

MICHELLE JOANNE MANN – NOTARY PUBLIC

Terms of Business – April 2022

Commercial Clients

Independence

Michelle Joanne Mann, practises as a **Notary Public**, although Michelle is also a partner at Field Seymour Parkes LLP, Michelle practises as a Notary Public independently of Field Seymour Parkes solicitors LLP, or any other business.

Documentation to be sent in advance

It can save time expense and mistakes if you/your advisors arrange for us to receive in advance of the appointment the originals or copies of:

- The documents to be notarised;
- Any covering correspondence or forms of instruction from the destination Country;
- Your identification evidence (see below).

If you have sent in copies you will **still** need to bring the **originals** of these documents to the appointment.

Identification

The Notary will need to see the signatory and/or director of the company to identify them by them producing the following evidence to us:

1. Up to date proof of your present permanent home address and any temporary or other address specified in the documents to be notarised - for example a couple of correctly addressed utility bills or bank statements which must be ***dated within the last 3 months***;
2. An original current UK/EU Passport **OR** an original international passport with appropriate visa/biometric card **OR** a UK driving licence;
3. Any other means of ID particularly any specified in the documentation.

We may also need to have sight of the ***Board Minutes*** or other such documentation showing that the person signing has the ***authority of the company*** to do so.

Businesses and Companies

When a document is to be signed on behalf of a Company, Partnership, Charity, Club or other incorporated or unincorporated body there will be further requirements as we will have to be satisfied about both your identity and the identity, existence and status of the body on whose behalf you are signing, as well as your authority to sign on behalf of that body. It will be best to speak to us over the telephone before attending an appointment to discuss the specific requirements in each case.

Proof of Names

You should also produce relevant certificates relating to your names especially where these have been changed or there have been variations in the spelling or sequence of your names (e.g. birth certificate, marriage certificate, divorce papers, exam qualifications and any statutory declaration or deed poll made on a change of name).

Signature\Sealing

Your signature will usually need to be witnessed by the Notary, so **do not** sign the document in advance of your appointment.

Advice on Documents

The Notary will assist with the formalities required for completing the document to be notarised. However, ***she will not advise you*** on the document or the transaction itself and you must seek such advice from your own lawyer or where appropriate the persons asking you to have the document notarised.

Corporate Client Fee Guide

Michelle's fees are based on an hourly charge out rate of £300 and include not only the notarisation itself but any appointment time, waiting time, travel and administrative duties to include completion of the notarial register and photocopying documentation for our records. The minimum charge out rate is £150 plus vat, however, the Notary reserves the right to vary the rate particularly in respect of extremely urgent or onerous or unusual matters.

The Notary is happy to meet out of the office, however, please be aware that the minimum charge out for external meetings is £300, travel time and mileage.

It should **not be** assumed that all notaries will or should charge the same amount for the same work. In accordance with Notarial practice guidelines, (which stipulate that fees should be fair and reasonable having regard to all the circumstances of the case), my fees may also include an additional element reflecting other factors including value, importance, speed, complexity or special skills.

Any Guideline Scale of Fees is for guidance only and does not represent an estimate or quotation in relation to any particular matter. It will assume the matter in question to be routine and undertaken during normal working hours at our office and by prior appointment.

Separate charges are made for any disbursements or expenses incurred on your behalf. You may be asked to provide monies on account. Costs include preparatory and drafting work, correspondence and attendances.

Legalisation

This is the process by which the signature and seal of the Notary are authenticated by the **Foreign & Commonwealth Office** and in some cases the Foreign Embassy. Some countries require this. In many cases a certificate from the Foreign Office called an **Apostille** will suffice. This can be obtained quite simply. There is a fee payable to the Foreign and Commonwealth Office of £30.00 per document plus postage. You can arrange for legalisation yourself. If you would like us to arrange this for you then there will be an additional handling charge for the Notary and also for the **Consular Agents** that we use to undertake this service.

Certain Countries need two certificates, one from the **Foreign & Commonwealth Office** and one from their own **Embassy**. If you wish me to carry out this work additional charges will also apply and the Notary will advise you of the likely cost on request.

Premier Service

At an increased fee, we can provide a premier service for any notarial job and/or legalisation service. By requesting this service the notarial work will be either undertaken the same day or as soon as possible the next working day. The minimum fee for this is service £180 plus vat.

Please also note that the time estimate may vary and we will require the documents to be with us **before 2pm** to enable us to complete the document(s). We will always try to let you know if we do not think that the document(s) will be able to be completed in a 1 day turn-around period.

Our agents also provide a 1 day turn-around service to enable the Apostille to be obtained on a same-day basis. Their fees increase from £18 per document to £48 per document. The F&CO also increase their fee from £30 per document to £75 per document.

Payment

New Clients will be asked to make payment by debit/credit card (not AMEX) upon the notarisation of the documents. we reserve the right to retain any completed documents until payment is made.

For existing Corporate Clients, invoices will be issued once the notarisation and/or legalisation is complete. The invoice must be settled within 14 days or, if requested, immediately if further work on the same matter is required. Any queries concerning an invoice should be raised immediately upon receipt. We also reserve the right to ask for full payment in advance where a large amount of disbursements are required.

