

UNEDITED

# *The Notaries Public Act*

*being*

Chapter 74 of *The Revised Statutes of Saskatchewan, 1953*  
(effective February 1, 1954).

FOR HISTORICAL REFERENCE ONLY

## **NOTE:**

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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## CHAPTER 74

### An Act respecting Notaries Public

#### Short title

1 This Act may be cited as *The Notaries Public Act*.

R.S.S. 1953, c.74, s.1.

#### Appointments

2 The Lieutenant Governor in Council may, by commission under his hand and the seal of the province, appoint one or more notaries public for Saskatchewan, provided that no appointment shall be made of any person who at the time is not a British subject actually residing within Saskatchewan.

R.S.S. 1940, c.68, s.2; R.S.S. 1953, c.74, s.2.

#### Powers

3 Every such notary shall during pleasure have, use and exercise the power of drawing, passing, keeping and issuing all deeds and contracts, charter-parties and other mercantile documents in the said province, and also of attesting all commercial instruments that may be brought before him for public protestation and otherwise acting as usual in the office of notary, and may demand, receive and have all the rights, profits and emoluments rightfully appertaining and belonging to the said calling of notary public.

R.S.S. 1940, c.68, s.3; R.S.S. 1953, c.74, s.3.

#### Fee for commission

4 For every commission issued under this Act there shall be payable to the consolidated fund such sum as may be fixed by the Lieutenant Governor in Council.

R.S.S. 1940, c.68, s.4; R.S.S. 1953, c.74, s.4.

#### Duration of commission

5 Every commission issued under this Act shall unless issued to a person who is or afterwards becomes a solicitor of Saskatchewan residing therein, and unless it is sooner revoked, expire at the expiration of two years from the thirty-first day of December of the year in which it is issued.

R.S.S. 1940, c.68, s.5; R.S.S. 1953, c.74, s.5.

#### Date of expiration of commission noted on certificate

6(1) A notary public whose commission expires under the terms of section 5 shall write or stamp on every affidavit declaration or other certificate made before or given by him the date on which such commission expires.

(2) A notary public who fails to comply with the provisions of this section is guilty of an offence and liable on summary conviction to a fine not exceeding \$10 and costs.

R.S.S. 1940, c.68, s.6; R.S.S. 1953, c.74, s.6.

**Automatic revocation of commission in certain cases**

7(1) When, pursuant to *The Legal Profession Act*, a solicitor who is a notary public is struck off the roll of barristers and solicitors or suspended from practising, for any cause other than non-payment of fees payable by him to the law society, he shall thereupon cease to be a notary public and his commission shall thereupon become automatically revoked and he shall forthwith forward the commission to the Attorney General. If he fails to do so he is guilty of an offence and liable on summary conviction to a fine not exceeding \$50.

(2) A person whose commission as a notary public is revoked pursuant to subsection (1) and who after such revocation uses or exercises any of the powers conferred by this Act upon a notary public is guilty of an offence and liable on summary conviction to a fine not exceeding \$100.

1947, c.33, s.1; R.S.S. 1953, c.74, s.7.