

Documents requiring a Public Notary (or Notary Public)

A *public notary* (or notary public) is appointed by the Supreme Court of NSW Australia and may be required when documents are to be used outside Australia in another country.

The documents to be used in another country may be:-

- Copies of documents that are located in Australia
- Documents prepared in another country to be signed in Australia

What to check in the other country

Ask in the other country whether a *notarial certificate* must be attached to the certified copies of a document or the document signed. This may depend on whether the document must go to the consulate or embassy of the other country in Australia before being used in the other country.

Before a *notarial certificate* can go to the consulate or embassy of another country in Australia the *notarial certificate* must first go to the Australian Department of Foreign Affairs & Trade (DFAT). DFAT attaches either an *apostille* or *legalisation certificate* to the *notarial certificate* depending on the other country's requirements.

If the other country accepts *apostilles* the *notarial certificate* will not have to go to the embassy or consulate of the other country in Australia. If the other country requires a *legalisation certificate* from DFAT then the *notarial certificate* with the *legalisation certificate* attached must go to the embassy or consulate so they can attach an *authentication certificate*. If required, you will have to make the applications to DFAT, embassy or consulate and pay the fees.

Also ask whether the other country requires any documents to be translated? A notary public does not require translation or to be able to speak the other language. You need to be able to let the notary public know these things when you come in for your appointment.

Copies of documents certified by notary

You will need to bring in with you the original documents and your identification. You can provide your own copies of the documents. If you would like colour copies of documents you should make those copies yourself. Documents can be emailed and printed out in black & white. USB drives usually cannot be plugged into the computers at the notary's office.

Signing documents in front of notary

A notary public can witness the signing of a document even when the notary does not speak the language the document is in. Your identification must be provided when signing in front of the notary public. The document will be dated that day.

When the notary public signs a document their notary seal (or stamp) is affixed. If a *notarial certificate* is required it is bound to the document by red ribbon and sealed. The notary public keeps a copy of the documents.

The fees payable to the notary public depends on the number of documents, amount of copying, whether a *notarial certificate* is required and the time taken to undertake the work.

Original documents

You would normally prefer not to provide original documents to immigration officials in case they are lost and are difficult to replace. However, sometimes an original document has to be provided, for example, an Australian National Police Certificate. Keep copies of any original documents that you provide.

Foreign governments sometimes need proof that the signature of an Australian official on a public document is genuine. This is not a service that a notary public can provide. The Department of Foreign Affairs & Trade (DFAT) can certify that a signature on an official Australian public document is genuine. You must apply to DFAT for an authentication or apostille depending on what is required by the foreign government.