

**NOTARIES PUBLIC (GROUNDS FOR REFUSAL TO ISSUE
PRACTISING CERTIFICATE) RULES**

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NOTARIES PUBLIC (GROUNDS FOR REFUSAL TO ISSUE PRACTISING CERTIFICATE) RULES

(Made under section 72 of the Legal Practitioners Ordinance (Cap. 159))

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).

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. of 2002);
- (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 reasonably 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 his application for a practising certificate; or
- (e) the applicant is suffering or appears to suffer from a mental disorder within the meaning of the Mental Health Ordinance (Cap. 136).

Chief Justice

2002

Explanatory Note

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