

**NEW ZEALAND SOCIETY OF NOTARIES INCORPORATED
COUNCIL MEETING**

Monday 20 September 2021 at 1.30pm
via Zoom

MINUTES

Present: Stewart Germann, Bruce Stewart, Don Thomas, Mike Scannell, Ken Lord, Julie Hutton; Allen Mazengarb and Tracey Merlini (minutes)

Stewart Germann, Chair, opened the meeting at 1.30pm

1. **Apologies:** No apologies, all present

2. **Previous Minutes:**

Minutes of the previous full Council meeting held in Christchurch on 22 February 2021 were presented.

Motion: The minutes be adopted as a true and accurate record.

Moved: Stewart Germann

Seconded: Mike Scannell

Minutes of previous monthly zoom meeting held 11 August 2021 were presented.

Motion: The minutes be adopted as a true and accurate record.

Moved: Stewart Germann

Seconded: Ken Lord

3. **Matters arising from previous minutes:**

Action: Bruce Stewart to follow up notary, [REDACTED] who the DIA advise is an active notary. However, he is not a member or a notary known to the Society.

4. **Election of Council:**

The offices of President, Vice-President, Treasurer and Secretary were discussed and it was agreed the roles of officers would continue as they currently stood.

Motion: That Stewart Germann retain the office of **President** for the 2021/2022 term.

Moved: Bruce Stewart

Seconded: Allen Mazengarb

Motion: That Bruce Stewart retain the office of **Vice-President** for the 2021/2022 term.

Moved: Stewart Germann

Seconded: Julie Hutton

Motion: That Allen Mazengarb retain the office of **Treasurer** for the 2021/2022 term.

Moved: Stewart Germann

Seconded: Don Thomas

Motion: That Tracey Merlini retain the office of **Secretary** for the 2021/2022 term.

Moved: Stewart Germann

Seconded: Mike Scannell

Auditor: It was agreed to engage the services of Owen Williams as **Auditor** for the year end 31 March 2022.

5. **Applications:**

- **Criteria:** It was agreed at the last Council meeting to review the Application Pre-requisites to address a few areas that had come to light from recent enquiries:
 - Whether in-house lawyers meet the criteria;
 - Whether a need for notaries in the area is required;
 - Disclosure of complaints;
 - Local knowledge and experience versus extensive overseas experience;
 - Post-admission experience to be clarified using the term “generally expect”

Action: Allen, Ken and Julie will revise the criteria and present a marked up version for Council to review.

- [REDACTED] It was agreed to defer [REDACTED] application until the next monthly Council meeting as there were some issues with his application in terms of a name change.

Action: Stewart agreed to make enquiries and report back.

6. **Finance**

The Council reviewed the account balances presented to the meeting.

The Treasurer agreed there was no need to increase the subscriptions. Tracey will send out invoices for 2021/2022 subscription in the amount of \$200 before the end of the month.

There was one debtor whom Allen agreed to follow up.

Action: Tracey to raise membership subscription invoices and send out to all members.

Action: Allen to follow up one remaining Debtor.

7. **Website**

No particular updates on the website were presented. Don agreed make an enquiry of Law2Web to see if it was possible to establish the number of hits on the videos.

Action: Don to enquire of Law2Web on the hits on videos.

8. **Education and Training**

- **Webinar**

It was agreed there was a great need for further education and Ken reported this was evidenced from speaking with local notaries at coffee meetings. A good compelling topic for a webinar was needed.

It was agreed to remind members of the video tutorials with a message to reinforce and upskill to be sent out.

Anything not covered in the videos could be covered in a webinar.

A video on how to remote notarise was suggested.

Action: Julie agreed to draft a message to members drawing their attention to the videos published on the website.

- **Standards**

Stewart made a plea at the AGM for members to view the precedents on the website and send any examples they may have to the Secretary.

Don had on his list, a draft a message to members regarding DIA advice that notaries are causing delays due to incorrect practice.

Bruce agreed to draft a note to remind notaries on best practice for record keeping and refer notaries to the Notarial Code of Good Practice.

Stewart had shared with Council a paper from Professor Peter Zablud on *Certifying Educational Documents for International Use* and referred Council to three precedents appended to the paper.

Action: Don to draft a message to members regarding DIA delays due to incorrect practice.

Action: Bruce to draft a message to members regarding record keeping as outlined in the Notarial Code of Good Practice and bring to the next meeting for Council consideration.

9. **C.L.A.N. update**

- **Notary World**

Stewart advised that the next edition of Notary World was being drafted and soon to be published.

- The C.L.A.N. website was currently down and a new build was in progress.
- The NZ Society had received a bill from C.L.A.N. for €1,000 membership and asked that this be approved for payment. Stewart advised that the benefits of the membership was primarily the international connection to other member bodies and exposure to international notarial practice.

Motion: That the subscription to C.L.A.N be approved for payment.

Moved: Allen

Seconded: Ken

Carried

10. **General business**

- **Shortage of notaries in rural areas**

It was agreed the best way to approach the shortage of notaries was to identify the areas to target and head hunt. Tracey agreed to investigate the areas with shortages of notaries and bring a report to the next meeting.

- ***The NZ Notary* booklet**

No further progress had been made on the revised edition of *The NZ Notary*.

- **P&I Insurance**

It was established at the last Council meeting that notaries who belong to a partnership or are practising lawyers are covered under their existing P&I insurance however the issue lay with members who no longer hold a practising certificate and are practising only as a notary public. Bruce was in touch with Elizabeth at AON but she had not responded to his query. He agreed to follow up. Ken also agreed to follow up getting a quote for \$200,000 or \$500,000 cover.

Action: Tracey to identify and collate a schedule of areas where there is a shortage of notaries for the next meeting.

Action: Bruce and Ken to follow up on quotes for P&I insurance for notaries who are no longer practising as lawyers.

11. **Further business**

- **Complaints:** The Complaints Subcommittee had concluded the investigation of a recent complaint which was upheld. Tracey will send a list of complaints to the Master at the end of the year.

12. **Next meeting and 2022 meeting dates**

- Next council meeting 13 October 2021 via Zoom at 9.30am;
- Monday 28th February 2022 face to face in Auckland;
- AGM and Council meeting via Zoom, Monday 19 September 2022

There being no further business the Chair drew the meeting to a close at 2.43pm.