

1969 Bill 31

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Second Session, 16th Legislature, 18 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 31**

**An Act to amend The Notaries Public Act**

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THE ATTORNEY GENERAL

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First Reading .....

Second Reading .....

Third Reading .....

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Printed by L. S. Wall, Queen's Printer, Edmonton

# BILL 31

1969

An Act to amend the Notaries Public Act

(Assented to \_\_\_\_\_, 1969)

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. *The Notaries Public Act* is hereby amended.
2. Section 3 is amended by adding after the word "member" the words "or member-elect".
3. Section 4 is amended by adding the following after subsection (1):
  - (1a) Notwithstanding subsection (1), the appointment of a notary public may be made limited to the power to
    - (a) administer oaths attested by his signature and seal, and
    - (b) attest all commercial instruments that are brought before him for public protestation.
4. Section 7 is amended by striking out subsection (1) and by substituting the following:
  7. (1) A notary public appointed under this Act who is not a barrister and solicitor of the Province shall, on each affidavit, declaration or acknowledgment taken or given by him, instrument attested by his seal and notarial certificate given by him, write or stamp the date upon which his commission expires.
5. This Act comes into force on the day upon which it is assented to.

## Explanatory Notes

**1.** This Bill amends chapter 222 of the Revised Statutes.

**2.** Section 3 presently reads:

3. A member of the Legislative Assembly of Alberta is ex officio a notary public for the Province.

**3.** Restricted appointments provided for. Section 4 (1) presently reads:

4. (1) A notary public may, during pleasure,
- (a) administer oaths attested by his signature and seal,
  - (b) draw, pass, keep and issue deeds and contracts, charter parties and other mercantile transactions in the Province,
  - (c) attest all commercial instruments that are brought before him for public protestation,
  - (d) exercise all such other powers that customarily pertain to the office of notary public, and
  - (e) demand, receive, and have all the rights, profits and emoluments rightfully appertaining and belonging to the calling of notary public.

**4.** Section 7(1) presently reads:

7. (1) A notary public appointed under this Act who is not a barrister and solicitor of the Province shall write or stamp on each affidavit, declaration or other certificate taken or given by him the date on which his commission expires.