

# PROFESSIONAL NOTARIAL SERVICES *BROCHURE*

**PHILIP CHAPMAN (Notary Public)**  
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### **What is a notary public**

The notary profession represents the oldest branch of the legal profession worldwide. A notary public in England and Wales holds an historical office which can trace its origins back to the occupation of Britain by the Romans. The profession is regulated by the Faculty Office of the Archbishop of Canterbury, based in Westminster.

The status of a notary is recognised throughout the world. Often documents which are to be sent to foreign jurisdictions will only be accepted if they bear the seal and signature of a notary.

The prime responsibility of a notary is to ensure that his notarial act may be relied upon by anyone in the world who may receive the document. This differs from the responsibility of a solicitor whose main duty is to his client.

### **Why choose us?**

A Cambridge post-graduate, Philip Chapman has over fifteen years experience working in international commerce for SMEs and blue-chip companies across Europe, America and the Far East. He is also a graduate of the Ecole Supérieure de Commerce de La Rochelle and The College of Law.

We provide notarial services predominantly to Stourbridge and the Black Country, Birmingham, South Worcestershire and the West Midlands as well as to some clients who are located further afield. Services are provided from our offices as well as a mobile service by arrangement.

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## **Notary Services**

Notarial practice is a separate and distinct element of legal service in England and Wales. It cannot be provided by solicitors. Most often it concerns the attestation, authentication or verification of documents, facts or events in circumstances which involve a foreign legal element. The form of certificate, authentication or other document or instrument prepared by a Notary is known as his "notarial act", and may be, according to its nature and effect, either a public act or a private act.

The presence of the Notary's signature, often in combination with his unique official seal, will render the document in question, or the facts or circumstances attested by him therein as acceptable proof for the purposes of the judicial or other public authorities in the foreign country in which they are to be used.

Our notarial services include:

- Authentication of identities and signatures to private and commercial documents
- Preparation and execution of Powers of Attorney and other documents for use abroad
- Taking declarations, sworn statements and affidavits for use abroad
- Witnessing and attesting the signature of foreign wills
- Authentication of transfers of patents and trade marks
- Preparation of sponsorship forms for visiting foreign citizens
- Legalisation service with the Foreign Office ("Apostille") Foreign Embassies and Consulates
- Certifying copy documents including passports and academic and other certificates
- Letters consenting to minors travelling abroad
- Bills of Exchange - noting protest and general advice
- Shipping - preparation and noting of protest

The preparation and completion of notarial acts requires a very high standard of care, since they are likely to be relied upon, not only by the client but also by third parties and officials at home and abroad. The Notary has to protect against the risk of inaccuracy, error, interference, forgery, dishonesty, money laundering and fraud.

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### **What you need to know**

Please do not come without an appointment. I will require in advance, a copy of the document(s) to be notarised, together with any correspondence or other forms of advice/requirements specified by any third parties, including foreign lawyers. I will then need sufficient time to consider the formalities which will be necessary to complete the notarial act.

Do not sign any document in advance of our meeting.

Be sure to bring with you original and appropriate means of your identification and your corporate (or other) authority, together with the same for each person or party who will be appearing before me in any formal capacity.

For private individuals this means a current valid passport or driving licence with adequate evidence of current residential address e.g. a council demand, utility bill or bank statement issued within the last three months.

For companies, this kind of information can usually be obtained, by me, direct from Companies House, however, on occasion it will be necessary for original minute books/board resolution(s) to be produced to me for inspection.

Further authentication, in the form of an "Apostille" from the UK Foreign and Commonwealth Office, and/or from the appropriate foreign consulate or embassy in England (called "Legalisation") will often be required. Where it is, this process will involve delays and additional costs about which you will be properly informed.

Official translations of foreign language documents may be required as a condition of due notarisation. In such cases additional costs will be incurred.

Only original certificates (as opposed to copies) will be acceptable as evidence of public records such as those of birth, marriage and death.

In the usual situation, where only direct notarial certification or authentication is required, my notarial responsibility extends only to the notarial formalities themselves. No advice will be given, nor responsibility accepted, for the drafting or effect of any documents which I have not myself prepared. Where required, you will need to obtain separate advice on these aspects.

Your personal attendance, normally at my offices, will always be required. My practice is located within the offices of Wall James Chappell solicitors. In exceptional cases I will, of course, see you at your home, or elsewhere, but additional costs will inevitably be incurred.

