

KEYNOTE: INTERNATIONAL INTERESTS

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Notaries Throughout the World

Courtesy of our regular contributing authors and special guest writers, this issue offers insight into the international scene. We especially enjoyed doing the Cover Shoot at Whistler and bringing five voices together in the Cover Story—to share timely information with you, our faithful readers.

The international role of the Notary Public personifies a rich tradition of public trust that reaches back in history to early Roman times. In ancient times, Notaries were the principal agents, scribes, and scribes for commercial and judicial law. Traditionally, Notaries have protected the interests of the people, clarifying the complexities of the law and making it more accessible. Notaries to this day have maintained the qualities that have been constant throughout history: a person of impeccable integrity who can be trusted.

Those of our readers who have roots in areas of the world that use Latin Civil Code of Law have a quite different perception of the role of a Notary Public than does the average Canadian. They view a “Notaire” or “Notario Publico” as a special legal professional—one whose word is his or her bond; one who has a duty to both sides involved in a non-contentious matter; one with a duty to ensure that both are made fully aware of all aspects of the legal matters under consideration.

Such Latin Law Notaries serve the public in almost all of Europe, many other countries in Africa and Asia, and

most of Central and South America—in general, much of the world that was not involved with the advent of Common Law from England.

In North America, we have Latin Law Notaries only in Quebec and Louisiana—both as a result of the influence of the French, who introduced their brand of Civil Law in those areas.

Notaries in Latin Law countries hold a very special place in their communities.

In most of these countries, Notaries are university trained in the law alongside “advocates,” legal professionals who subsequently specialize in contentious legal matters through the countries’ court systems. Most countries require Notaries to take additional training in notarial law before they go into private practice. Some of the countries have universities with specialized training in notarial law, in which case the separation between Advocates and Notaries begins early in their training.

Notaries in Latin Law countries hold a very special place in their communities. They are indeed considered vital and important individuals and receive the same respect and similar income to doctors and other distinguished professionals.

Fees, in most countries, are set by law at quite high levels. The intention is to ensure that Notaries are well compensated for the services they provide, commensurate with the importance of the matters at hand. Their reputation is their most important asset and such professionals do not risk this for any reason.

The “International Union of Latin Notariat” (UINL), founded on October 2, 1948, is an international association that draws together the various national Notariats in countries where such a legal institution exists. It was founded to promote, coordinate, and develop notarial activity in the international sphere, to ensure the dignity and independence of the profession and to improve services at the personal and community level. The Union represents the Notaries before the international organizations with which it works, contributing the experience and advice of those who practise law in the diverse spheres of individual rights, whether it is in commercial, family, inheritance, or property matters.

The article that follows is by Angel R. Marrero of Puerto Rico, Vice President of UINL. He also speaks to us in the Cover Story.

Our very best to you all in 2004! ▲

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