

《公證人 ( 執業證書 ) 規則》  
( 第 159 章，附屬法例 AG)

**Notaries Public (Practising Certificate) Rules**  
(Cap. 159 sub. leg. AG)

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經核證文本  
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(《法例發布條例》( 第 614 章 ) 第 5 條 )  
(Legislation Publication Ordinance (Cap. 614), section 5)

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條文 Provision	頁數 Page number	最後更新日期 Last updated date
主體 Main	1—6	20.6.2019
附表 1 Schedule 1	S1-1—S1-2	20.6.2019
附表 2 Schedule 2	S2-1—S2-2	20.6.2019

**尚未實施的條文 / 修訂 ——**

尚未實施的條文及修訂的資料，可於「電子版香港法例」(<https://www.elegislation.gov.hk>) 閱覽。

**Provisions / Amendments not yet in operation ——**

Please see Hong Kong e-Legislation (<https://www.elegislation.gov.hk>) for information of provisions and amendments not yet in operation.

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**制定史**

本為 2005 年第 32 號法律公告 —— 2019 年第 2 號編輯修訂紀錄

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**Enactment History**

Originally L.N. 32 of 2005 — E.R. 2 of 2019

**《公證人 ( 執業證書 ) 規則》**  
**( 第 159 章，附屬法例 AG )**

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**Notaries Public (Practising Certificate) Rules**  
**(Cap. 159 sub. leg. AG)**

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**《公證人 (執業證書) 規則》**

(第 159 章第 73D 條)

(略去制定語式條文——2019 年第 2 號編輯修訂紀錄)

[2005 年 6 月 30 日] 2005 年第 60 號法律公告

(格式變更——2019 年第 2 號編輯修訂紀錄)

1. (已失時效而略去——2019 年第 2 號編輯修訂紀錄)
2. **執業證書的申請**
  - (1) 根據本條例第 40E 條提出的執業證書申請，必須連同——
    - (a) 申請人所作出的符合第 (2) 款的法定聲明；及
    - (b) 令公證人協會信納申請人已遵守根據本條例第 73E 條訂立的任何彌償規則，或獲豁免而無需遵守該等規則的證明；及
    - (c) (如適用的話) 由香港律師會發出的申請人現行的律師執業證書的經核證真實副本；及
    - (d) 附表 1 訂明的申請費用。
  - (2) 根據本條作出的法定聲明——
    - (a) 必須表明在作出聲明的日期——
      - (i) 申請人的姓名列於公證人註冊紀錄冊上；及
      - (ii) 申請人的姓名列於律師登記冊上；及
      - (iii) 申請人沒有被暫時吊銷作為公證人或律師的執業資格；及
      - (iv) 如申請人有權從事一個外地司法管轄區的法律執業，他沒有被暫時吊銷該執業資格；及

**Notaries Public (Practising Certificate) Rules**

(Cap. 159, section 73D)

(Enacting provision omitted—E.R. 2 of 2019)

[30 June 2005] L.N. 60 of 2005

(Format changes—E.R. 2 of 2019)

1. (Omitted as spent—E.R. 2 of 2019)
2. **Application for practising certificates**
  - (1) An application for a practising certificate under section 40E of the Ordinance must be accompanied by—
    - (a) a statutory declaration made by the applicant that complies with subsection (2); and
    - (b) proof to the satisfaction of the Society of Notaries that the applicant has complied with any indemnity rules made under section 73E of the Ordinance or is exempt from them; and
    - (c) a certified true copy of the applicant's current practising certificate as a solicitor issued by The Law Society of Hong Kong, if applicable; and
    - (d) the application fee prescribed in Schedule 1.
  - (2) A statutory declaration made under this section—
    - (a) must be to the effect that, at the date of the declaration—
      - (i) the applicant's name is on the register of notaries public; and
      - (ii) the applicant's name is on the roll of solicitors; and

