



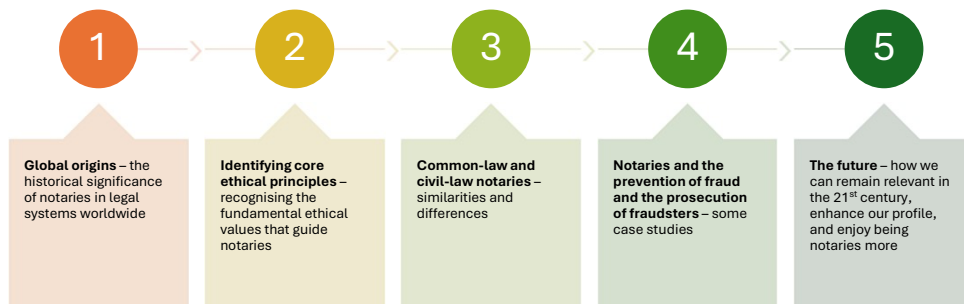
Continuing Professional Development for notaries

presented by Iain Ostrowski-Rogers,
scrivener notary (London, England)


Dún Laoghaire, 2nd May 2025

1

Programme



2



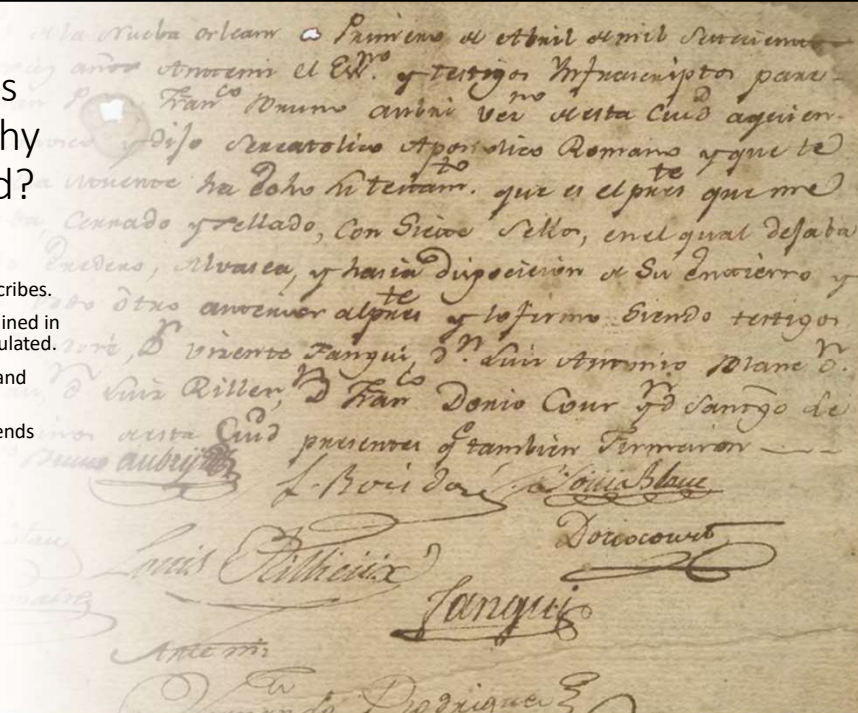
The global origins of a worldwide profession

Notaries have been around for a long time. Why are we still here? How do we add value in the world?

3

Where do notaries come from and why are we still around?

- Notaries create records of private transactions, but we are not just scribes.
- Notaries are literate, educated, trained in the application of the law, and regulated.
- Notarial acts are trusted at home and abroad.
- The value of legal certainty transcends the medium:
 - clay or wax tablets
 - papyrus
 - parchment
 - paper
 - PDF
 - what next?



4



5



Scribes in Egypt

- Part of the Royal Court.
- Exempt from military service.
- Didn't have to pay taxes.
- Excused heavy manual labour.

6



7



8



9

... and
Byzantium

where a form of shorthand
was developed, speeding
up the process of recording
transactions.

10

Civil-law courts in common-law jurisdictions

- Admiralty Court (absorbed into the High Court in 1875)
- Ecclesiastical Courts (jurisdiction eroded and effectively removed by the late Victorian era)
- Court of Chivalry (still extant)

VICTORIÆ REGINÆ.

C A P. XXXII.

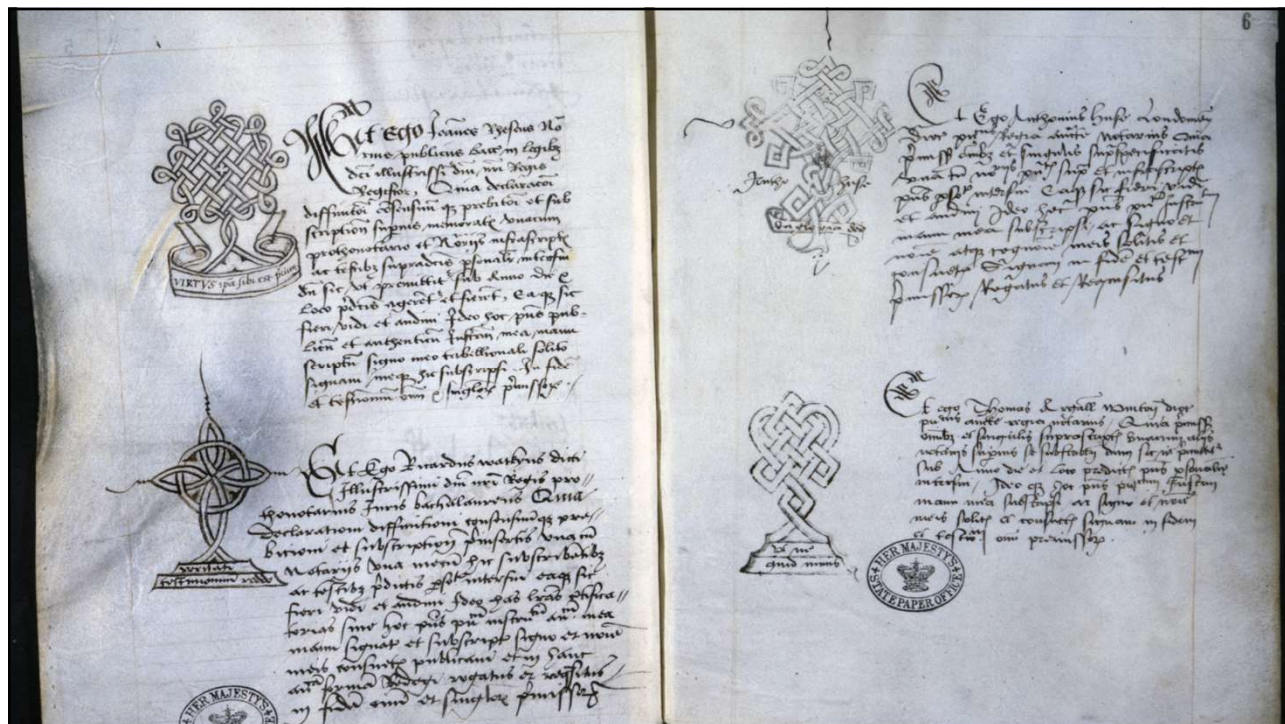
An Act to abolish the Jurisdiction of the Ecclesiastical Courts in *Ireland* in Cases of Defamation, and in *England* and *Ireland* in certain Cases of Brawling. [3d July 1860.]

11

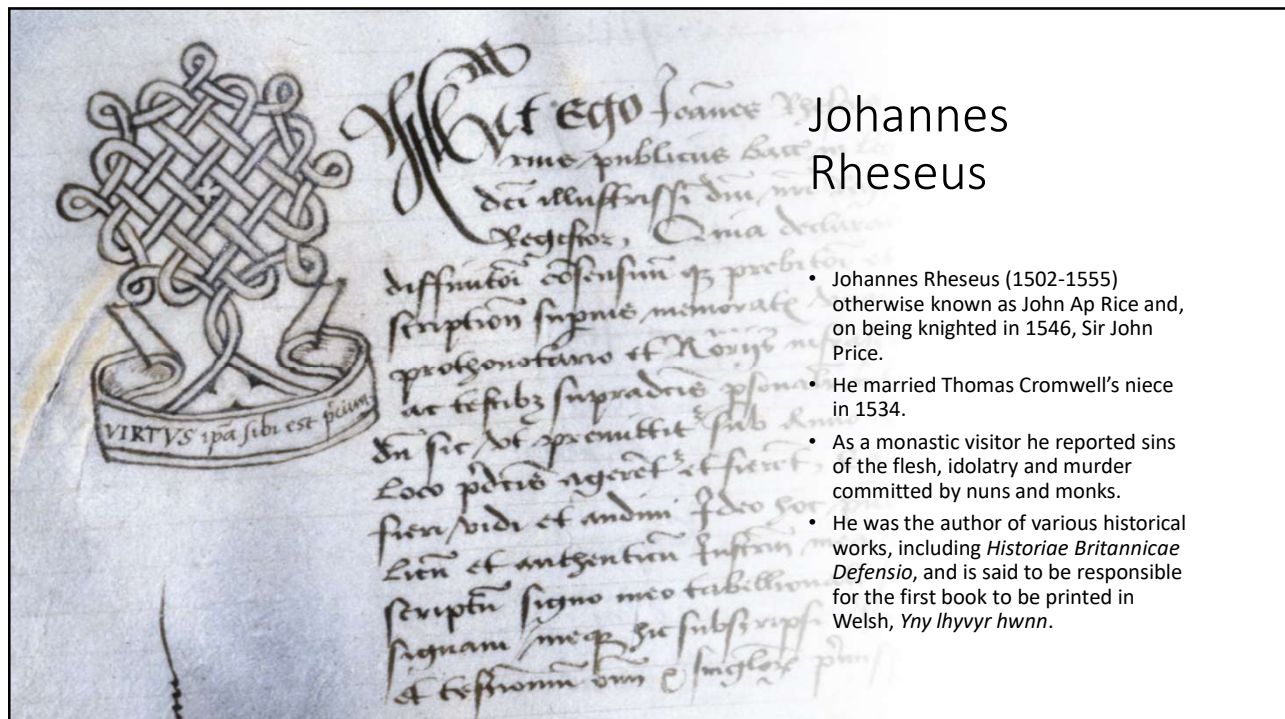


Notaries attesting the annulment of Henry VIII's wedding to Anne of Cleves

12



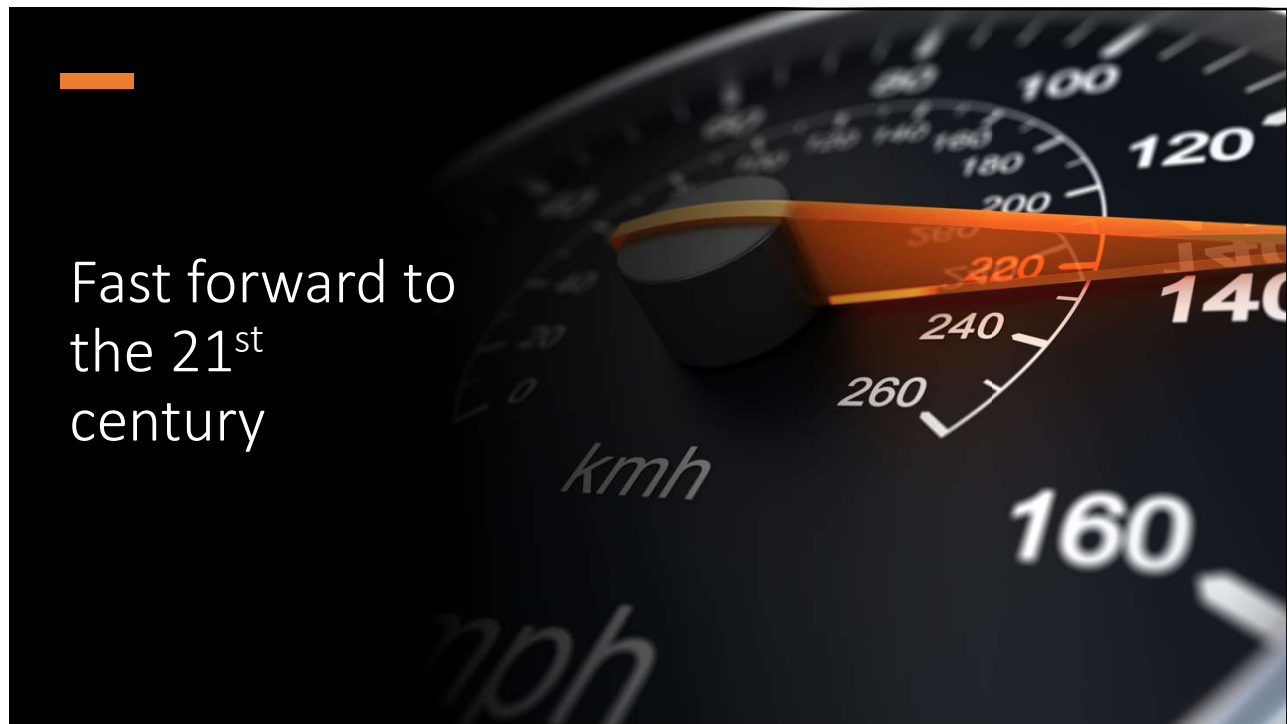
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Johannes Rheseus

