

THE STATUTES OF THE REPUBLIC OF SINGAPORE

**NOTARIES PUBLIC ACT
(CHAPTER 208)**

**1970 Ed. Cap. 11
M Ordinance
41 of 1959**

Amended by
M 7 of 1961
18 of 1983
LN 98/65

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Notaries Public Act

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An Act relating to notaries public.

[18th March 1965]

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

2. In this Act, unless the context otherwise requires, “notary public” means a person who has been appointed as a notary public under section 3 but does not include any person whose appointment has been revoked under section 5. Interpretation.

3.—(1) The Attorney-General may, from time to time, appoint fit and proper persons to be notaries public. Appointment of notaries public.

(2) No person shall be appointed as a notary public unless he is a practising advocate and solicitor in Singapore and has so practised for not less than 7 years. 18/83.

(3) The Attorney-General shall not make any appointment under this section without consulting the Council of the Law Society of Singapore constituted under the Legal Profession Act. Cap. 161.

(4) In making any appointment under this section the Attorney-General shall have regard to the number of notaries public already practising in the place where the applicant proposes to practise and to the convenience of the inhabitants of that place, but, subject as aforesaid, the Attorney-General shall have absolute discretion in making or refusing to make any such appointment and there shall be no appeal from his decision.

(5) If it appears to the Attorney-General that any notary public is about to be absent from Singapore for a period exceeding one month, the Attorney-General may appoint any person, being a practising advocate and solicitor in Singapore, to be a notary public temporarily during the absence of that notary public from Singapore.

(6) No temporary appointment of a notary public shall have effect for a longer period than 12 months and any such appointment shall lapse on the death or on the return to Singapore of the notary public on account of whose departure from Singapore the appointment was made.

(7) Every appointment under subsection (1) or subsection (5) and the lapse of every temporary appointment under subsection (6) shall be published in the *Gazette*.

Privileges of
notaries
public.
18/83.

4.—(1) Every notary public shall have and may exercise within Singapore all the powers and functions which are ordinarily exercised by notaries public in England:

Provided that, except for the purposes of and to the extent necessary to give effect to subsection (2), such powers shall not include power to administer any oath or affirmation in connection with any affidavit or statutory declaration which is executed for the purpose of being used in any court or place within Singapore or to take or attest any such affidavit or statutory declaration.

(2) Without prejudice to the generality of the powers and functions conferred by subsection (1), a notary public may —

(a) administer any oath or affirmation in connection with any affidavit or statutory declaration which is executed —

(i) for the purpose of confirming or proving the due execution of any document;

(ii) by any master or member of the crew of any vessel in respect of any matter concerning such vessel; or

(iii) for the purpose of being used in any court or place outside Singapore,

and may take or attest any such affidavit or statutory declaration;

(b) have and exercise such other powers and functions as may be prescribed.

5. If it appears to the Attorney-General that any person being a notary public —

Misconduct of notaries public 18/83.

(a) has become a bankrupt or has made an arrangement with his creditors;

(b) has been struck off the roll of advocates and solicitors of Singapore; or

(c) has been found to be guilty of such professional or other misconduct as, in the opinion of the Attorney-General, renders him unfit to practise as a notary public,

the Attorney-General shall, by order under his hand, revoke the appointment of the person and shall cause the order to be published in the *Gazette*.

6. The Attorney-General may by notification in the *Gazette* revoke the appointment of a notary public if the notary public —

Revocation of appointment under special circumstances. 18/83.

(a) requests that his appointment be revoked; or

(b) has ceased to practise as an advocate and solicitor for a continuous period of more than two years.

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7. Any person who exercises within Singapore any of the functions of a notary public otherwise than in accordance with the provisions of this Act shall be guilty of an offence and shall be liable on conviction before a District Judge to a fine not exceeding \$500.

Penalty for exercise of functions of notary public by unauthorised persons.

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8.—(1) The Chief Justice, after consultation with the Attorney-General, may make rules —

Rules.

(a) for the guidance and control of persons entitled to exercise the functions of a notary public under this Act;

- (b) to fix the fees payable to such notaries;
- (c) to fix the fees payable by any person on appointment as a notary public:

Provided that no such rule shall require any fee to be paid in respect of any appointment as a notary public deemed to have been made by virtue of section 9;

- (d) prescribing the powers and functions of notaries public.

(2) All rules made under this section shall be published in the *Gazette*, and shall come into force on the date of such publication or on such later date as may be specified in the rules. [7

Saving.

9. Any person who, immediately before 18th March 1965 was lawfully entitled to practise as a notary public within Singapore shall be deemed to have been appointed a notary public in accordance with this Act. [8