

Uganda

Notaries Public Act Chapter 18

Legislation as at 31 December 2000

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Notaries Public Act
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Uganda

Notaries Public Act Chapter 18

Commenced on 23 November 1950

[This is the version of this document at 31 December 2000.]

[Note: The version of the Act as at 31 December 2000 was revised and consolidated by the Law Reform Commission of Uganda. All subsequent amendments have been researched and applied by Laws.Africa for ULII.]

An Act to consolidate the law relating to notaries public.

1. Minister may direct that certain persons be licensed as notaries public

The Minister shall have power to direct the chief registrar of the High Court to issue a licence to any person—

- (a) who has proved to the satisfaction of the Minister that he or she is entitled to function as a notary in England, Scotland or Northern Ireland; or
- (b) who has been enrolled as an advocate in the High Court and is of not less than five years' standing either as such advocate or in the capacity which qualified him or her for enrollment as such advocate and who is recommended by the Chief Justice,

to be enrolled upon the roll of notaries public kept under [section 2](#) and to exercise within Uganda the functions and duties commonly performed by notaries public of the United Kingdom and to levy fees in accordance with the Second Schedule to this Act.

2. Notaries public to be enrolled and to take out a certificate

- (1) The registrar, on receiving from the Minister the directions mentioned in [section 1](#), and on receiving from the person requiring to be licensed as provided in [section 1](#) the fees prescribed in the First Schedule to this Act, shall enroll the name of that person in a book which shall be kept for that purpose in the office of the chief registrar of the High Court, and shall issue to that person a certificate of enrollment in the form set out in the Third Schedule to this Act which certificate shall authorise that person to perform within Uganda the functions and duties of a notary public up to the 31st December next after the certificate shall have been issued.
- (2) The chief registrar of the High Court shall on the receipt of the fee prescribed in the First Schedule to this Act either—
 - (a) issue a fresh certificate at any time in case a former certificate has expired; or
 - (b) renew an existing certificate by endorsement on it, to any person whose name is on the roll of notaries public, but every such fresh certificate or renewal thereof shall expire on the 31st December after the fresh certificate or renewal is issued.
- (3) Where a certificate issued under this section is shown to the satisfaction of the registrar to have been inadvertently lost, destroyed or mutilated, it may be replaced by a copy of the certificate upon the application of the person entitled to it and payment of the fee prescribed in the First Schedule to this Act.

3. Magistrates and registrar to have powers of notaries public *virtute officii*

Every magistrate and the chief registrar of the High Court (which expression shall include deputy and district registrars) shall have, *virtute officii*, all the powers and duties of a notary public in respect of administering oaths, taking affidavits, attesting signatures and certifying to copies of documents; but all

fees taken by a magistrate and chief registrar of the High Court under this Act shall be paid by them into the Consolidated Fund.

4. Suspension or cancellation of certificate

Any certificate issued under [section 2](#) may be suspended or cancelled, and any notary public may be suspended from practising or his or her name may be struck off the roll of notaries public in the same manner, and by the same procedure and for the same causes as an advocate of the High Court may be suspended or struck off the roll and also for making any charge or demanding any payment for any notarial act in excess of that prescribed in the Second Schedule to this Act.

5. Penalty for unlawfully practising

Any person who holds himself or herself out to be a notary public or receives any fee or reward as a notary public, unless he or she is enrolled under this Act, and is the holder of a certificate then in force, or is a magistrate or the chief registrar of the High Court, commits an offence against this Act and is liable on conviction to a fine not exceeding six hundred shillings, and for a second offence to imprisonment for a period not exceeding six months, in addition to, or in substitution for, a fine which may amount to two thousand shillings; but this section shall not be construed to exempt any person from any prosecution under the provision of any law to which he or she would otherwise be liable.

6. Power to add to or alter the Second Schedule

The Minister may, at any time by statutory instrument, alter or revoke the fees prescribed in the Second Schedule to this Act and may specify the fees which may be charged in respect of any notarial act not specifically mentioned in the Second Schedule, and upon such notification the Second Schedule shall be deemed to be amended accordingly.

First Schedule (s. 2)

Enrollment fees

		shs.
1.	Fee payable on appointment as notary public and for the issue of an original or a fresh certificate to practise	200
2.	On yearly renewal of certificate	60
3.	For copy of certificate lost, destroyed or mutilated	20

Second Schedule (s. 1)**Fees to be levied**

	shs.	cts.
1. For noting a marine protest and furnishing one certified copy if required	15	00
2. For filing a request for survey and issuing order of survey	22	50
3. For receiving report of survey, filing original in archives, if not exceeding two hundred words, and furnishing, if required, one certified copy of request, order and report of survey	45	00
4. For extending marine protest, if not exceeding two hundred words, filing original and furnishing one certified copy if required. (This is to be exclusive of any fee for oaths or declarations or for drawing, if required, the body of the protest.)	45	00
5. For any other protest, if not exceeding two hundred words, filing the original and furnishing one certified copy if required. (This is to be exclusive of any fee for drawing, if required, the body of the protest.)	45	00
6. If the protest or report of survey exceeds two hundred words, for every additional one hundred words or fraction of them	6	00
7. For administering an oath or receiving a declaration or affirmation, without attestation of signature	3	00
8. For administering an oath or receiving a declaration or	15	00

affirmation, with attestation of signature		
9. For every exhibit thereto	1	50
10. For each signature attested by a notary public in any document not otherwise provided for	15	00
11. For certifying to a copy of any document or part of a document, if not exceeding one hundred words	15	00
12. If the copy of a document or part of a document exceeds one hundred words, for every additional one hundred words or fraction of them	3	00
13. For uniting documents and attaching notary seal to the fastening	6	00
14. For directing search for, or obtaining from a public record office or elsewhere, extracts from local registers or copies of wills, deeds or other matters, in addition to expenses incurred and any fees for attestation	15	00
15. For notarially certifying the execution of any document, preparing, completing and attaching necessary certificate	45	00
16. For affixing notary signature, and seal if required, to any document not otherwise provided for by this table	15	00
17. For each notary public seal affixed to a document, packet or article, when no signature is required	15	00

18. For administering an oath or declaration in respect of income tax or refund of income tax	3	75
19. Additional fee for attending to perform any notarial act outside the notary's office for every half-hour or part of it	22	50
20. Any other notarial act not specified above	15	00

Third Schedule (s. 2)**Form*****Republic of Uganda******Certificate to Practise******The Notaries Public Act***

To all to whom these presents may come, greeting.

Be it known that on the _____ day of _____, 20 ____,

has been admitted to practise as a notary public in Uganda.

(L.S.) _____

Chief Justice

(This certificate expires on the 31st December, 20 ____, unless renewed.)