

Wayne Braid



Working Together *for* Our Clients

Welcome, Ralston Alexander—this issue’s Cover Story!

I had the pleasure of working with Ralston on the committee for the formation of the new Land Title and Survey Authority (LTSA).

I was always impressed by his quick wit and strong opinions. He attacked problems with a view to providing a solution. Citizens in British Columbia can be thankful we had Ralston’s strong leadership and determination for that project.

As we continue our focus on Allied Professionals, it is no secret that the relationship between BC Notaries and lawyers over the years has not always been friendly and not always allied. We compete in certain areas of practice, mainly conveyance and property law. Most Notaries, however, have established a very good working relationship with a lawyer in their community and refer that lawyer many clients who require services that Notaries do not provide. Many of our clients—when they require a lawyer for family law services, such as a divorce, or a lawyer who specializes in tax law or criminal law—can count on their local Notary to know a lawyer who will assist them.

The Notary Society is working with the Law Society on such matters as the LTSA, on issues that threaten the Torrens system of land registry, and on related notices in BC for the protection and benefit of British Columbians.

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Recently I was part of an International Forum of Notaries and lawyers from around the world who participated in discussions and examined ways we can work together to assist people with their legal document needs, when they do business from country to country.

Notaries’ offices around the world are attended by businesspeople wanting to send their products, ideas, recourses, or people to another country. In BC, clients may be looking to send documents to another country.

How else will the regulator, government official, business partner, or lender in the other country be sure that

what is being submitted is authentic or that the sender is genuine?

The October 1961 Hague Conference on Private International Law developed the *apostille*, a document used to authenticate papers travelling between/ among the 87 nations that have signed the Hague Convention. (<http://www.hcch.net>) Derived from the French word for “certification,” the *apostille* is comparable but not identical to an attestation by a Notary Public in common law systems.

As technology shrinks time and distance, there is high demand for the more efficient transmission of commerce documents.

On May 30 and 31, 2005, the First International Forum on e-notarization and e-Apostilles was conducted jointly by the National Notary Association, Hague Conference for Private International Law, and International Union of Latin Notaries. Milt Valera, President of the National Notary Association in the USA, was our host.

I was invited to show participants how British Columbia has designed, developed, and implemented an electronic process to register land titles and mortgages. Representatives from Italy, Austria, and Mexico also presented their systems.