

Practice note 11– DNA Reports for Parentage Testing

There are a number of organisations offering DNA testing, but not all follow the same process.

As specified in Practice Note 8 (Employment Agreements) it is for the Notary to decide whether the appearer only requires a notarised copy of the document, or if some form of additional verification of authenticity is to be given. Regardless of which option is selected, it is always important to be specific in the nature of the notarial act. This is particularly relevant for DNA reports.

Two recent examples involve reports issued by DNA Diagnostics and EASYDNA respectively. The test offered by EASYDNA is not a legal test. The report is based on a self test submitted by the applicant, which means there is no independent verification as to the source of the sample. The NZ Society of Notaries strongly advises that these types of tests should not be notarised in any form (original or copy).

A DNA test, of the type undertaken by DNA Diagnostics, is a legal test under which samples are collected by a neutral third party (usually a medical practitioner), after having completed a protocol including photographic and other identity requirements. The sample is then sent to the company under strict chain-of-custody procedures.

Any description of the notarial act as it relates to a DNA report (copy or original) should specifically exclude any unqualified verification of authenticity. A statement by the notary to the effect that the notary has received confirmation of the report's authenticity from the actual scientist who completed the report is both sufficient and acceptable in these cases.