



Western Australia

Legal Profession Act 2008

**Legal Profession (Public Notaries)
Determination 2017**

Legal Profession (Public Notaries) Determination 2017

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Legal Profession (Public Notaries) Determination 2017

Part 1 — Preliminary

1. Citation

- (a) This Report may be cited as the *Legal Profession (Public Notaries) Report 2017*.
- (b) The determination set out in the Schedule to this Report is referred to in this Report as the *Legal Profession (Public Notaries) Determination 2017*.

Part 2 — Notice and inquiries

2. Notice under section 278 of the Act

The Legal Costs Committee has complied with the notice provisions of section 278 of the Act.

3. Inquiries and submissions under section 277 of the Act

Before making the *Legal Profession (Public Notaries) Determination 2017* the Legal Costs Committee

- (a) reviewed all submissions received as a result of the notice given under section 277 of the Act;
- (b) consulted with the Courts, Law Society of Western Australia, Western Australian Bar Association and the Public Notaries Society of Western Australia Incorporated; and
- (c) considered the hourly and daily rates applicable under the *Legal Profession (Solicitors Costs) Determination 2017**.

* To be published in the *Government Gazette* on or about the same time as the *Legal Profession (Public Notaries) Determination 2017*.

Part 3 — Report of the Legal Costs Committee's conclusions

4. No adjustment in fees

The Legal Costs Committee had regard to submissions made by the Law Society of Western Australia and considered the matters set out in the *Legal Profession (Solicitors Costs) Report 2017* and resolved that prevailing market and economic considerations did not warrant an increase in the rates set out in Table A of the *Legal Profession (Public Notaries) Determination 2015*.

5. Scale of costs to be adopted

- (1) It is the recommendation of the Legal Costs Committee, after reviewing the information gained as a result of the inquiries and submissions described in clause 3, that the scale of costs set out in Table A to clause 4 of the *Legal Profession (Public Notaries) Determination 2017* be adopted for the business of Public Notaries.
- (2) It is the further recommendation of the Legal Costs Committee given that the amendments to the scale of costs in the manner set out in Table A to clause 4 of the *Legal Practitioners (Public Notaries) Determination 2002* were inclusive of any provision for the Goods and Services Tax (GST), the scale of Public Notaries fees continues to be inclusive of GST.

Legal Profession (Public Notaries) Determination 2017
Schedule

cl. 4

Item No.	Matter	Maximum amount \$
	(c) For preparing a notarial certificate in respect of an oath, affirmation or declaration and for completing the certificate	132
	(d) For completing a second and third certificate, if required	66
	(e) For preparing an exhibit to an affidavit, affirmation or declaration and for completing an exhibit	66
	(f) For each page over and above the first 5 pages which requires signing by each deponent or declarant and witnessing by the Public Notary	0.66
2	Deeds and other documents:	
	(a) Witnessing and attesting the execution or signing of a deed or other document — <p style="padding-left: 40px;">where there is one party</p> <p style="padding-left: 40px;">and for each additional party signing at the same time</p>	132 66
	(b) For preparing a notarial certificate in respect of the attestation and for completing the certificate	132
	(c) For each page over and above the first 5 pages which requires signing by the party or parties and witnessing by the Public Notary	0.66
3	Verification of copies of documents:	
	(a) For examining, with the original, a photocopy of the document <p style="padding-left: 40px;">for each additional page exceeding the first</p>	66 6.60
	(b) For examining, with the original, a copy of a document other than a photocopy	132
	(c) For preparing a notarial certificate verifying a copy of a document and for completing the certificate	132
	(d) For each page over and above the first 5 pages which requires signing by the Public Notary	0.33
4	Certificates under seal not otherwise prescribed by this scale: For preparing a notarial certificate and for completing the certificate	121
5	Bills of Exchange:	
	(a) For noting a bill of exchange, entering in the register and supplying one copy of note	209

**Legal Profession (Public Notaries) Determination 2017
Schedule**

cl. 4

Item No.	Matter	Maximum amount \$
	<p>(b) For presenting bill—a fee for the time so occupied calculated in accordance with the <i>Legal Profession (Solicitors Costs) Determination 2017*</i> or any subsequent determination made in substitution for that determination</p> <p>(c) For preparing, issuing and entering a protest of a bill of exchange and supplying one copy of protest together with the reasonable disbursements necessarily incurred in connection with any of those services</p>	209
6	Ship's protests:	
	(a) Preparing and attesting a ship's protest including three copies (if required)	264
	(b) Preparing and attesting extension of ship's protest	264
7	Duplicates:	
	Except where otherwise provided, for more than one copy of any of the above notarial documents completed at the same time—	
	(a) for each copy, after the first, up to the tenth: one half of the prescribed fee	
	(b) for each copy, after the tenth: one quarter of the prescribed fee	
8	Miscellaneous services:	
	For instructions, attendances, correspondence, drawing, engrossing, travel and all other services not covered by this scale, or, if so covered, for matters involving unusual work or difficulty— a fee calculated in accordance with the <i>Legal Profession (Solicitors Costs) Determination 2017*</i> or any subsequent determination made in substitution for that determination, having regard to the time skill and responsibility involved	
	For photocopies where necessary, including of documents for which allowance is otherwise made in this Determination	1.00 per page

* To be published in the Government Gazette on or about the date of this Determination.

Notes

- ¹ This is a compilation of the *Legal Profession (Public Notaries) Determination 2017*. The following table contains information about that determination.

Compilation table

Citation	Gazettal	Commencement
<i>Legal Profession (Public Notaries) Determination 2017</i>	20 Jun 2017 p. 2974-6	1 Jul 2017 (see cl. 2)