- ✓ Wills, Powers of Attorney and Representation Agreement preparation
- ✓ Health care declarations
- ✓ Affidavits for documents required for public registry within BC
- ✓ Business purchase and sale
- ✓ Contracts and agreements
- ✓ Personal property security agreements
- ✓ Commercial lease and assignments of leases
- ✓ Restrictive covenants and builder's liens
- ✓ Easements and rights of way
- ✓ Authentication of documents
- ✓ Letters of invitation for foreign travel
- ✓ Proof of identity for travel purposes
- ✓ Authorizations for minor child travel
- ✓ Marine bill of sales and mortgages & Marine protestations
- ✓ Certifications of true copies of documents
- ✓ Notarizations and attestations of signatures, and
- ✓ Statutory Declarations

A Notary's strength is in preparing accurate, reliable legal documents assisting the British Columbia public. Before candidates can begin training for a career as a Notary Public, they must submit to a scrupulous review of their personal, financial, educational and business background. This screening reviews their character, reputation and integrity. To become a Notary Public you must pass a series of statutory examinations and be approved by the Supreme Court of British Columbia. Today Notaries must have post-secondary education plus several years of business experience – often in real estate, insurance, accounting or the legal field before starting their notarial practice.

Training for a career as a Notary Public involves a few phases. The first phase is an intensive master's program called the Masters of Arts in Applied Legal Studies (MAALS) conducted through Simon Fraser University. The program spans 18 months on the academic studies in some of the following areas: Legal research and writing, legal philosophy, contracts, real property, personal planning, notarial legal planning, Canadian law and the Canadian Legal system.

Once the candidate has accomplished the Master's degree in Applied Legal Studies there is the second phase of the program which involves practical training in the areas of Personal Planning (Wills and Estates, Power of Attorney, Representation Agreements), Real Estate land transfers, general conveyance procedures, authentications and preparation of International Notarial documents. The prospective Notary must also complete mediation training and must mentor with a Notary Public for a set term.

The candidate must then write six Government examinations. Upon successful completion of all six examinations, Notaries are appointed by the Supreme Court of British Columbia.

All members of the self-governing Society of Notaries Public of British Columbia carry mandatory errors and omissions insurance of not less than \$10,000,000.00 per policy period that protects the public from any errors or omissions incurred on behalf of the Notary. Further protection is provided by way of the Society's Special Fund set up to compensate the public who may have suffered financial loss through misappropriation of trust funds by a member of the Society.

The Notaries of British Columbia for the 21st Century stand proudly among all legal professionals and continue the tradition of trust.