

PAWLEY

NOTARIES PUBLIC

MEZZANINE FLOOR EPSOM SQUARE EPSOM SURREY KT19 8AG

Telephone : EPSOM (STD CODE 01372) 721122

MRS LAURA A. PAWLEY

TERMS OF BUSINESS

SERVICES

A notary public's main duty is to authenticate documents and facts for use outside England and Wales. These can relate to a wide range of activities including overseas property transactions, administration of the affairs of people who have died commercial transactions in other countries, court proceedings and immigration.

I am appointed by the Archbishop of Canterbury in accordance with the relevant Acts of Parliament. I am supervised by The Faculty Office, 1 The Sanctuary, Westminster, London, SW1P 3JT.

My practice as notary public is entirely separate from the solicitors' practice of Gumersalls, although I do some of my work at the same offices. My notarial practice is not supervised in any way by The Law Society who supervises solicitors' practices.

I am normally available between 9.30am and 3.30pm Monday, Tuesday, Thursday and Friday. Subject to availability I may work outside these hours but an additional unsocial hours fee may be payable. So that you do not make a visit to my office when I am not available please telephone 01372 721122 for an appointment before coming.

I normally see people at Mezzanine Floor, Epsom Square, Epsom, Surrey, KT19 8AG which is close to Epsom train station, but I can see people anywhere in England and Wales when this is necessary. Some people are unable to come to my office because of disability or for other reasons and I willingly make arrangements to see them in their own homes or other convenient places, additional costs for my travel time may be charged in these circumstances.

PROCEDURES

As a notary it is my duty to ensure that the people appearing before me are properly identified. I am normally required to see the appearor's passport and one other item with their current address on (e.g. a recent utility bill or bank statement); if these are not available then I will need to discuss what satisfactory evidence can be produced. All transactions by limited companies need to be supported by similar evidence of the identity of the appearing officers of the company and in some cases the relevant resolutions authorizing the transaction; I make a search at the Companies Registry to check the status of the company and its officers.

I do not advise appearors on the effect of the documents I am asked to authenticate and appearors should obtain advice from competent advisers as to what they are entering into (this frequently means obtaining advice from foreign lawyers acting for the appearors in the transaction). My duty is limited to ensuring that the appearors understand the sort of transaction they are entering into. This can present problems if the document is in a foreign language. If I am asked to work in a foreign language I will have to ask for a translation or restrict my authentication. If a translation is required this may need to be from an official translator whose fees are an additional expense to the appearor.

In many cases when preparing foreign documents I will get these checked before completion by the lawyer or other adviser of the appearor by using e-mail or fax. I keep a record of all documents I authenticate either permanently or for 12 years depending on the nature of the notarial act. Copies of my records can be made available for a fee to the parties to the transaction and to anyone else with good reason including the police, tax officials and courts. Under the legislation relating to money laundering some transactions may be reported to the Serious Organised Crime Agency.

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FEES

My fees are based on the amount of time it takes me to complete a matter including recording it. My current rate of charging is £320.00 per hour plus VAT. It is unusual for any matter to take less than 30 minutes and it is unlikely that my basic fees will be less than £160.00 plus VAT but I will tell you what they are likely to be when I have seen what is involved. In addition to my fees there may be fees payable to third parties such as the Foreign and Commonwealth Office, Consuls, superintendent registrars or translators. My fees are normally payable when the appearor signs their documents or collects the completed documents from my office.

LEGISLATION

Many countries wish to be sure that I am properly authorised to act as a notary. This is done by a procedure called legislation. For most countries this means applying to the Foreign and Commonwealth Office in Milton Keynes for an Apostille under The Hague Convention on Legislation. Some countries require documents to be legalised by their consuls, as well as an Apostille.

I normally arrange legislation and I can usually tell you what the fees are likely to be.

The Foreign and Commonwealth Office or my agents normally legalise and return documents I send for legalisation within about 2 or 3 days. Consular Legalisation can take longer.

This leaflet can only give a limited amount of information and if you would like further information I shall be pleased to try and answer your questions.

APPOINTMENTS

Appointments can generally be offered within 2-5 working days subject to holidays and other work commitments.

Most Notarial Services can be completed on the same day however, if further legalisation is required this may take 4 or more working days to complete depending on the country involved. More information will be provided following the initial meeting.

PROFESSIONAL INDEMNITY COVER

The Notarial work is covered by the solicitor's firm's Professional Indemnity Policy which covers claims up to a maximum of £5,000,000 per claim.

REGULATION AND COMPLAINTS

My notarial practice is regulated by the Faculty Office of the Archbishop of Canterbury:

The Faculty Office, 1 The Sanctuary, Westminster, London, SW1P 3JT

Email: Faculty.office@1thesanctuary.com

Website: www.facultyoffice.org.uk

If you have any complaints about my work please do not hesitate to contact me, and if the matter cannot be immediately resolved I will refer your complaint to the Notaries Society of which I am a member, who have a Complaints Procedure which is approved by the Faculty Office.

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Alternatively, you can complain to the Notaries Society direct. Please write (but do not enclose any original documents) with full details of your complaint to:

Christopher Vaughan, Secretary of the Notaries Society, Old Church Chambers, 23 Sandhill Road, St James, Northampton, NN5 5LH

Email: secretary@thenotariessociety.org.uk

Finally, even if you have your complaint considered under the Notaries Society Approved Complaints Procedure, you may at the end of that procedure or after a period of eight weeks from the date of making the complaint to me, make your complaint direct to the Legal Ombudsman (whose contact details are below) if the matter has not been resolved to your satisfaction:

Legal Ombudsman, PO Box 6806, Wolverhampton, WV1 9WJ

Telephone: 0300 555 0333

Or enquiries@legalombudsman.org.uk

Website: www.legalombudsman.org.uk

ANTI-MONEY LAUNDERING AND DATA PROTECTION

I am obliged to obtain satisfactory evidence of the identity of my clients and often others involved in the transactions or matters I am dealing with. These checks are a mandatory element of the Government's controls over money laundering and terrorist financing and I am required to conduct them by law. My usual practice will be to ask to see your original passport or photo driving licence and a recent utility bill or bank statement.

Please note that copies of your identity documents will be securely maintained on the file, both in hard and scanned format, for your matter in pursuance of my data protection policy (available on request). The uses that will be made of the data will be to provide confirmation of the identity of the person(s) providing it only. I am required by the Notarial Practice Rules to maintain such data for certain periods of time from the end of the matter (permanently for public form matters and 12 years for private form matters) and the data and papers collected for these purposes will be retained in accordance with those obligations and rules.