

What Does A Notary Public Do?

A Notary Public is a public officer constituted by law to serve the public in non-contentious matters usually concerned with either (a) private individual's dealings with government agencies of other countries or (b) international business. Typically a person or business will be advised of the need to retain a Notary Public by a foreign lawyer, embassy or other agency of a foreign government regarding some official matter, such as a property purchase or sale abroad or international business transaction.

The functions of a Notary Public

The functions of a Notary Public relate to, and include:

- (a) Authenticating public and private documents (e.g. certifying or confirming that a copy document is a genuine true copy of the original e.g. confirming or certifying that a copy passport or birth certificate is a true copy of the original);

- (b) Attesting and verifying signatures to documents in order to satisfy evidential or statutory requirements of foreign governments or of overseas institutions and regulatory authorities e.g. certifying or confirming that a signature, seal or stamp on a document is genuine, for instance, confirming or certifying that the signature on a private document such a Property Deed or a Power of Attorney is the true signature of the person it is claimed to be);

- (c) Legalisation of Public Documents. This is an internationally recognised procedure for certifying the authenticity of official signatures and/or official seal applied to a public document so that it is accepted in another country. Public Documents are ones such as Birth, Death Certificates, Educational Qualifications or any other document produced by the government for its citizens. It operates by means of an unbroken chain of verifying signatures, commencing with that of the first signatory to the document and ending with the signature of the diplomatic or consular representative of the state in which the document is to produced and acted upon. The legalisation procedure usually commences with the attestation by a Notary Public of the signature of a person to a formal document e.g. a

Power of Attorney. The Notary Public having subscribed his or her name and affixed his or her official seal to the document by way of notarial act arranges for the document to be produced to the Registrar of the Supreme Court for the purpose of having the Notary's signature and official seal verified. The document is then produced at the Consular Section of the Department of Foreign Affairs in Dublin for the purpose of having the signature of the Supreme Court Registrar verified and finally it is produced to the diplomatic or consular representative in Dublin (or London) of the foreign country in which it is intended the document shall be produced for the purpose of having the Irish Consular Officer's signature legalised. When all the foregoing steps have been completed, the document is said to have been legalised. There is also a somewhat less cumbersome version of this process for countries that are signed up to the Hague Convention by a process known as an Apostille, which involves the Department of Foreign Affairs in Dublin adding a special certification to a Public Document.

The Practical Services offered by a Notary Public

The practical types of service offered by a Notary Public include the following

1. Attesting signatures to Powers of Attorney for the purchase or sale of property abroad
2. Certifying copy documents such as passports to be true copies of the originals
3. Attesting Sponsorship Declarations for persons wishing to visit this country
4. Attesting drafting and preparing Powers of Attorney for the purchase and sale of property abroad
5. Preparing Statutory Declarations for those wishing to emigrate from this country
6. Attesting the signatures of directors and other company officers to company documents for use abroad

7. Attesting Certificates of Existence for people receiving overseas pensions
8. Preparing Declarations of Freedom to marry for persons wishing to be married abroad
9. Attesting of Adoption Pack, Adoption Dossier for Inter-Country Adoption in accordance with the requirements of the foreign country where the adoption is taking place.
10. Notarizing any other documents for use abroad which require a Notary Public Stamp

International Recognition.

The role and function of a Notary Public is recognised throughout the world and by foreign Courts as having a fundamental role in verifying the authenticity of legal documents. This service is therefore of fundamental importance to citizens who have reason and opportunity to travel and conduct business internationally more often.

Fergal McManus

Notary Public

The Diamond

Clones

Co. Monaghan