

## Admission as a Notary - Checklist

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The application consists of an ex parte notice of motion, a founding affidavit by the applicant and annexures to prove allegations made in the affidavit. The application should be issued at court (a date of hearing can be obtained from the Registrar) and is then formally served on the relevant Law Society. The original and a copy of the application for admission and copies of affidavit, certificates and documents in support of the application must be left with the Law Society for a period of at least one-month before the date of admission application, as required in terms of Section 24 of the Act 53 of 1979. The prescribed fee in terms of Section 80 (f) of the Act is R171,00.

The founding affidavit should contain the following:

- Confirmation of the jurisdiction of the court;
- Confirmation of the date of birth of the applicant (identity document to be used as proof);
- Confirmation of the applicant's citizenship/permanent residence (identity document to be used as proof);
- Confirmation of the date when the applicant was admitted as an attorney (admission certificate / court order);
- Confirmation that the applicant has passed the notarial examination in terms of Section 14(1)(d). The certificate of proficiency is required for these purposes, which certificate will be forwarded to you by the Society once same has been signed by the Examiners.
- Confirmation that the applicant's estate has not been sequestrated and that there no application for sequestration pending.
- Confirmation that no order of court striking the applicant's name off the roll of attorneys or suspending him from practice as an attorney and no proceedings are pending to strike his name off the roll of attorneys. As proof hereof, certificates of good standing from the Registrar of the High Court as well as the Society should be obtained. The certificate from the Registrar is referred to as the "J349". The certificate from the Society is simply a certificate of good standing. In order to obtain a certificate from the Society, a letter should be forwarded to the Society's records department requesting same. The letter should specifically state that the certificate is required for admission as a notary. A fee of R114,00 should also be forwarded in respect of the said certificate;
- Confirmation that prescribed notice in terms of Section 24 will be given to the Law Society and that the prescribed fee has been paid.
- The applicant should also make an averment that he is a fit and proper person to be admitted as a notary.
- An independent commissioner should commission your founding affidavit.
- You may also refer to Section 18 of the Attorneys Act 53 of 1979, as amended.