



Legal Profession
Admission Board
of New South Wales

Guide for Applicants

for appointment as a Public Notary in NSW

in accordance with the *Public Notaries Act 1997* and the
Public Notaries Appointment Rules 1998

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1. Using this Guide

We recommend that you read this Guide in full, before you start your application for appointment as a Public Notary. The Guide will help you understand the requirements of an application and avoid errors which can delay processing.

Please ensure you are reading the latest version of this Guide, as updates may be issued at any time. The latest version can be found on the Board's website at www.lpab.justice.nsw.gov.au under 'Appointment as a Public Notary'.

2. Public Notary Appointments

The Legal Profession Admission Board administers the appointment of Public Notaries in NSW. The Executive Officer of the Board is the Registrar of Public Notaries and maintains the Roll of Public Notaries. Please note the Admission Board does not provide information about the services given or, the fees charged by persons appointed as Public Notaries.

3. Application for appointment

Public Notaries are appointed pursuant to the *Public Notaries Act 1997* and the Public Notaries Appointment Rules 1998.

Persons interested in seeking appointment as Public Notaries are advised to read section 11 of the *Public Notaries Act 1997* before applying for appointment.

4. Eligibility to apply for appointment

Rule 2 of the Public Notaries Appointment Rules states that a person is qualified for approval as a suitable candidate for appointment as a Public Notary if he or she:

- (a) is a barrister or solicitor whose name was on the roll during a continuous period of not less than five years as either a barrister or solicitor
- (b) is the holder of a current Australian practising certificate as a barrister, as a solicitor or as a legal practitioner, and
- (c) (c) has completed a Notarial Practice Course conducted by the Board or approved by the Board.¹

¹ The College of Law Notarial Practice Course is the only course currently approved by the Board.

5. Your identity

Your name on Form 1 (Application for Appointment as a Public Notary) must be the same as your name on your original Certificate of Admission as a lawyer.

If your name has changed since your admission as a lawyer, you must make an application to change your name officially on the Supreme Court Roll. An application is made to the Professional Services Officer, Legal Profession Admission Board, GPO Box 3980, Sydney, 2001. The application must comprise:

1. the original certificate issued by the New South Wales Registrar of Births Deaths and Marriages or an equivalent body in another State or Territory of Australia, and
2. a statutory declaration setting out the circumstances for the change of name and the prescribed fee.

An application for a change of name on the Roll of Lawyers must be submitted in time for processing before the closing date of application for appointment of public notary.

6. How to apply for appointment as a Public Notary

Applications for appointment can be lodged twice per year:

- for appointment in April, you should lodge your application no later than 28 February
- for appointment in October, you should lodge your application no later than 31 August.

To apply, please complete Form 1 (Application for Appointment as a Public Notary) which is available at www.lpab.justice.nsw.gov.au and include the following attachments:

- a copy of your Certificate of Admission, marked **“A”**
- original certificate(s) from professional organisation(s) showing that you have held Australian barrister’s and/or solicitor’s practising certificates for a total of not less than 5 years continuously, marked **“B”**
- a copy of your current Practising Certificate, marked **“C”**
- a copy of your Certificate of Completion of a Notarial Practice Course prescribed by Rule 2 (c), marked **“D”**
- a certificate in Form 157 of the Rules that the oath of office was duly tendered and taken before a registrar of the Court, marked **“E”**
- a disclosure statement bringing to the notice of the Board the facts set out in a document signed by you and annexed to your application marked **“F”** asking the Board to consider whether those facts adversely affect your application.

Please lodge your application, with the appropriate fee, to the Legal Profession Admission Board, GPO Box 3980, Sydney, 2001. Late applications can be submitted up to one week after the deadline on payment of a late fee. You should also forward a copy of your application to the Secretary of the Society of Notaries of New South Wales Inc.

You will be notified of the result of your application in either mid April or mid October.

7. Notarial Seal

Rule 11 of the Public Notaries Appointment Rules 1998 requires that a Public Notary shall furnish to the Registrar within 28 days of his or her appointment a specimen of his or her signature and an impression of the Public Notary's seal in Form 3.



8. Change of particulars

Rule 10 of the Public Notaries Appointment Rules 1998 requires that a Public Notary must advise the Board within 28 days of a change of address or other particulars in Form 5. A fee is payable when lodging that form.

9. Certificate of Current Appointment

The Registrar may issue a certificate of current appointment to a Public Notary who wishes to evidence his/her current enrolment as a Public Notary. Apply using Form 4.

10. Annual Notification

Public Notaries are required to provide annually to the Registrar a notification of their current particulars in Form 6 with the prescribed fee. Forms will be posted to the current address on the Roll of Public Notaries. Please complete and return these forms promptly.

11. Contact us

Legal Profession Admission Board of NSW

Phone: (02) 9338 3500

Fax: (02) 9338 3555

Email: lpab@justice.nsw.gov.au

Web: www.lpab.justice.nsw.gov.au

Street: Level 4, 37 Bligh Street, Sydney NSW 2000, Australia

12. Give us your feedback

We value feedback from applicants about our processes, and about our client services generally. If you have a complaint, a compliment or a suggestion, please send it to:

lpabfeedback@justice.nsw.gov.au

Feedback which is sent to the above email address will be reviewed and responded to by the Office of the Board's Client Relations Manager.

13. Document history

Version	Date	Reason
1.0	29 August 2016	Approved by the Executive Officer of the NSW LPAB.
