Dear Notaries

The Council has agreed to adopt the same process as last year, for use by notaries during the lockdown period, in cases where the applicant’s signature is required on a document. Document certification requests are not dealt with in this letter. Notaries may proceed with certification of electronic documents where verification is not in question (e.g. Companies Office) in the usual manner. Subject to any conditions that may yet be imposed by Master of the Faculties or by the Department of Internal Affairs (“**DIA**”), Notaries may undertake remote notarisation of the applicant’s signature, using the process set out below. Notaries should be mindful that once the lockdown period(s) is/are over, personal appearance by the applicant is advisable in terms of usual notarial practice. Copies of this letter and of the certificate are also located in the Precedents section of the forum page of the website.

1. The decision whether or not to notarise remotely rests with each individual Notary, and is a “best endeavours” exercise, subject always to the following:
	1. any conditions which may be imposed by the Master of the Faculties, or by the DIA if apostille or authentication is required; and
	2. remote notarisation being accepted by the end user/country in which the document will be presented.
2. If Apostille or Authentication certification is required, the Notary will advise the applicant of any specific requirements of the DIA and/or the Master of the Faculties. These may include retention by the DIA of absolute discretion whether or not to accept any particular document. On that basis the Notary will advise the applicant that there is no absolute guarantee that the Notarial certification will enable an Apostille/Authentication certificate to be issued.
3. It is the applicant’s responsibility to check with the end user/country, that remote notarisation will be acceptable (the Notary may wish to provide the applicant with the form of certificate **attached**, to enable the applicant to seek that confirmation).
4. As with usual Notarial practice, the Notary must establish the validity of identification and authenticity of request. The applicant must scan and email copies of the identification and of the document **PRIOR** to signing the document. A minimum of two forms of identification and one proof of address is recommended.
5. Please be wary of the potential for fraud. Our appointments as Notaries are limited to practising in New Zealand, so the Notary must be certain that the remote applicant is actually in New Zealand, too. The Notary may request additional evidence, if this is in doubt (for example, the applicant could hold in sight a local newspaper dated the same day as the appointment or walk outside and point the device’s camera at parked cars with NZ number plates).

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1. If the Notary is in any doubt as to the validity of the identification, the authenticity of the document or the location of the applicant, the Notary should decline to act.
2. After the signed and scanned document is printed and notarised, the Notary (or the applicant) should arrange a courier service for the transfer of the hard copy to either the DIA or back to the applicant as applicable (subject to any Governmental restriction on the use of courier services).

With warm regards Stewart Germann President
20 August 2021