

L.N. 31 of 2005**NOTARIES PUBLIC (GROUNDS FOR REFUSAL TO ISSUE
PRACTISING CERTIFICATE) RULES**

(Made by the Council of Management of Hong Kong Society of
Notaries under section 73D of the Legal Practitioners
Ordinance (Cap. 159) subject to the prior approval
of the Chief Justice)

1. Commencement

These Rules come into operation on the day appointed for the commencement of the Legal Practitioners (Amendment) Ordinance 1998 (27 of 1998) (except sections 1 and 7 of that Ordinance).

2. Grounds for refusal to issue practising certificate

(1) The grounds on which the Society of Notaries may refuse to issue a practising certificate to an applicant are the following—

- (a) that the application does not comply with section 2 of the Notaries Public (Practising Certificate) Rules (L.N. 32 of 2005);
- (b) that in the opinion of the Society, the applicant—
 - (i) has conducted himself in a manner that is unbecoming of a notary public; or
 - (ii) is unfit to practise as a notary public.

(2) Without limiting the generality of subsection (1)(b), an applicant may be regarded as having conducted himself in a manner that is unbecoming of a notary public or as being unfit to practise as a notary public if—

- (a) the applicant has been suspended from practising either as a notary public or as a solicitor;
- (b) the applicant is entitled to practise the law of a foreign jurisdiction, but he has been suspended from so practising;
- (c) the applicant has been convicted in Hong Kong or elsewhere of an offence involving fraud, dishonesty or moral turpitude;
- (d) the applicant has knowingly provided to the Society of Notaries false or misleading information in relation to the application; or
- (e) the applicant suffers or appears to suffer from a mental disorder within the meaning of the Mental Health Ordinance (Cap. 136).

Approved this 31st day of December 2004.

Andrew LI
Chief Justice

Made this 28th day of February 2005.

Peter W. H. MARK
President

Lester G. HUANG
Vice President

Robin M. BRIDGE

CHAN Bing Woon

Ella Shuk Ki CHEONG

Timothy HANCOCK

Jesse KWOK Hong Yee

Paul M. W. LI

Rebecca LO

MA Ching Nam

Samuel Y. S. WONG

Explanatory Note

These Rules prescribe the grounds on which Hong Kong Society of Notaries may refuse to issue a practising certificate to an applicant.