
Changes to legislation: There are currently no known outstanding effects for the Legal Services Act 2007, Cross Heading: Public Notaries Act 1843 (c. 90). (See end of Document for details)

SCHEDULES

SCHEDULE 21

MINOR AND CONSEQUENTIAL AMENDMENTS

Public Notaries Act 1843 (c. 90)

- 4 The Public Notaries Act 1843 is amended in accordance with paragraphs 5 to 7.
5 After section 7 insert—

“7A Effect of admission or grant of faculty

(1) Despite any provision made by the Public Notaries Acts, a person's entitlement to carry on an activity which is a notarial activity is to be determined in accordance with the Legal Services Act 2007.

(2) Nothing in the Public Notaries Acts is to be regarded, for the purposes of paragraph 5(2) of Schedule 3 to the Legal Services Act 2007 (exempt persons in relation to notarial activities) as authorising a person to carry on such an activity.

(3) For this purpose—

“the Public Notaries Acts” means this Act and the Public Notaries Act 1801;

“exempt person” and “notarial activity” have the same meaning as in the Legal Services Act 2007.”

- 6 In section 8 (Master of Faculties may issue commissions to take oaths)—
(a) the existing provision becomes subsection (1), and
(b) after that subsection insert—

“(2) For the purposes of the Legal Services Act 2007, the issue of a commission under subsection (1) is to be treated as an authorisation to carry on the relevant activities by virtue of another enactment (see paragraph 6(2) of Schedule 3 to that Act).

(3) In subsection (2), “relevant activities” means the activities authorised by the commission.”

- 7 Omit section 10 (offence of practising as notary without authorisation).

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