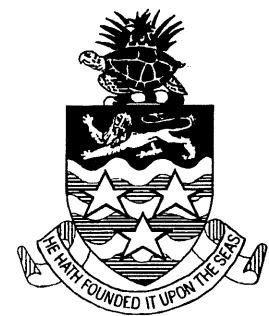


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THE NOTARIES PUBLIC (AMENDMENT) (NO. 2) LAW, 2003

(LAW 25 OF 2003)

ARRANGEMENT OF SECTIONS

1. Short title.
2. Amendment of section 2 of the Notaries Public Law (2003 Revision) - definitions.
3. Repeal of section 3 and substitution - authorisation of appointment.
4. Amendment of section 4 - registration of notaries public.
5. Amendment of section 10 - proceedings for misconduct.
6. Amendment of section 12 - notarial acts while suspended.
7. Amendment of the First Schedule - form of application for appointment as notary public.

CAYMAN ISLANDS

Law 25 of 2003.

I Assent

Bruce Dinwiddy

Governor.

Date:5th January, 2004

**A LAW TO AMEND THE NOTARIES PUBLIC LAW (2003 REVISION);
AND FOR INCIDENTAL AND CONNECTED PURPOSES**

ENACTED by the Legislature of the Cayman Islands.

1. This Law may be cited as the Notaries Public (Amendment) (No. 2) Law, 2003.

Short title

2. The Notaries Public Law (2003 Revision), in this Law referred to as “the principal Law”, is amended in section 2 by inserting the following definition in its appropriate alphabetical order-

Amendment of section 2 of the Notaries Public Law (2003 Revision) - definitions

“Governor”, except in section 10, means the Governor acting on the advice of the Cabinet of the Islands;”.

3. The principal Law is amended by repealing section 3 and substituting the following-

Repeal of section 3 and substitution - authorisation of appointment

“Authorisation of appointment

3. (1) The Governor may authorise any person who-

- (a) has been employed in a management position in a company or in a public office for a period of three years or more; or
- (b) has been employed as an attorney at-law for a period of three years or more; or
- (c) has been employed as a certified public or chartered accountant for a period of three years or more; or
- (d) has been employed in any other

- profession specified from time to time by the Governor;
- (e) is considered by the Governor to be otherwise qualified to carry out the functions of a notary public; and
- (f) has applied in writing to the Attorney General in the form in the First Schedule,

to be appointed by the Clerk as a notary public.

(2) An applicant shall provide the Attorney General with any further information that the Governor requires in considering an application under this section and such additional information shall include but is not limited to-

- (a) two character references;
- (b) a police record;
- (c) a photograph of the applicant certified by a justice of the peace, a notary public, a minister of religion, a police officer (gazetted), a medical doctor, a member of the Legislative Assembly or an attorney-at-law to be a true likeness of the applicant.”.

Amendment of section 4- registration of notaries public

4. The principal Law is amended in section 4 (2) as follows-
- (a) in paragraph (b), by repealing the word “and”;
 - (b) in paragraph (c), by deleting the full stop and substituting a semi-colon and the word “and”; and
 - (c) by inserting after paragraph (c) the following paragraph-
“(d) given an undertaking signed by him in which he agrees to file with the Clerk a notice setting out any changes after his appointment relating to-
 - (i) his residence;
 - (ii) his profession or occupation;
 - (iii) any criminal convictions; and
 - (iv) an adjudication as a bankrupt.”.

Amendment of section 10- proceedings for misconduct

5. The principal Law is amended in section 10 as follows-
- (a) by inserting after subsection (2) the following subsection-

“(2a) Where it is brought to the attention of the Governor that a notary public has been affected by any or all of the type of changes set out in section 4 (2) (d) and that he has failed to file with the Clerk a notice in accordance with that section, the Governor may suspend the notary public from office or revoke his appointment and direct the Clerk to endorse a notation of such suspension or to remove his name from the Register, as the case may be.”;

- (b) in subsection (3), by repealing the word “and” where it first appears and by substituting a comma and by inserting after “(2)” the words “and (2a)”;
- (c) in subsection (4), by inserting after “(2)” the words “,(2a)”.

6. The principal Law is amended in section 12 by inserting after the words “section 10 (2)” the words “or (2a)”

Amendment of section 12-notarial acts while suspended

7. The principal Law is amended in the First Schedule by adding at the end thereof the following words-

Amendment of the First Schedule- form of application for appointment as notary public

“This application form shall be accompanied by the following documents-

- (a) two character references;
- (b) a police record; and
- (c) a photograph of the applicant certified by a justice of the peace, a notary public, a minister of religion, a police officer (gazetted), a medical doctor, a member of the Legislative Assembly or an attorney-at-law to be a true likeness of the applicant.”.

Passed by the Legislative Assembly this 3rd day of December, 2003.

LINFORD A. PIERSON

Speaker.

WENDY LAUER EBANKS

Clerk of the Legislative Assembly.