
37. Notaries Public (Grounds for Refusal to Issue Practising Certificate) Rules

ARRANGEMENT OF SECTIONS

Section

1. Commencement
2. Grounds for refusal to issue practising certificate

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 of that Ordinance).

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. 32 of 2005);
 - (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 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 the application; or
 - (e) the applicant suffers or appears to suffer from a mental disorder within the meaning of the Mental Health Ordinance (Cap. 136).