

USEFUL INFORMATION

I have been told that I need a notary...

Most people are unfamiliar with the notarial profession and having completed the transaction may never need to visit a notary again. Don't worry, we will guide you through the process. The notes contained here will give you some important information. We have put together this document to explain what can be expected of you and to give you some key information.

Why a Notary?

In almost all cases, you have been asked to see a notary because you have a document that needs to be used abroad. Following notarisation of your document, you may need it to be legalised by the Foreign Office (now Foreign, Commonwealth and Development Office or FCDO) of the UK government, and possibly also by a foreign embassy, consulate or High Commission. A notary can arrange this for you and our signatures are registered at the FCDO. By comparison, a solicitor typically only deals with domestic documents and issues, and their signature is unlikely to be registered. Solicitors and Notaries are both members of the legal profession but carry out different roles.

Do we need to meet?

Generally, yes but there are some things that can be dealt with remotely. Send an email with the documents and we will advise you on the options. Some things such as witnessing of a signature must be done in person.

Do I need an appointment?

It is essential that any appointments are pre-arranged because we work flexibly and sometimes remotely- we may not physically be at the office on a given day. If required, documents can be left with the 3rd floor reception desk at the office, but we ask that you let us know that you are doing so in order that they can be collected if we are not on-site.

We are a small company and we try to be as flexible as possible. We try to see you on the following day or two, sometimes same day is possible, sometimes people want to book for the following week or longer. This is not a problem. We are asked for home visits or to visit corporate clients at their place of business. We are happy to do so and find that this arrangement works well. If the notarial appointments take place outside of our office we may make an additional charge to cover travelling time and expenses. No additional charges will be applicable within the Leeds ring road unless parking charges are incurred.

The quickest way to contact us in the first instance is by email, attaching the documents identified below.

What should I send to you?

It will save time, expense and mistakes if, as long before the appointment as possible, you can let us have the originals or photocopies of:

- The documents to be notarised, and any other documents referred to within them.
- Any letter or other form of instruction which you have received about what has to be done with the documents;
- Your evidence of identification- see below for what you need

The Notary should normally witness your signature so don't sign the document before your appointment.

What should I bring?

Identification:

Even if you have sent it by email, we need to see the original.

Please bring your current passport (ideally) or national identity card.

If neither of the above are available, at least **two** of the following

- A current government or police issue certificate bearing a photo or other formal means of identification;
- A utility bill, credit card or bank statement showing your current address which should not be more than 3 months old or council tax bill;
- A current new driving licence (with photo)
- A British Residence Permit

You must also bring any other means of ID which may be referred to in the papers sent to you as being required such as a foreign Identity Card. We may also ask to see further evidence of identity such as marriage certificates etc and will advise you of this if necessary.

In a case where the name on the document is different from the name you are currently using, or there has been a variation in the form of spelling of the name over the years, please provide us as appropriate with Certificates of Birth, Marriage or Divorce Decree or Change of Name Deed showing all the different names that you use. If there has been a change of name, then we will need to see a copy of the Deed Poll or Statutory Declaration which dealt with it. If in doubt, just ask!

Other:

If your document needs a witness other than the Notary, you will need to bring a suitable person. They will need to have their identification with them, such as a current passport, driving license or national identity card.

Can you advise me on the document?

As a Notary, we will advise you as to the formalities required for completing your document. Where appropriate we will liaise with your foreign lawyers and take their advice on the acceptability of the document in the foreign jurisdiction, but we cannot accept responsibility if the document is not accepted. We are not qualified to advise on the foreign law and therefore are not able to advise you about the transaction itself.

It is essential that you understand what you are signing, and you may need to take appropriate advice on this from a lawyer qualified in the appropriate jurisdiction.

Translation and Interpretation:

It is essential that you understand what you are signing. If the document is in a foreign language which you do not understand sufficiently, we may have to insist that a translation be obtained.

We need to understand each other. If we cannot understand each other because of a language difficulty, we may have to make arrangements for a competent interpreter to be available at our meeting.