- Johannes Rheseus (1502-1555) otherwise known as John Ap Rice and, on being knighted in 1546, Sir John Price.
- He married Thomas Cromwell's niece in 1534.
- As a monastic visitor he reported sins of the flesh, idolatry and murder committed by nuns and monks.
- He was the author of various historical works, including *Historiae Britannicae Defensio*, and is said to be responsible for the first book to be printed in Welsh, *Yny lhygyr hwnn*.

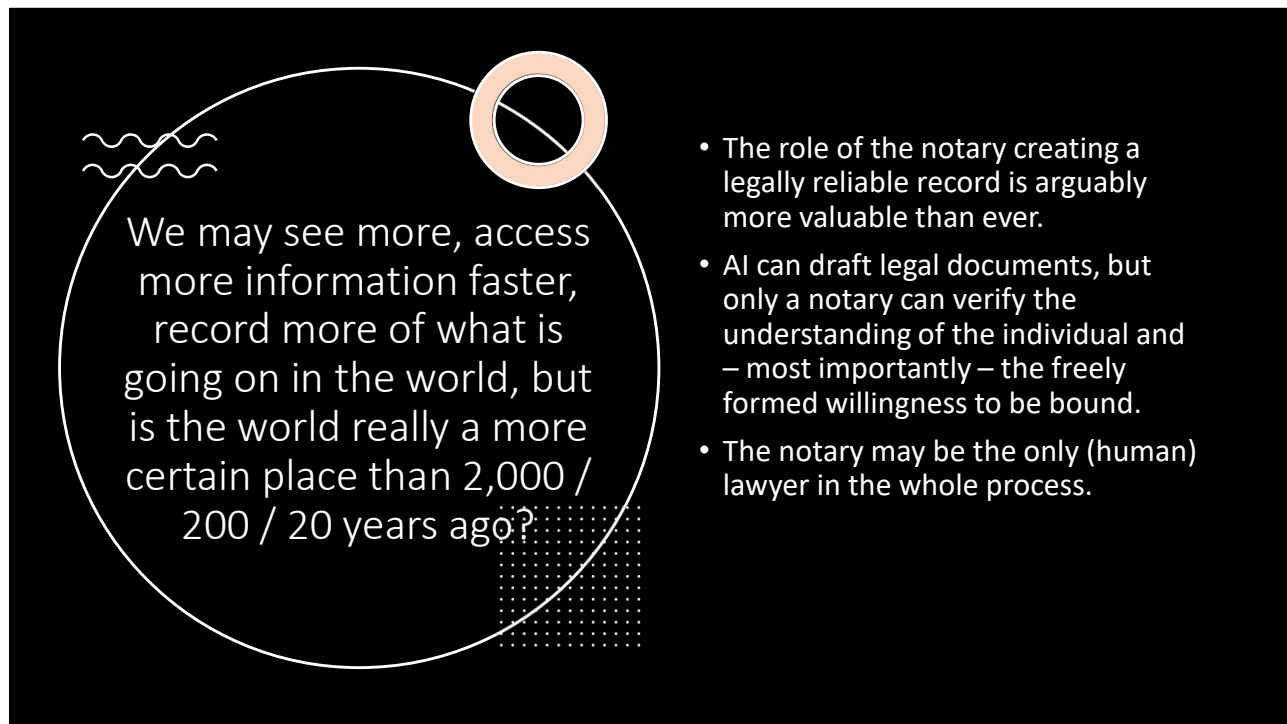
14



15



16



We may see more, access more information faster, record more of what is going on in the world, but is the world really a more certain place than 2,000 / 200 / 20 years ago?

- The role of the notary creating a legally reliable record is arguably more valuable than ever.
- AI can draft legal documents, but only a notary can verify the understanding of the individual and – most importantly – the freely formed willingness to be bound.
- The notary may be the only (human) lawyer in the whole process.

17



Identifying core ethical principles

The fundamental ethical values that guide notarial practice

18

Impartiality and Independence

- A notary must be impartial and not favour one client over another.
- This is way, as a general rule, a notary does not have conflicts of interest and can provide services to clients who are in competition with each other.
- A notary must be independent (not just in the notary's head, but objectively and clearly).
- We do not provide services to our own family members, for example.
- If you have to ask the question, you already know the answer.



19

Integrity

- An easy word to use, but what does it mean in practice?
- Follow the rules, don't bend or break them (but be pragmatic and find solutions for your clients – lateral thinking can resolve a seemingly impossible situation).
- If something goes wrong, be open about it and fix it.
- We can also talk about the integrity of the notarial act – secure and tamper-proof (whether in paper or electronic format).

★★★★★★★★★★

Integrity

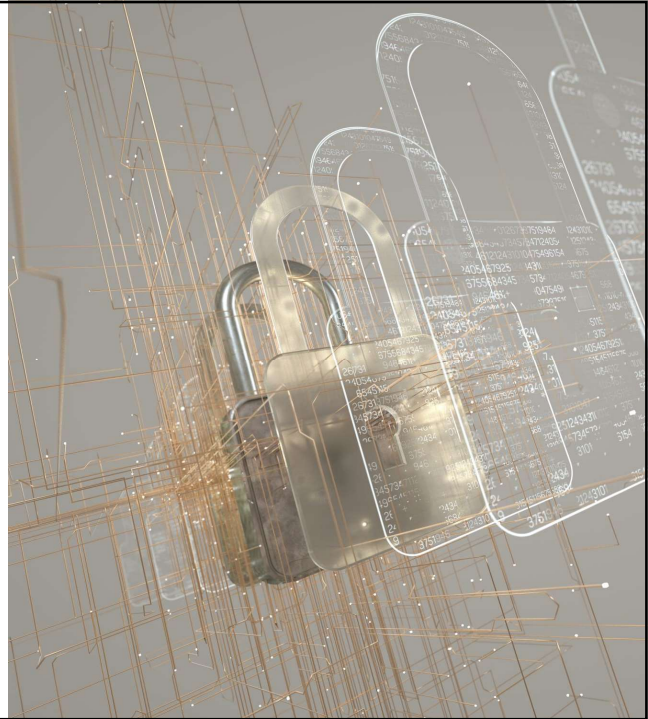
is doing the right thing, even when no one is watching

★★★★★★★★★★

20

Information security

- Confidentiality
- Accessibility
- Security (back ups)
- Rights of data subjects
- Protecting yourself from complaints and accusations of misconduct



21

Be careful who you say what to... (and leave your work phone at work when you go on holiday)

A notary received an e-mail while on holiday asking if an attached PDF was a full and accurate copy of a notarial act that had been issued 3 years ago.