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**Terms of Business (overleaf)**

- I act only on the basis of these Terms of Business.
- I charge fees based on the time taken for the whole matter (including making the appointment, travelling or waiting time and the time needed to prepare the official records) at the rate of £180 per hour. Generally speaking, it is unlikely that the fee for any transaction will be less than £90. My practice is not registered for VAT and will not be charged. In addition, third party expenses and fees will be charged such as charges of the Foreign and Commonwealth Office, Foreign Embassies and Consulates, any agents dealing with the legalisation of documents and special postage and courier charges. My charges are payable on presentation of an invoice which is usually at the time of our meeting. Documents may not be released until the invoice has been paid.
- Part of the Notary's role is to check the facts in the documents he notarises and this sometimes involves obtaining evidence or proof from sources independent of the signatory. With regard to this I will need your full cooperation. If it is necessary to add qualifications to my certificate to make it clear that there are facts which I have not been able to verify, the document may be of less benefit and no liability is accepted if this is the case.
- In some circumstances, I may consider that I should decline or cease to act. For example, if I do not receive clear or proper instructions or if the matter on which I am instructed involves fraud or violence, or if my charges are not paid.
- I store without charge electronic copies of all notarial acts for as long as required by the rules. I do not always keep a full copy of your documents or identification materials but reserve the right to do so.
- Except so far as excluded by the Unfair Contract Terms Act 1977, my liability for any loss, injury or damage of any nature whatever, whether direct or consequential, including (without limitation) in respect of negligence or breach of duty of care is limited to £5,000,000.00 in respect of any one claim or series of related claims.

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**Terms of Business (continued)**

- The notarial practice is regulated by the Faculty Office of the Archbishop of Canterbury whose address is: The Faculty Office, 1, The Sanctuary, Westminster, London, SW1P 3JT; Email [Faculty.office@1thesanctuary.com](mailto:Faculty.office@1thesanctuary.com); Website [www.facultyoffice.org.uk](http://www.facultyoffice.org.uk).
- The vast majority of clients are extremely satisfied and most are very happy with the Notarial services which provided. If you have complaints about the work please do not hesitate to contact me, and if the matter cannot be immediately resolved I will refer your complaint to the Notaries Society of which I am a member, who have a Complaints Procedure which is approved by the Faculty Office.
- Alternatively, you can complain to the Notaries Society direct. Please write (but do not enclose any original documents) with full details of your complaint to :- Christopher Vaughan, Secretary of The Notaries Society, Old Church Chambers, 23 Sandhill Road, St James, Northampton, NN5 5LH; Email [secretary@thenotariessociety.org.uk](mailto:secretary@thenotariessociety.org.uk).
- Finally, even if you have your complaint considered under the Notaries Society Approved Complaints Procedure, you may at the end of that procedure or after a period of eight weeks from the date of making the complaint to me, make your complaint direct to the Legal Ombudsman, (whose contact details are set out below) if the matter has not been resolved to your satisfaction:- Legal Ombudsman, Baskerville House, Centenary Square, Broad Street, Birmingham B1 2ND; Tel : 0300 555 0333 Or [enquiries@legalombudsman.org.uk](mailto:enquiries@legalombudsman.org.uk); [www.legalombudsman.org.uk](http://www.legalombudsman.org.uk).
- My practice is insured through a reputable insurance company details of which are available upon request.

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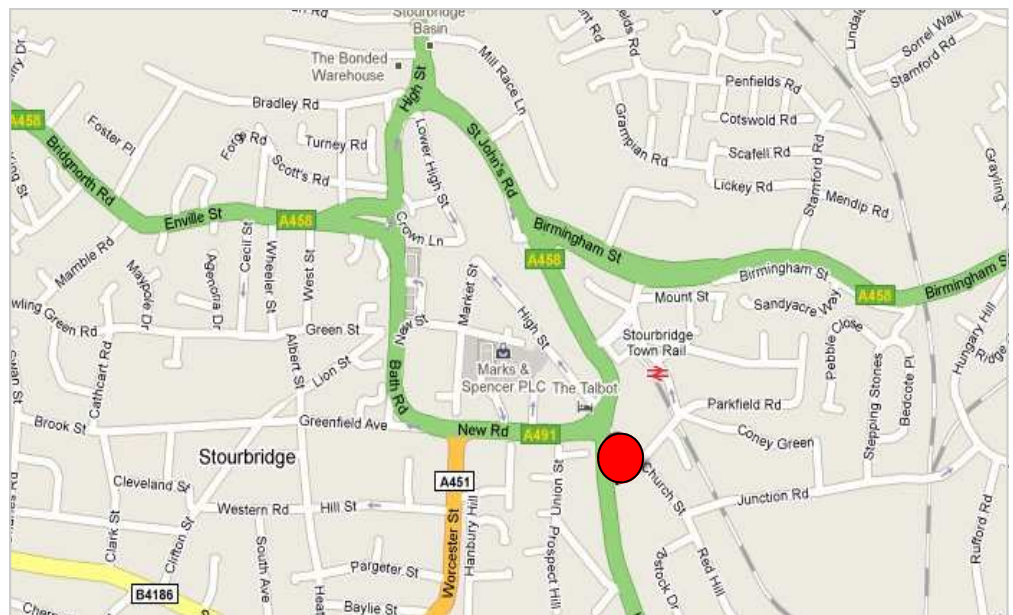
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### Location

Wall James Chappell offices are located on the Hagley Road in Stourbridge, easily accessible from the motorway network, and with adequate car parking available. The offices have been specifically designed to meet the needs of disabled clients.



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