Interpreters and translation can be arranged if required. A quotation from a third party will be obtained, and charged at cost plus 15%.

Additional information for companies and partnerships:

We support companies large and small- from PLCs employing a team of legal professions to a single director small business. If a document is to be signed by you on behalf of a company, a partnership, a charity, club or other incorporated body, there are further requirements and checks that we must make. We will review the documents that you send us with your enquiry and advise you on what we need to see. If you have done this before, you will know that we need to see evidence of identity of the authorised signatory and evidence of the authority to sign- eg a Letter of Authority, Minute, Resolution or Power of Attorney.

Where documents are not available at companies house, eg a Partnership Agreement; or relevant Trust Deed; or Charter; or Constitution/Rules, please send these with your enquiry.

Charges and expenses:

The fee charged may include time spent on preliminary advice, drafting and preparation time, making and receiving telephone calls, correspondence written and received in all formats, arranging legalisation and record keeping.

Personal Instructions

Practically all of the personal instructions that we receive are based on a fixed fee. There is no VAT on our fees or fixed price quotes. This gives you confidence of what you will need to pay with no surprises, and no need to do extensive maths to add up all lines on the quote for having a document notarised. Where it makes sense we will split the quote- eg if you want or need to see the cost for legalisation as a separate line item. Any quote that we give you has a validity of a month unless we advise otherwise (this is only usually if the legalisation element has a limited validity). Once instructed the price will remain fixed unless additional work is required, in which case we will let you know before incurring the additional cost. The usual reason for additional cost to a fixed fee instruction is either additional documents to be notarised, or the completed documents need to be sent internationally instead of within the UK.

Company Instructions

For corporate matters, the fee will be based on our hourly rate of £295 (no VAT), plus expenses/disbursements. Company matters typically take slightly longer than personal matters.

We are keen to establish a professional relationship with all clients, particularly corporate clients who may have an ongoing need for notarisation. If your company needs to onboard us on to your approved supplier list, please let us know what information you need. We do not charge for this. If you issue purchase orders and need a fixed price for services, this can be discussed.

Expenses and Disbursements

We use a legalization agent for all legalization requirements. This provides a professional and expert service and is much quicker than trying to approach FCDO directly. We will always give you a fixed quote for this.

We may charge additional fees for the following (although they will be included in a fixed fee quote if we are told about them in advance)

- If you require a copy of all pages of a passport (including blank pages) instead of just the photo page- £20. This will be waived if you scan the pages to us in advance of the appointment.
- Printing- 12p per page. First 20 pages are not chargeable.
- Travel time- £25 per hour
- Mileage- HMRC rates/
No travel time or mileage charged for inside the Leeds ring road
- Postage- Royal Mail Special Delivery within the UK at the prevailing rate (currently £8.35 for 100g, which is approx. 9 pieces of quality paper and a standard envelope)
Postage outside of the UK is usually by DHL, Fedex or UPS and will be quoted in advance.
- Sewing fee- if documents are too thick to be bound by a rivet (20 sheets), they must be sewn together using legal ribbon- £10 per document. On the rare occasion that ribbon is still required by an embassy, this is usually threaded through the rivet and is symbolic rather than structural. You are not charged for this.

Payment:

An invoice will be raised and sent to you. We may retain any document pending payment in full. If legalisation is required, the document will be sent through the FCDO and any necessary consulate/embassy before being returned directly to you. You can pay by card at our meeting, or by bank transfer (BACS), or by cash up to the value of £1000. BACS is preferred.

For corporate clients, we will issue an invoice to your company on completion of our services. Payment terms are seven (7) days from date of invoice, with payment by BACS preferred. For some countries, consular or embassy legalization fees for corporate documents are significant, and we may ask for payment on account to cover these. Please advise if any special details are required on the invoice- eg Purchase Order number.

Typical Stages of a notarial transaction:

Each notarial matter is different and the requirements and timescales will vary greatly depending upon the work involved. A common variable is the processing times of third parties such as the Foreign and Commonwealth Office, legalisation agents, translating agencies and couriers, etc. Some of the typical key stages are likely to include: