



# THE STATUTES OF THE REPUBLIC OF SINGAPORE

## NOTARIES PUBLIC ACT 1959

### 2020 REVISED EDITION

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# Notaries Public Act 1959

## ARRANGEMENT OF SECTIONS

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An Act relating to notaries public.

[18 March 1965]

### **Short title**

1. This Act is the Notaries Public Act 1959.

### **Interpretation**

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person who has been appointed as a notary public under section 3 but does not include any person whose appointment has been revoked under section 5;  
“Senate” means the Senate of the Singapore Academy of Law constituted under the Singapore Academy of Law Act 1988.

### **Appointment of notaries public**

- 3.—(1) The Senate may, from time to time, appoint fit and proper persons to be notaries public for a period not exceeding 12 months.

(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.

(3) The Senate shall not make any appointment under this section without consulting the Council of the Law Society of Singapore constituted under the Legal Profession Act 1966.

(4) In making any appointment under this section, the Senate 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 to this, the Senate shall have absolute discretion in making or refusing to make any such appointment and there shall be no appeal from its decision.

(5) If it appears to the Senate that any notary public is about to be absent from Singapore for a period exceeding one month, the Senate 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 period longer 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**

**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.

(2) Except for the purposes of and to the extent necessary to give effect to subsection (3), powers under subsection (1) 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.

(3) 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 the vessel; or
  - (iii) for the purpose of being used in any court or place outside Singapore;
- (b) take or attest any affidavit or statutory declaration referred to in paragraph (a); and
- (c) have and exercise such other powers and functions as may be prescribed.

### **Misconduct of notaries public**

5. If it appears to the Senate that any person being a notary public —

- (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 Senate, renders him unfit to practise as a notary public,

the Senate shall by order revoke the appointment of the person and shall cause the order to be published in the *Gazette*.

### **Revocation of appointment of notary public under special circumstances**

6. The Senate may, by notification in the *Gazette*, revoke the appointment of a notary public if the notary public requests that his appointment be revoked.

### **Penalty for exercise of functions of notary public by unauthorised persons**

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 \$10,000.

[20/2007]

### **Rules**

8.—(1) The Chief Justice, after consultation with the Senate, may make 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 notaries public;
- (c) to fix the fees payable to the Singapore Academy of Law by any person on appointment as a notary public, and on renewal of such appointment; and
- (d) prescribing the powers and functions of notaries public.

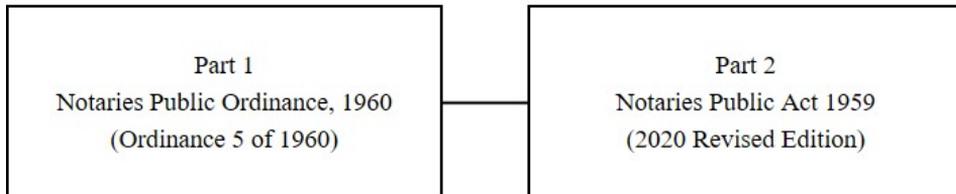
(2) All rules made under this section shall be published in the *Gazette*, and shall come into force on the date of such publication or on such later date as may be specified in the rules.

# LEGISLATIVE HISTORY

## NOTARIES PUBLIC ACT 1959

This Legislative History is a service provided by the Law Revision Commission on a best-efforts basis. It is not part of the Act.

### PICTORIAL OVERVIEW OF PREDECESSOR ACTS



### LEGISLATIVE HISTORY DETAILS

#### PART 1

#### NOTARIES PUBLIC ORDINANCE, 1960

#### (ORDINANCE 5 OF 1960)

##### **1. Ordinance 5 of 1960 — Notaries Public Ordinance, 1960**

Bill	:	47/1959
First Reading	:	29 December 1959
Second Reading	:	13 January 1960
Notice of Amendments	:	13 January 1960
Third Reading	:	13 January 1960
Commencement	:	6 May 1960

#### PART 2

#### NOTARIES PUBLIC ACT 1959

#### (2020 REVISED EDITION)

##### **2. M. Ordinance 41 of 1959 — Notaries Public Ordinance, 1959**

Commencement	:	1 October 1959
Application	:	18 March 1965

*Note: This Ordinance was extended to Singapore with modifications by the Modification of Laws (Notaries Public) (Extension and Modification) Order, 1965 (L.N. 98/1965 (G.N. Sp. No. S 52/1965)) on 18 March 1965.*

**3. L.N. 98/1965 (G.N. Sp. No. S 52/1965) — Modification of Laws (Notaries Public) (Extension and Modification) Order, 1965**

Commencement : 18 March 1965

*Note: This Order repealed the Notaries Public Ordinance (Ordinance 5 of 1960) and extended the Federation of Malaya Notaries Public Ordinance, 1959 (M. Ordinance 41 of 1959) with modifications to Singapore.*

**4. 1970 Revised Edition — Notaries Public Act (Chapter 11)**

Operation : 1 March 1971

**5. Act 18 of 1983 — Notaries Public (Amendment) Act 1983**

Bill : 12/1983

First Reading : 30 August 1983

Second and Third Readings : 20 December 1983

Commencement : 20 January 1984

**6. 1985 Revised Edition — Notaries Public Act (Chapter 208)**

Operation : 30 March 1987

**7. Act 34 of 1995 — Singapore Academy of Law (Amendment) Act 1995**  
(Amendments made by section 11 of the above Act)

Bill : 27/1995

First Reading : 7 August 1995

Second and Third Readings : 27 September 1995

Commencement : 1 January 1996 (section 11)

**8. 1997 Revised Edition — Notaries Public Act (Chapter 208)**

Operation : 20 December 1997

**9. Act 20 of 2007 — Legal Profession (Amendment) Act 2007**

(Amendments made by section 25 read with item (1) of the Schedule to the above Act)

Bill : 10/2007

First Reading : 9 March 2007

Second and Third Readings : 12 April 2007

Commencement : 1 June 2007 (section 25 read with item (1) of the Schedule)

Abbreviations

C.P.	Council Paper
G.N. No. S (N.S.)	Government Notification Number Singapore (New Series)
G.N. No.	Government Notification Number
G.N. No. S	Government Notification Number Singapore
G.N. Sp. No. S	Government Notification Special Number Singapore
L.A.	Legislative Assembly
L.N.	Legal Notification (Federal/Malaysian Subsidiary Legislation)
M. Act	Malayan Act/Malaysia Act
M. Ordinance	Malayan Ordinance
Parl.	Parliament
S.S.G.G. (E) No.	Straits Settlements Government Gazette (Extraordinary) Number
S.S.G.G. No.	Straits Settlements Government Gazette Number