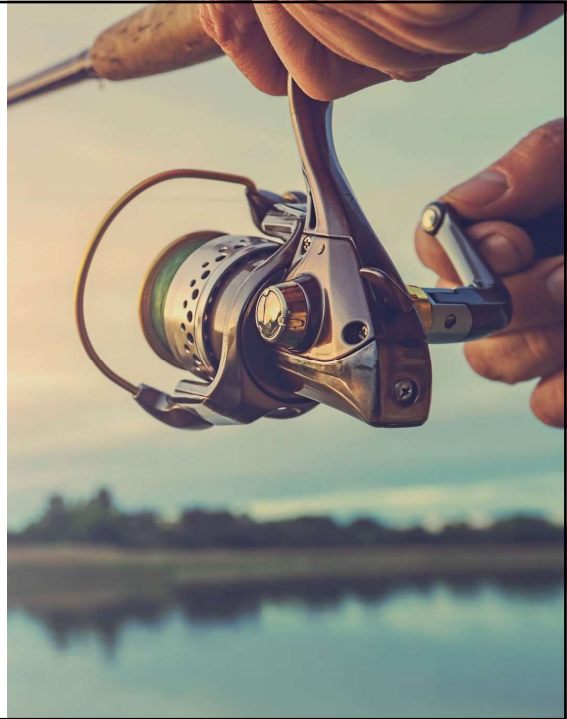
The notary panicked and did not look at the PDF properly or make a proper comparison with the record of the notarial act (which was accessible on the notary's smartphone).

The PDF included two pages that were not part of the notarial act, but the notary did not notice and confirmed by return e-mail that the PDF was a full and accurate copy.

22

Be careful who you say what to... (and leave your work phone at work when you go on holiday)

- The enquiry was a fishing expedition on the part of lawyers acting for the other side of a dispute.
- The notary should not have communicated with those lawyers at all (not without the client's consent in any case).
- One moment of madness has caused a whole heap of trouble.
- The notary has had to explain the situation to the client.
- Insurers are getting involved as there may be a claim against the notary.



23

A comparison of global notarial systems

An analysis of the differences and similarities between civil-law and common-law notarial traditions

24

The civil-law legal systems and notaries

- Typical career choices for lawyers in civil-law jurisdictions:
 - Advocate
 - Judge
 - Notary
- Only the highest academic achievers can become notaries.
- Restriction on the number of notarial offices in the country or part of a country (*numerus clausus*).
- Each notarial office is owned by a single notary, but that notary may employ “deputies”.
- Using a notary may be compulsory for certain legal transactions (mortgages and pledges, transfers of land, incorporation of companies, etc.).
- In other situations, using a notary may be advantageous.

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The common-law legal systems and notaries

- Most notaries are not full-time notaries (notable exceptions – scrivener notaries in London).
- The most common system of admission of notaries is for experienced lawyers (5-7 years PQE) to be admitted as notaries after examination (not all jurisdictions have an examination for notaries).
- Pre-admission education for notaries is becoming more common and is raising standards.
- Post-admission education is similarly becoming more common and enables notaries to increase their skills, knowledge, and enjoyment of the profession.

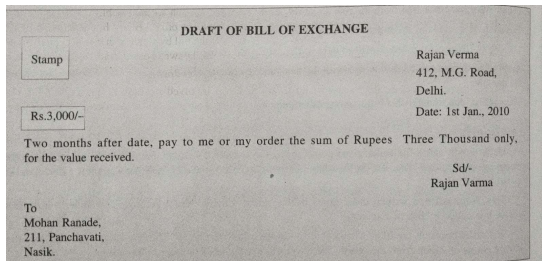


THE SOCIETY OF
SCRIVENER NOTARIES



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The domestic functions of notaries in common-law jurisdictions



- Domestic functions vary from jurisdiction to jurisdiction.
- Some traditional domestic functions (protesting bills of exchange and drawing ship protests) have almost disappeared.
- Some new domestic functions can appear – in the UK for example,
 - acting as accredited agent for the Register of Overseas Entities and
 - as authorised corporate service providers under the Economic Crime and Corporate Transparency Act 2023 (director identification and filings for limited partnerships)
- Any AML-regulated UK professional can provide these services (this includes notaries but also many others).

27

THE MIDLAND RUBBER AND PRODUCE COMPANY LTD

Company number **OE008439**

[Follow this company](#)

[Request authentication code](#)

[Overview](#)

[Filing history](#)

[People](#)

[More](#)

Correspondence address

27/1032 Panampilly Nagar, Ernakulam, Kerala, India, 682036

Company status

Registered

Company type

Overseas entity

Registered on

16 December 2022

28

Overview

Filing history

People

More

Filter by category

☐ Show filing type

☐ Accounts
 ☐ Confirmation statements / Annual returns
 ☐ Capital
 ☐ Incorporation
 ☐ Charges
 ☐ Officers

Date	Description	View / Download
21 Jan 2025	Update statement made on 04 december 2024 no change	View PDF (1 page)
04 Dec 2023	Update statement made on 4TH december 2023 no change	View PDF (1 page)
16 Dec 2022	Registration of an overseas entity	View PDF (4 pages)

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THE MIDLAND RUBBER AND PRODUCE COMPANY LTD

Company number **OE008439**

Follow this company

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Overview

Filing history

People

More

Officers

Beneficial owners

Filter officers

☐ Current officers

There are no officer details available for this company.

30

Ajit Thomas **ACTIVE**

Correspondence address

27/1032, Panampilly Nagar, Ernakulam, Kerala, India, 682036

Notified on

27 July 1992

Date of birth

June 1954

Nationality

Indian,

Nature of control

Ownership of shares - More than 25%

31

Due Diligence Agent Details

Anti Money

Laundering Number:

Name Of Person

IAIN ALEXANDER OSTROWSKI-ROGERS

With Overall

Responsibility:

Supervisory Body:

FACULTY OFFICE OF THE ARCHBISHOP OF CANTERBURY

Agent's Name:

IAIN ALEXANDER OSTROWSKI-ROGERS

Agent's Address:

**SOUTHWEST HOUSE 11A REGENT STREET ST. JAMES'S
LONDON
England SW1Y 4LR**

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EIRGRID INTERCONNECTOR DESIGNATED ACTIVITY COMPANY

Company number **OE023876**

[Follow this company](#)

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[Overview](#)

[Filing history](#)

[People](#)

[More](#)

Correspondence address

**The Oval 160 Shelbourne Road, Ballsbridge, Dublin, Ireland,
DUBLIN 4**

Company status

Registered

Company type

Overseas entity

Registered on

7 February 2023

33

[Overview](#)

[Filing history](#)

[People](#)

[More](#)

[Officers](#)

[Beneficial owners](#)

3 active beneficial owners / 2 active statements

Statement **ACTIVE**

**All beneficial owners have been identified and all
required information can be provided**

Notified on

6 February 2025

Statement **ACTIVE**

**Nobody has become or ceased to be a beneficial
owner during the update period**

Notified on

6 February 2025

34

<p>Minister For Public Expenditure, National Development Plan Delivery And Reform ACTIVE</p> <p>Correspondence address Minister's Office Department Of Public Expenditure, Government Buildings, Upper Merrion Street, Dublin, Ireland, D02 R5B3</p> <p>Principal office address Minister's Office, Dept Of Public Expenditure, Ndp Delivery & Reform, Government Buildings, Upper Merrion Street, Dublin, Ireland, D02 R5B3</p> <p>Notified on 7 March 2012</p> <p>Governing law Ireland</p> <p>Legal form Corporation Sole</p> <p>Nature of control Ownership of shares - More than 25%</p>	<p>Minister For The Environment, Climate And Communications ACTIVE</p> <p>Correspondence address Tom Johnson House, Haddington Road, Dublin 4, Ireland, D04 K7X4</p> <p>Principal office address Tom Johnson House, Haddington Road, Dublin 4, Ireland, D04 K7X4</p> <p>Notified on 14 July 2009</p> <p>Governing law Ireland</p> <p>Legal form Corporation Sole</p> <p>Nature of control Has significant influence or control</p>
<p>Minister For Finance ACTIVE</p> <p>Correspondence address Minister's Office, Department Of Finance, Government Buildings, Upper Merrion Street, Dublin, Ireland, D02 R5B3</p> <p>Principal office address Minister's Office, Department Of Finance, Government Buildings, Upper Merrion Street, Dublin, Ireland, D02 R5B3</p> <p>Notified on 14 July 2009</p> <p>Governing law Ireland</p> <p>Legal form Corporation Sole</p> <p>Nature of control Has significant influence or control</p>	

35

<p>RICHMOND, THE AMERICAN INTERNATIONAL UNIVERSITY IN LONDON, INC.</p> <p>Company number OE023205</p> <p>Follow this company Request authentication code</p> <p>Overview Filing history People More</p> <p>Correspondence address Building 12 Chiswick Park, 566 Chiswick High Road, London, United Kingdom, W4 5AN</p> <p>Company status Registered</p> <p>Company type Overseas entity</p> <p>Registered on 4 February 2023</p>

36

Overview

Filing history

People

More

Officers

Beneficial owners

Filter officers

☐ Current officers

13 officers / 2 cessations

[COATE, Professor Kelly Lynn](#)

Correspondence address

Richmond The American University In London, Building 12 Chiswick Park, 566 Chiswick High Road, London, United Kingdom, W4 5AN

Role

ACTIVE

Date of birth

January 1967

Notified on

6 September 2023

Responsibilities

PROVOST AND DEPUTY VICE CHANCELLOR

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The cross-border functions of notaries in common-law jurisdictions



Authorities around the world (notaries, courts, registries, trade partners and counterparties) ask for documents to be notarised because they want to be able to place reliance on them.



The notary's job is to ensure that proper reliance can be placed on the document or matter that is authenticated by the notary.

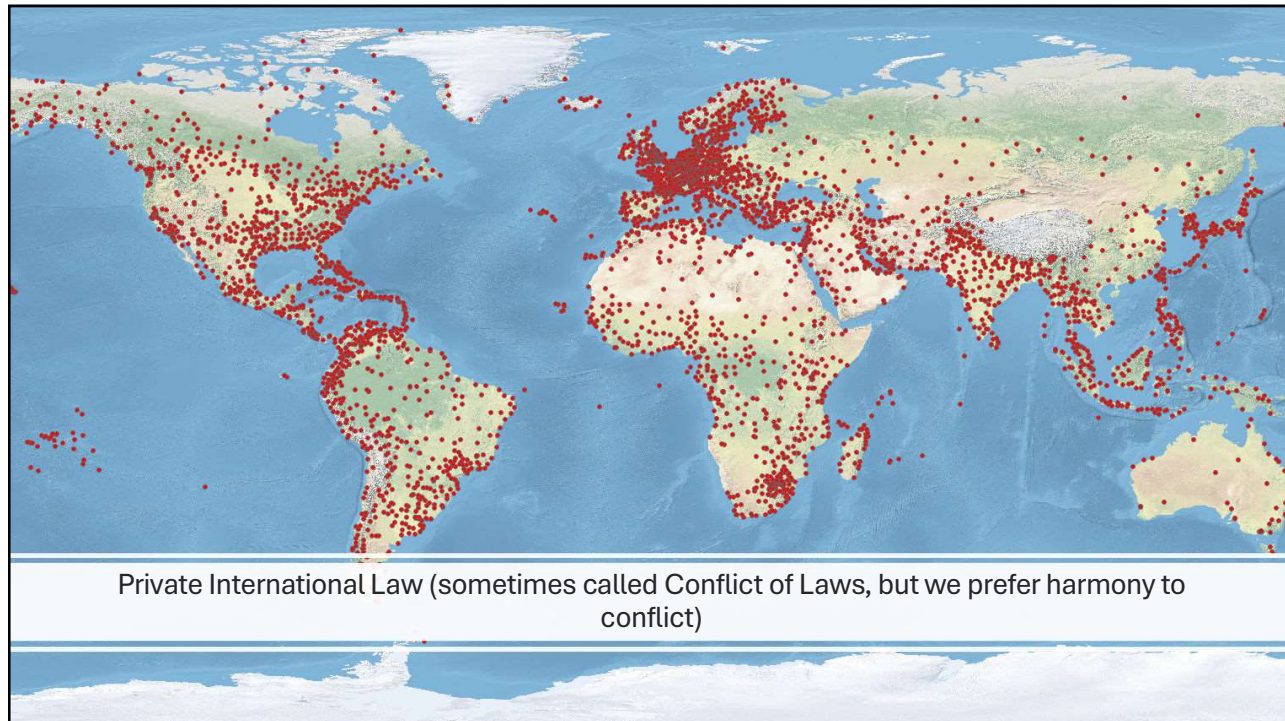


The notary may authenticate the entirety of the transaction or deed or document, or only part of it.



Accurate (positive) drafting is essential (clarity, professional presentation, protection for the notary).

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Statements of fact and statements of law (individuals or “private clients”)



Statements of fact:

an individual has appeared before me
(properly identified so as to guard against
identity fraud and identity theft)

a document has been signed in my presence
(by an individual who has made an informed
decision to be bound by the document)



Statements of law:

an oath or affirmation has been administered
to an individual who is making an affidavit

a power of attorney has been validly executed
according to the formalities of the notary's
legal system

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DURABLE POWER OF ATTORNEY

Know all men by these presents, that I, Catherine [REDACTED], formerly of [REDACTED] Street, Cambridge, MA 02139-1311, now residing at [REDACTED] River Gardens, Bray, Berkshire, SL6 [REDACTED], United Kingdom, do hereby constitute and appoint John [REDACTED] of [REDACTED] Commonwealth Avenue, [REDACTED] Boston, MA 02116, to my name, place and stead in connection with my TD Bank Account No: Account 8[REDACTED]0, Branch number 152, 535 Boylston Street, Boston, MA 02116, and to sign, seal, execute and deliver any and all papers, or instruments necessary, proper, convenient or incident thereto, in connection with transferring or wiring monies from said account and then closing the account and generally, to do all acts and take all steps which in my Attorney's judgment is necessary, convenient, expedient or incident to the performance of this Durable Power of Attorney, here giving my said Attorney full power and authority to do and perform any and all acts as fully and to all intents and purposes as I might or could do if personally present, with full power of substitution hereby ratifying and confirming all the acts of my said Attorney done by virtue and pursuant to these presents.

41

Country of _____

County _____

On this ____ day of _____, 20____, before me, the undersigned notary public, personally appeared Catherine [REDACTED], proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.

Notary Public
My Commission Expires:

42

Así lo dice y otorga el compareciente a quien hago las reservas y advertencias legales y después de leer la presente, hallándola conforme, ratifica su contenido y firma conmigo, el Notario, de lo que doy fe, así como la doy de que se han observado las formas y solemnidades exigidas por la Ley del lugar del otorgamiento de esta Escritura de Poder.-----

wnatsoever.-----

THUS the appearer states and grants to whom I make the required legal warnings and admonitions and after reading the present, finding it to be correct, He ratifies its contents and signs with me, the Notary, to which I certify, as I also do that the requisites and solemnities required by the Law of the place of granting of the present Deed of Power of Attorney have been complied with. -----

43

OTORGAMIENTO Y AUTORIZACIÓN

Así lo dice y otorga la Poderdante quien, previa lectura del presente documento en su versión inglés, se ratifica en su contenido y firma conmigo, de todo lo cual yo, **Iain Alexander Ostrowski-Rogers**, notario público, autorizado para practicar en todo el territorio de Inglaterra y Gales, doy fe.

También doy fe que en el otorgamiento de este poder se han observado las formalidades legales para que este poder sea válido según el derecho de Inglaterra y Gales.

EXECUTION AND AUTHENTICATION CLAUSE

I, **Iain Alexander Ostrowski-Rogers**, notary public authorised to practise throughout England and Wales, certify that these are the statements made and the powers granted by the Donor and, after reading this document in its English version, she ratifies the contents hereof and signs with me.

I also certify that in the grant of this power of attorney all the legal formalities have been observed for its validity in accordance with the law of England and Wales.

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Statements of fact and statements of law (companies and other entities or “business clients”)

Statements of fact:

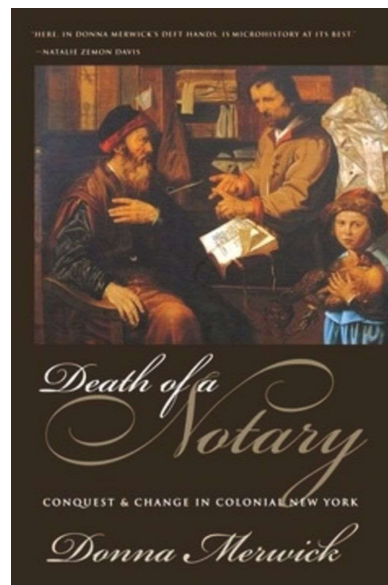
- a company exists (properly identified so as to guard against corporate identity fraud and corporate identity theft)
- these individuals are the directors of a company
these individuals are the beneficial owners of the company

Statements of law:

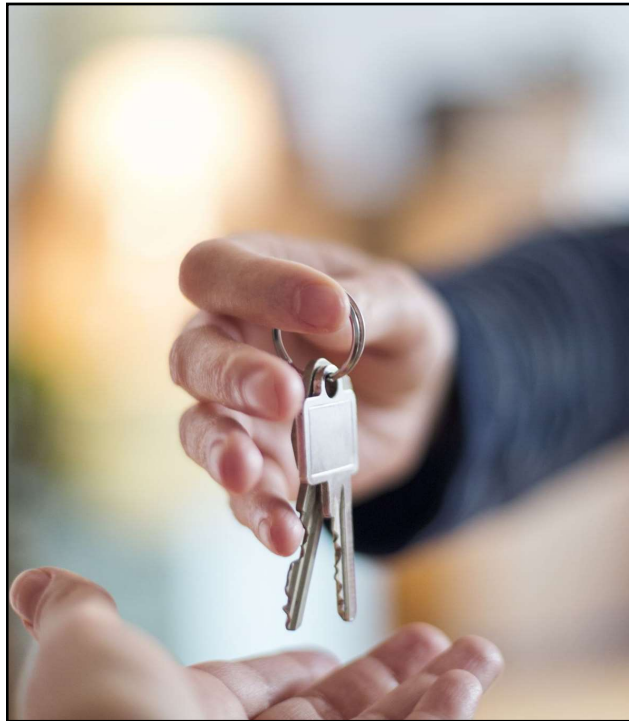
- the company has capacity to enter into a specific transaction
the director who has signed this contract has been authorised by the board to do so
- a power of attorney has been validly executed according to the formalities of the notary’s legal system

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What about
notaries
public in the
USA?



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Notaries and the prevention of fraud and the prosecution of fraudsters

Case studies:

- Cameroonian bonds
- The ghost of Bear Stearns
- Constructing a motorway bridge in Ecuador
- Fake degree certificates and fake universities

47



Preventing fraud



- An appointment at Barclays Bank.
- A room full of Italian “lawyers” and Cameroonian businessmen in expensive suits.
- A scruffy English solicitor.
- A pile of “bonds” issued by the Cameroon Ministry of Posts and Telecommunications with eye-watering face values...

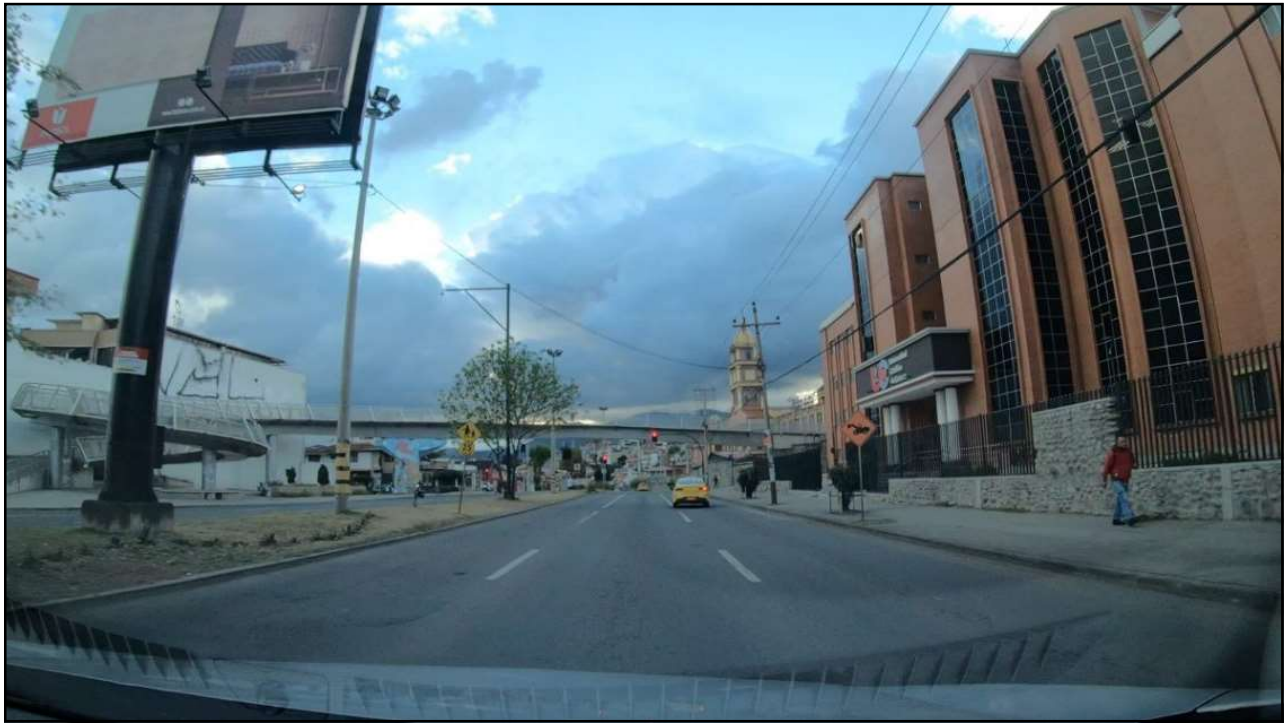
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Can you notarise
copies of the bonds
and confirm that the
originals have been
deposited at
Barclays Bank?

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'Staggering' trade in fake degrees revealed

© 16 January 2018

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Ensuring document authenticity

