Vietnam has recently changed its policy, now allowing certified and approved Notaries to open private Notary Public offices to serve the general public.

According to VietNamNet Bridge, in July of 2008 Hanoi authorities assigned the local Department of Justice to evaluate and submit applications for opening private Notary Public offices in Hanoi, capital of Vietnam, located in the northern part of the country.

Hanoi currently has about 16 private Notary Public offices; it is estimated that by the end of 2008, Hanoi will have up to 26.

Hanoi is the third location in Vietnam—after Can Tho City and Ba Ria-Vung Tau province in the South—to open private Notary Public offices.

In the past, all documents that needed to be authenticated and notarized were handled by the State Notaries (public sector), which could take hours or days to complete, not to mention the long lineup to submit documents for notarization. A line could stretch the length of a two-storey building because the State Notaries were overloaded with work and lacked the manpower to handle the volume. State Notaries are usually high-ranking government officials and lawyers.

Consequently, this recent change is welcomed by many. Private Notary Public offices have proven to provide a better and more efficient service to the general public. Thanh Nien News reports that private offices are more spacious and are often furnished with air conditioning.

Vietnam is developing so rapidly, the private sector is needed to deal with the huge workload faced by the public sector and to create fair and healthy competition.

Hanoi currently has about 16 private Notary Public offices; it is estimated that by the end of 2008, Hanoi will have up to 26. Hanoi has a population of over 3 million people; it is estimated that by 2009, each Notary office will serve 120,000 individuals.

In August of 2008, 8 private Notary Public offices were opened in Ho Chi Minh City—known as Saigon before 1975—in the southern part of the country.

The Notary Laws were in effect in July 2007. The private offices adopt
the organizational models of European and American Notary agencies. Today, there are about 140 Notaries Public in Vietnam.

I made a phone call to one of the private offices in Ho Chi Minh City on behalf of my client to find out the services they provide. One of the senior Notaries told me they could do notarization and attestation of documents, contract law, real estate transactions, and mortgages, to name just a few.

A newly designed Website, www.manhhunggroup.com.vn (posted in Vietnamese), lists all the services and powers of a Notary Public.

The senior Notary also indicated that any documents coming from a foreign country must be reviewed prior to performing any notarization and/or attestation to the documents, to ensure the Notary has the power to perform such tasks.

To open a private Notary Public office in Vietnam, a person must be a law graduate with 5 years of experience in the field.

If you have clients who need documents witnessed by a Notary Public in Vietnam, it is advisable that you or the clients communicate with the Notary to ensure he or she has the power and authority to perform the tasks at hand.

For example, a Notary may act as an officer to witness the signature of the donor on a Power of Attorney, but will not witness as an officer on a Form A Freehold Transfer.

Private Notary Public offices are welcomed and appreciated by the general public because the policies can speed up the wait time and relieve pressure on the State Notaries.

The new policy is good for the people of Vietnam—and anyone who travels to Vietnam—who may be in need of notarial services. They now are readily available and accessible.

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