

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

Monday 14 November 2022 at 3pm
Northern Club, Princes Street, Auckland

MINUTES

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

The meeting was opened by the chair, Stewart Germann, at 3.03pm. He extended a warm welcome to all and called the meeting to order.

1. **Apologies:** Allen Mazengarb (sickness)

2. **Previous Meeting held 12 October 2022**

Minutes of the Council meeting held on 12 October 2022 via Zoom were previously reviewed and approved by email.

Matters arising from meeting on 12 October 2022:

- (a) The election of Council officers was noted. The Chair was pleased to note that Ken Lord had agreed to be co-opted on to the Council for a further term.
- (b) Template letters/emails of declinature had been reviewed at the previous meeting and Tracey confirmed that a sub-committee comprising Julie, Ken and Allen had been agreed to approve emails of declinature which Tracey would draft from the templates prepared.
- (c) The PI insurance letter had been revised by Bruce and was the subject of discussion later in this meeting.

3. **Applications:**

3.1 Council noted that [redacted] application was dated 3 October and submitted on an older version of the application form which did not include areas of legal practice. Subject to receiving details of areas of legal practice and an updated Certificate of Standing from the NZLS (which Tracey had already requested from him), Council agreed for his application to proceed.

Action: Tracey to write to [redacted] asking for areas of legal practice outlined on the current application form and remind him of the requirement to provide a current Certificate of Standing from the NZLS. Council will review both at their next meeting in December.

3.2 had made an enquiry of Council as to whether it would be worth pursuing an application as in-house Council. Council agreed that an application from him would not be progressed due to in-house counsel having a restricted practice. It was also noted that the Selwyn district was adequately covered by central Christchurch notaries so there was not a particular need for cover in that region.

Action:Tracey to send a reply email to accordingly.

4. Finance

4.1 The balance of accounts was noted and the -72 account was of \$42,000 was earning 4.10% for 12 months until 13 September 2023. The -00 and -50 on call accounts were showing a balance of \$46,000 due to recent payments of subscriptions. A further \$10,000 was expected to be received for remaining subs due. It was suggested that funds be transferred to another term deposit account to benefit from the interest rates available. Allen, as Treasurer, was tasked with producing a report outlining the Society's projected expenses for the next six months and recommending a figure to Council to invest for the next six months.

Action:Allen to report to the Council with an amount he recommends be invested in a term deposit for the next six months.

4.2 Debtors stood at \$9,400 but reminders were not necessary at this stage as they were less than 30 days. It was envisaged more subs would be paid by 20 November.

4.3 request for a reduction in fees for retired lawyers was declined given the Council thought there was good value for the amount and too difficult to clarify and maintain records of who are retired lawyers and who are not.

Action:Tracey to respond accordingly.

It came to the attention of the Council that some members had resigned since the latest subscription invoices were issued. It was agreed the Secretary would in future add to the monthly agenda any members who had resigned so the Council are informed of who resigned and the reasons why and note the reduction in revenue accordingly.

Action:Tracey to bring to the December meeting a list of all recent resignations from members.

5. Education and Training

Discussion took place as to whether a further video was required or continuing messages to notaries about standards. Don had submitted a note on standards which he proposed should be sent to all Notaries along with the DIA checklist.

Discussion took place on whether the Notarial Code should be updated to reflect DIA standards and to include “place of notarial act” on the witnessing certificate.

It was agreed Don would revise his suggested note to members as outlined by Mike and all agreed it was timely to review the Code.

Action:Don to revise memo to members on Standards.

Action:Tracey to keep Education on the agenda for further discussion.

6. Website

It was noted that the analytic reports had stopped being sent to both Ken and Don. Tracey and Don reported that there was a recent “change” in servers which had resulted in quite a few issues. Law2Web were very slow to rectify the issues and in general the “new” server appeared to be inferior to the previous server. There were a lot of errors and the response time for updates was slow. The reason for Law2Web’s slow response to rectifying the website issues was that Stephen was moving house from Northland to Manawatu and wasn’t available during this time. However, it was thought that an out of office or redirection of emails should have been in place and sufficient cover for such absences.

It was suggested that discussion take place with Law2Web about continuing with their contract.

Action:Don will liaise with Law2Web.

7. DIA

Discussed in Education and Training above. The latest figures from the Authentications Unit were reported via Ken and were noted as:

Apostilles	6,038
E-Apostilles	2,127
Authentications	3,129

The team at the Unit are working hard to continue to bring processing timeframes down.

8. ANZCN

Ken Lord attended the ANZCN conference on 4 & 5 November on the Gold Coast. Speakers included:

- Dr Christophe Bernasconie, Secretary General HCCH;
- Peter Zablud;
- Peter Snelgrove;
- Michael Bula

Key points taken from the conference:

- Judgment convention for NZ (Ken will investigate and report);
- Cyber fraud;
- Insurance;
- The Hague convention – facts
- Further and continuing education

Ken advised he would submit a more detailed written report for the Council's information.

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

Stewart as president of C.L.A.N. presented recent minutes of the Board meeting of directors of C.L.A.N. on 10 October for the Council's information. He also reminded the Council of the latest issue of *Notary World* which was published in September, the link to which is available on the NZ Society's website. He reported he would be attending an in-person meeting of Directors in Dublin in March 2023. C.L.A.N. now have two directors from British Columbia in addition to Ireland and England and Wales. C.L.A.N. are struggling to get the Australians on board but continue to plug away.

10. **General business:**

- PI insurance:** Bruce's draft letter to the insurance companies enquiring of a scheme for PI insurance was presented for Stewart to review along with a suggestion of self-insurance by notaries. Ken was having discussions with the Queensland Society who were also interested in promoting PI insurance for their notaries who were not covered by a firm. He agreed to continue this discussion. Further discussion on this matter was deferred to the next Council meeting pending Stewart's review of Bruce's draft.
- Amendments to the Rules:** Ken had looked recently at the Society's Rules and thought it should be reviewed, in particular in relation to Associate Members – item 6.10 of the Rules, of which the Society have none appointed. It was agreed to defer this until another meeting.
- Christmas message:** It was agreed the Secretary would send out a message to notaries asking them to advise of their availability for the Christmas period between 23 December and 9 January 2022. Tracey would then publish the list of available notaries on the Society's website to assist the public during this period. Julie, Ken and Bruce advised they would be available during this period.

11. **Next meetings:**

- Next meeting to be held on 14 December 2022 via Zoom at 9.30am.
- It was suggested that the next full Council meeting be in person and, as usual, scheduled for February to keep the two biannual meetings on track. Bruce

suggested meeting at his place in Palmerston North on **Monday 20 February 2023**.

Action:Tracey would send out a message to the Council with the suggested arrangements and see if the proposal and flights would be agreeable with everyone.

The Chair drew the meeting to a close at 4.50pm.