- (b) 必須述明 ( 如適用的話 ) ——
- (i) 申請人曾被暫時吊銷作為公證人或律師的執業資格的任何期間；及
  - (ii) 如申請人有權從事一個外地司法管轄區的法律執業，他曾被暫時吊銷該執業資格的任何期間；及
  - (iii) 任何根據本條例第 10(1) 或 40J(1) 條進行的針對申請人的待決研訊；及
  - (iv) 如申請人有權從事一個外地司法管轄區的法律執業，任何與該執業資格有關的針對申請人的待決研訊。
- (3) 如公證人協會提出要求，申請人必須向該會提供該會認為有需要的進一步資料，以確立在根據本條作出的法定聲明中提述的任何事實。

### 3. 執業證書的格式

執業證書必須採用附表 2 的格式。

### 4. 拒絕發出執業證書

- (1) 公證人協會在拒絕發出執業證書前，必須先行 ——
- (a) 以書面將該會拒絕申請的意圖通知申請人，並在該通知內述明該會擬拒絕申請的理由；及

- (iii) the applicant is not suspended from practising either as a notary public or as a solicitor; and
  - (iv) if the applicant is entitled to practise the law of a foreign jurisdiction, he is not suspended from so practising; and
- (b) must state (where applicable)—
- (i) any period during which the applicant has been suspended from practising either as a notary public or as a solicitor; and
  - (ii) if the applicant is entitled to practise the law of a foreign jurisdiction, any period during which the applicant has been suspended from so practising; and
  - (iii) any pending inquiry against the applicant under section 10(1) or 40J(1) of the Ordinance; and
  - (iv) if the applicant is entitled to practise the law of a foreign jurisdiction, any pending inquiry against him in connection with such practice.
- (3) An applicant must, if so required by the Society of Notaries, provide the Society with such further information as the Society thinks necessary to establish any fact stated in a statutory declaration made under this section.

### 3. Form of practising certificate

A practising certificate must be in the Form in Schedule 2.

### 4. Refusal to issue practising certificate

- (1) The Society of Notaries must not refuse to issue a practising certificate unless the Society first—

- (b) 容許申請人在自 (a) 段所指的通知的日期起計不少於 14 天的期間內，或在該通知所指明的較長限期內，向該會作出申述。
- (2) 如公證人協會決定拒絕發出執業證書，該會必須在切實可行範圍內盡快將拒絕一事以書面通知申請人，並在該通知內述明作出該決定的理由。
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- (a) notifies the applicant in writing of its intention, stating in the notice the grounds on which it proposes to do so; and
- (b) allows the applicant a period of not less than 14 days from the date of notification under paragraph (a), or such longer period as is specified in the notice, within which the applicant may make representations to the Society.
- (2) If the Society of Notaries decides to refuse to issue a practising certificate, it must as soon as practicable notify the applicant in writing of the refusal, stating in the notice the grounds on which the decision was made.
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S1-1  
第 159AG 章

附表 1

Schedule 1

S1-2  
Cap. 159AG**附表 1**

[ 第 2 條 ]

**費用**

項	事項	費用 \$
1.	申請首次發出執業證書	2,000
2.	申請將執業證書續期	2,000

**Schedule 1**

[s. 2]

**Fees**

Item	Description	Fee \$
1.	Application for the first issue of a practising certificate	2,000
2.	Application for the renewal of a practising certificate	2,000

S2-1

第 159AG 章

附表 2

Schedule 2

S2-2

Cap. 159AG

## 附表 2

[ 第 3 條 ]

### 表格

公證人執業證書

《法律執業者條例》  
( 第 159 章 )

香港國際公證人協會現按照《法律執業者條例》第 40E(1) 條證明  
香港公證人 ..... 已符  
合該條例第 40E 條的規定。本證書的有效期由 .....  
至 ..... 。

本證書的發出受以下條件規限：

20    年    月    日

香港國際公證人協會秘書

## Schedule 2

[s. 3]

### Form

PRACTISING CERTIFICATE AS A NOTARY PUBLIC

LEGAL PRACTITIONERS ORDINANCE  
(Chapter 159)

Hong Kong Society of Notaries hereby certifies, in accordance with  
section 40E(1) of the Legal Practitioners Ordinance, that .....  
....., a Notary Public in Hong Kong, has complied with the  
requirements of section 40E of that Ordinance. This certificate is valid for  
the period from ..... to ..... .

This certificate is issued subject to the following conditions:

Dated this ..... day of ..... 20 ..... .

Secretary  
Hong Kong Society of Notaries