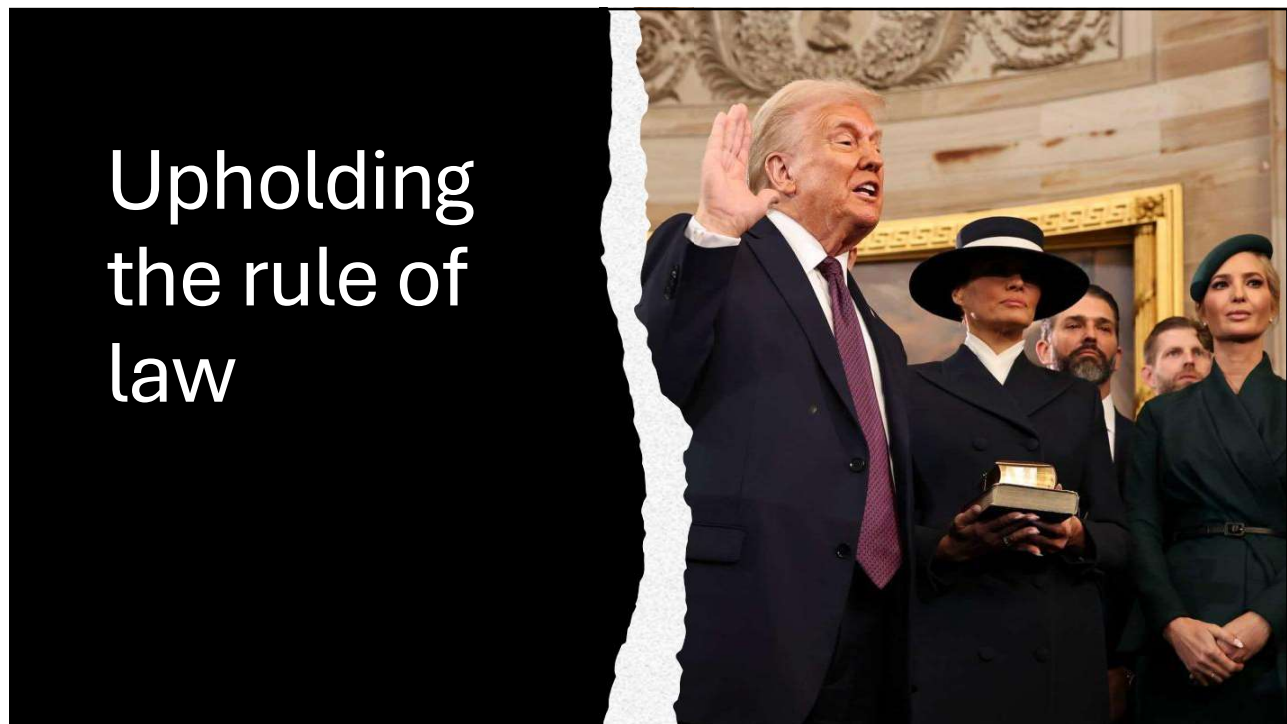
Career Dr
Educ

Programs that give you the edge in the job market

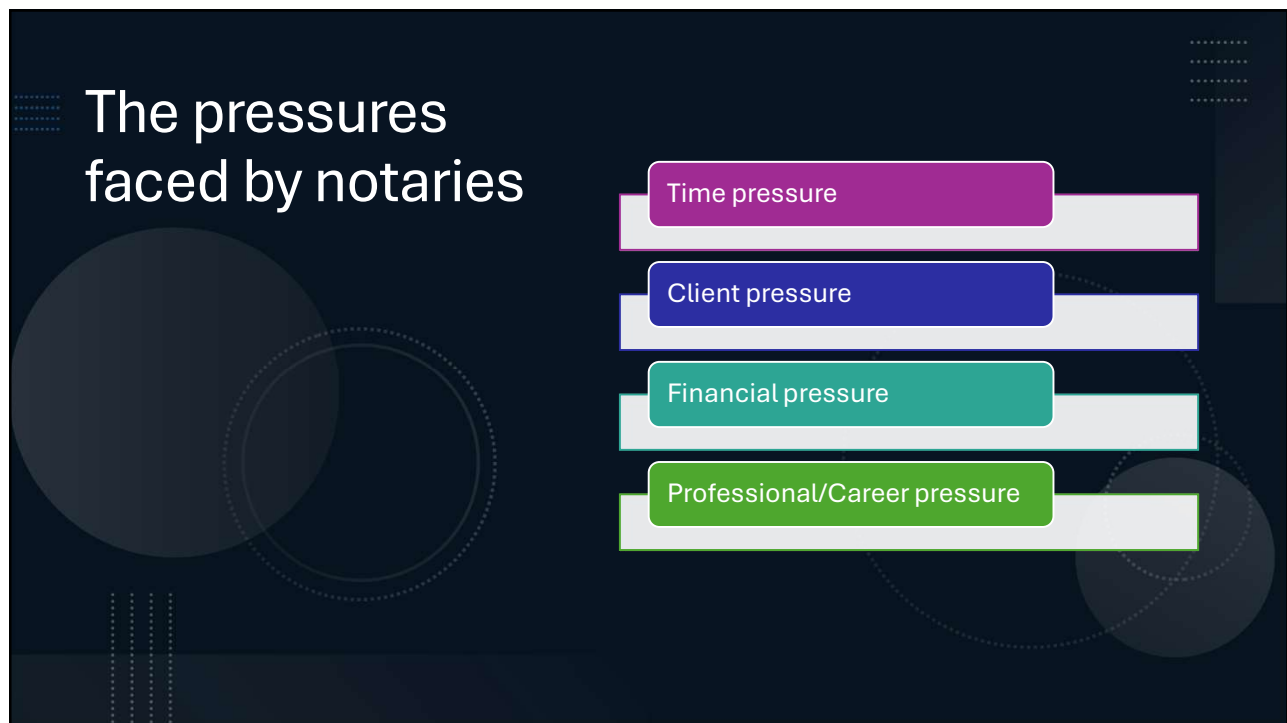
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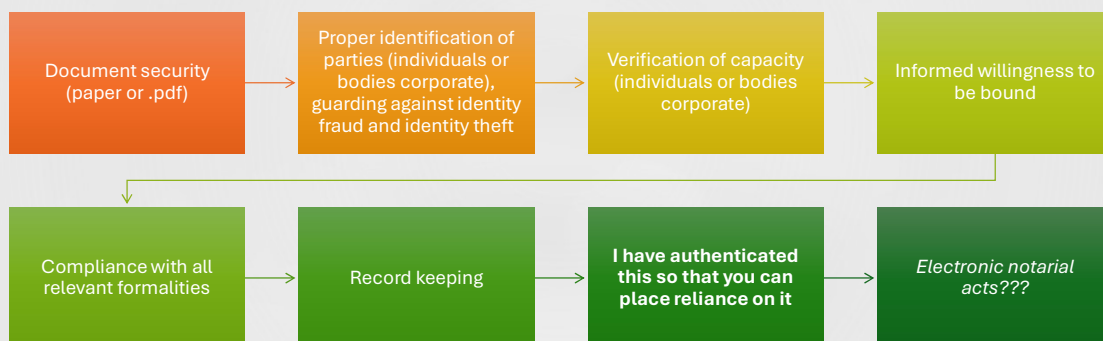
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The future...

A summary of why notaries continue to exist
and be valued

55

Safeguarding public trust – the guarantees that notaries give (not all apply to every notarial act)



56

The advantages of an electronic notarial act

Presentation and accessibility – a searchable (but locked) PDF

Think of the 27-page affidavit with 15 exhibits... how much better as an electronic notarial act?

No physical delivery of pieces of paper across international borders.

57

Some basic functions of a notary may disappear



It is possible to identify an individual securely using technology – why use a notary?



It is possible to verify that an individual has signed a document using technology – why use a notary?



Where statements of law are needed, the role of the notary is clear and indispensable (inheritance, compliance with (domestic) formalities, authority of company officers, etc.).



The future of notarial work is more complex and more interesting.

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Maintaining ethical standards in practice

- A carrot is better than a stick.
- If notaries enjoy being notaries and make good money from it, standards will be maintained as it is in the notary's best interests.
- Education is the cornerstone of maintaining standards.
- Education should provide a basic minimum level of competence for notaries so that the public is protected from poor service.
- Education can enable notaries to provide more in-depth services and improve the quality of their work.

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Thank you for listening

- <https://www.linkedin.com/in/iaian-ostrowski-rogers/>
- iaianor@depinna.co.uk
- iaian.rogers1@gmail.com

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