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TILMA

Will Facilitate the Mobility of Legal Professionals between BC and Alberta

The Spring of 2008 could be a very interesting time for The Society of Notaries Public.

The government of our day has, for the past couple of years, been negotiating and finalizing what is known as the TILMA Agreement or Trade Investment Labour Mobility Agreement.

The basic intent of the agreement is to allow professionals, trades, and many other types of organizations the ability to work between the provinces of British Columbia and Alberta. In its purest form, TILMA will affect Notaries in our province—a BC Notary Public could move to Alberta to practise in that jurisdiction with minimal red tape and a Notary or lawyer in Alberta could move to BC to practise.

Practically speaking, the British Columbia Notary Public is unique in Canada; the powers afforded them here are not applicable in Alberta. Hence, it will be highly unlikely that a BC Notary will move to Alberta under this agreement. It will be much more probable that a lawyer would want to move from Alberta to BC to practise as a Notary Public.

That leads to the issue at hand, which will change the face of The

Society as we have known it since 1981 with respect to the number of BC Notaries in our province, and the areas in which they are permitted to practise under the present statute.

**That new status
will be welcomed by
our Society. It will permit
our members to better
serve the public.**

In 1981 an agreement between the Law Society and The Society of Notaries Public was reached, creating a statute that limits the number of Notaries in the province to 323. The statute also limited the jurisdictions where Notaries could open an office.

In all, 75 Notarial Districts were created, with a Notarial Seal (or Seals) allocated to each District. Each Seal represents one BC Notary Public.

For example in Vancouver, 107 seals were allocated. Hence, in the City of Vancouver, there are almost 107 practising Notaries. In the jurisdiction of Delta, only 4 Seals were allocated.

Since 1981, some areas of our province have become much more densely populated, which was

unforeseen. As the population has shifted and grown, Notarial Seal allocations have not. Because of the statute's jurisdictional restrictions, many areas of British Columbia are **not** being served by Notaries. One of the many examples of the inadequacy of the present legislation is the City of Langford, located near Victoria.

Numerous thriving communities around British Columbia did not even exist in 1981.



The situation will likely change at the end of the Spring legislative session.

For TILMA to work, members of the organizations must be permitted to move freely. Thus, the restrictions on the number of BC Notaries would be removed and the jurisdictional boundaries lifted, allowing Notaries Public the mobility to practise throughout the province.

That new status will be welcomed by our Society. It will permit our members to better serve the public.

Notaries Public in our province are in demand by the public for their services, which include Conveyancing, Mortgages, Wills, Powers of Attorney, and Representation Agreements. Should this legislation be introduced, it will benefit all British Columbians. ▲