In the event of payment not being made as requested, we reserve the right to decline to act any further on your behalf and/or to exercise a lien on any papers or documents which are in my possession, until payment has been made. Interest is chargeable from the date of the invoice or invoices outstanding for more than 14 days at 4% per annum above NatWest Bank base rate from time to time in force.

Documents sent abroad

The Notary cannot accept any responsibility for any item sent or posted abroad by us on your behalf or at your request under any circumstances whatsoever.

Public Records

In addition to entering details of all **Notarial Acts** in the **Notarial Register**, the Notary will keep copies of all official documents which serve as a permanent public record and also identification documentation. The Notary must make these available to all those who have a proper right to see them including our client(s) and any other parties involved with such documents.

Money Laundering Compliance

We operate a money laundering reporting procedure as required by law whereby, in the event of any suspicion as to money laundering, information will be revealed to the appropriate authorities. You may be required to provide satisfactory proof of identity and full details of the source and proposed destination of funds.

Data Protection

The Notary is committed to protecting your privacy. She is registered with the Information Commissioner and will comply with all relevant legislation in collecting, using or processing any personal information which you may supply to her.

We may collect the following types of personal information about you and others within your organisation:

- Your name and address, telephone numbers and email address;
- Debit/credit card details (these details are immediately destroyed after the payment transaction has been completed);
- Information contained within your identity documents, such as your passport;
- Information contained within any documents which you require to be notarised or apostilled; and
- Other information about your private or business affairs depending on the services you have asked me to provide.

We will use reasonable efforts to ensure that the information I hold is secure, up to date, adequate, relevant and limited to what is necessary for the purposes for which it is collected. The information we collect is to provide notarial and related services; to deliver the Notary's services to the highest possible standard; to keep her client records up to date; and to meet her contractual, legal and regulatory obligations. If you provide express consent we will pass your contact details to Field Seymour Parkes LLP so that they can give you details of their services. Any such transfer shall be subject to these terms and Field Seymour Parkes' privacy policy at www.fsp-law.com.

The nature of notarial services is that the Notary will often need to send personal data by courier or other means to third parties and personal data may need to be transferred outside the European Economic Area. Such third-parties, may include agents, the Foreign Office and relevant embassies. We will notify you of any third party to whom such personal information is to be passed and will use reasonable efforts to ensure that they protect privacy to the same standards that we do. Any transfers outside the European Economic Area will only take place where it is necessary for the Notary to fulfil your contract with us or with your consent.

Information held about you will only be kept for such period as is necessary to comply with my contractual, legal and professional obligations. We are required to keep notarised documents in the public form indefinitely and any documents which are not in the public form for a minimum period of 12 years. If you are unsure about the applicable retention period for your documents please just let us know.

You have the right to:

- Request access to your personal data (commonly known as a "data subject access request").
- Request correction of the personal data that I hold about you.
- Request erasure of your personal data.
- Object to processing of your personal data where I am relying on a legitimate interest.
- Request restriction of processing of your personal data.
- Request the transfer of your personal data to you or to a third party.
- Withdraw consent at any time where I am relying on consent to process your personal data.

If you have any comments or queries about privacy or my compliance with data protection law, please contact Michelle Mann on the details below. You also have the right to make complaints to the Information Commissioner about the way in which we protect your privacy. More information are your rights and the complaints process is available at www.ico.org.uk/concerns.

Professional Indemnity Insurance

Michelle's notarial practice is covered by appropriate Professional Indemnity Insurance of at least £1 million.

Client Satisfaction

Michelle's notarial practice is regulated by the Faculty Office of the Archbishop of Canterbury:

The Faculty Office
1, The Sanctuary
Westminster
London
SW1P 3JT
Email: faculty.office@1thesanctuary.com
Website: www.facultyoffice.org.uk

If you are dissatisfied about the service you have received, please do not hesitate to contact Michelle Mann directly.

If we are unable to resolve the matter you may then complain to the Notaries Society of which Michelle is a member, who have a Complaints Procedure which is approved by the Faculty Office. This procedure is free to use and is designed to provide a quick resolution to any dispute.

In that case please write (but do not enclose any original documents) with full details of your complaint to:

The Secretary of The Notaries Society
Old Church Chambers
23 Sandhill Road
St James
Northampton NN5 5LH
Email: secretary@thenotariessociety.org.uk
Tel: (01604) 758908

If you have any difficulty in making a complaint in writing, please do not hesitate to call The Notaries Society/the Faculty Office for assistance

Finally, even if you have your complaint considered under the Notaries Society Approved Complaints Procedure, you may at the end of that procedure, or after a period of eight weeks from the date you first notified me that you were dissatisfied, make a complaint to the Legal Ombudsman, if you are not happy with the result:

Legal Ombudsman
PO Box 6806
Wolverhampton WV1 9WJ
T 0300 555 0333

www.legalombudsman.org.uk

If you decide to make a complaint to the Legal Ombudsman you must refer the matter to the Legal Ombudsman within six months from the conclusion of the complaint process.

Michelle Joanne Mann, Notary Public & Partner, 1 London Street, Reading, Berkshire, RG1 4PN

Tel: 0118 9516 301

VAT Registration Number: 374 967 539

Regulated through the Faculty Office of the Archbishop of Canterbury