

## **Notaries Act, 1952**

### **Section 8 - Functions of Notaries**

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- (1) A notary may do all or any of the following acts by virtue of his office, namely:--
- (a) verify, authenticate, certify or attest the execution of any instrument;
  - (b) present any promissory note, hundi or bill of exchange for acceptance or payment or demand better security;
  - (c) note or protest<sup>1</sup> the dishonour by non-acceptance or non-payment of any promissory note, hundi or bill of exchange or protest for better security or prepare acts of honour under the Negotiable Instruments Act, 1881, or serve notice of such note or protest;
  - (d) note and draw up ship's protest, boat's protest or protest relating to demurrage and other commercial matters;
  - (e) administer oath to, or take affidavit from, any person;
  - (f) prepare bottomry and respondentia bonds, charter parties and other mercantile documents;
  - (g) prepare, attest or authenticate any instrument intended to take effect in any country or place outside India in such form and language as may conform to the law of the place where such deed is intended to operate;
  - (h) translate, and verify the translation of, any document from one language into another;
  - <sup>2</sup>[(ha) act as a Commissioner to record evidence in any civil or criminal trial if so directed by any court or authority;
  - (hb) act as an arbitrator, mediator or conciliator, if so required;".]
  - (i) any other act which may be prescribed.
- (2) No act specified in Sub-section (2) shall be deemed to be a notarial act except when it is done by a notary under his signature and official seal.

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1. For the meaning of 'protest', see Negotiable Instruments Act, 1881 (26 of 1881), Section 100.

2. Inserted by the Notaries (Amdt) Act, 1999 w.e.f. 17-12-1999.

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