

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

Monday 28 February 2022
via Zoom

MINUTES

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

Stewart Germann, Chair, opened the meeting at 9.30am. He acknowledged that this meeting was intended to be an in-person meeting at the Northern Club but sadly, due to Omicron it was a wise decision to hold it via Zoom.

1. **Apologies:** None. All present.

2. **Previous Minutes:**

Minutes of the full Council meeting on 20 September 2021 were reviewed. It was proposed they be approved as a true and correct copy.

Moved: Stewart Germann

Seconded: Allen Mazengarb

Minutes of Council meeting on 15 December 2021 were reviewed. It was proposed they be approved as a true and correct copy.

Moved: Stewart Germann

Seconded: Mike Scannell

3. **Action points outstanding from previous meeting:**

Action: Tracey will send a list of the previous year's complaints to the Master.

Action: Stewart will conduct some research on whether or not to attach ID to notarial acts and bring to the next meeting.

Action: Bruce will follow up with Elizabeth at AON and also draft a message to establish how many members will need indemnity insurance: i.e. how many members are no longer holding practising certificates and are not covered.

4. **Applications:**

Council is currently dealing with eight applications, the details of which are confidential.

5. **Finance**

Details of the bank accounts were presented and there were no queries in relation this.

Eleven members were on the debtors list for non-payment of 2021/2022 subscriptions. It was noted that Don had followed up and a number had now paid.

Action: **Bruce** agreed to follow up with one member regarding their overdue subs.

6. **Education and Training**

- **Webinars:** As detailed in the September full Council meeting minutes it was agreed there was a need for further education. Topics mentioned were:
 - Foreign documents
 - Increase in fraud – Michael Bula would be good on this topic.
 - Basic instruction

Ken Lord left the meeting.

- **Best Practice:** An alternative idea to the webinar was a 2022 video update of best practice. Council to be tasked with identifying problems that arise. It was agreed Council should send examples of good and bad practice to Tracey to collate and discuss again at the April meeting e.g:
 - Rubber stamp
 - Notarial Certificate
 - Jurat

Action: **Council** to send examples to **Tracey** by 6 April to collate and put on the agenda for April meeting.

- **Update to Code:** A notary had raised a query with Julie regarding proposed amendments to the Code.

At clause 4.2.5 it was agreed to replace “him” with “the Master”.

At clause 10.2 it was agreed to amend the code as proposed but to remove the block capitals and take “qualified” out.

At clause 10.3 although gender was covered in clause 2.2.3 it was agreed to replace “himself” with “the notary”.

In terms of an additional clause relating to duress and capacity Council agreed not to go there as it would be unclear as to the definition of “duress”.

Action: **Julie** to update the Code to include the agreed changes. Julie will also check the Code for any other references to specific gender.

7. **Website**

Don advised there was nothing out of the ordinary with the monthly analytics reports. Mike advised he had not been receiving them of late. Other than those small matters, nothing was raised in relation to the website.

8. **C.L.A.N. update**

Stewart advised he was recently re-elected as President of C.L.A.N. for a further two years. Tracey had resigned as Secretary and Stewart's past PA, Lorelle, was going to take over as Secretary. Stewart also reported that C.L.A.N. also had a new website which was running smoothly. The next edition of Notary World was due to be published. Two new directors from British Columbia had been appointed to C.L.A.N.

9. **General Business**

- **P&I Insurance:** Bruce reported he had a meeting on 25 March and would report back then. Bruce to send a message to members to ascertain who would need P&I insurance.
- **The NZ Notary:** Discussion took place on whether an update to the NZ Notary was relevant and possibly outdated by the Code of Notarial Practice. Tracey advised that she sends the publication out to all applicants. It was considered that perhaps it should be replaced with a copy of the Code. Tracey also advised she only had a handful of the printed copies left but held a PDF version on file.

Action: Tracey to send a PDF copy of *The NZ Notary* to Council to review.

10. **Further Business**

- A notary had sent an email requesting the views of Council in relation to attending to public and the threat of Covid. It was agreed this matter had been addressed and a message circulated previously, and it was a matter of choice of the individual or firm.

Action: Tracey to draw the notary's attention to the recent email to members in this respect.

- Don Thomas advised that he was resigning from his practice as partner. He intended to do consultancy work and work as a locum.

There being no further business the Chair drew the meeting to a close at 1.32pm.

Next meeting: Via Zoom on 13 April 2022 at 9am.