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# The Creation and Purpose of Regulatory Bodies in BC



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**R**egulation or Regulatory invokes visions of rules and bureaucratic decision-makers huddled in low-lit, dingy backroom offices, scheming how to make some member's life miserable and, at the same time, frustrate the consumers until they simply go away.

I think by the time you get through this issue of *The Scrivener*, which focuses on some of the Regulatory bodies in British Columbia, that view will be dispelled.

Looking back at the history of The Society of Notaries in British Columbia, our organization was founded because of the issue of Regulation.

As the Colony was being developed and populated, the Governor was busy appointing Notaries throughout the territory as he attempted to make certain that the needs of the population were being satisfied. Following the formation of the Provincial Legislature, the appointment of Notaries fell to government. They, too, were busy appointing Notaries all over the province.

Over time, it became apparent to some of the leaders of the day that the government was not doing a very good

job of recording the names of these Notaries and where they were located. Thus a member of the public could not be assured he or she was indeed dealing with a *bona fide* Notary.

The records in our office indicate that prior to the formation of The Society of Notaries, there may have been more than 2000 Notaries spread throughout the province. A few of the prominent Notaries of the day gathered to investigate the formation of an organization that would have, as its mandate, protection for the public. They also wanted to set a standard for admittance and provide a record of registration.

**To become a Notary in British Columbia, a person must be of impeccable integrity...**

The first Notary Act soon followed, because the government of the day recognized it was in the interests of the citizens to have a regulatory body to

- maintain a roster of Notary members;
- administer education and admittance standards; and
- ensure a process of discipline for any members who might stray outside the boundaries of the acceptable social and professional

requirements of a Notary in British Columbia.

I suspect many of the professional associations in British Columbia today had the same start and a similar history.

Today, The Society of Notaries requires that our members adhere to a strict code of ethics. To become a Notary in British Columbia, a person must

- be of impeccable integrity;
- meet certain educational standards;
- have a strong financial foundation;
- complete 2 years of intensive study in the areas of law in which BC Notaries are permitted to practice;
- complete a practical study and training program; and
- pass the six statutory examinations in the following subjects.

Notarial Studies  
Statutes  
Wills and Estates  
Property Law  
Conveyance Practice  
Contract Law

The current *Notaries Act* gives The Society the power to discipline any member found guilty of infractions by requiring the Notary to make