

**VIRGIN ISLANDS**  
**COMMISSIONERS FOR OATHS AND NOTARIES**  
**PUBLIC ACT, 2007**

**ARRANGEMENT OF SECTIONS**

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No. 7 of 2007

**Commissioners for Oaths  
and Notaries Public Act, 2007**

**Virgin  
Islands**

**I Assent**

**Acting Governor**

, 2007

**VIRGIN ISLANDS**

**No. 7 of 2007**

An Act to provide for the appointment of commissioners for oaths and notaries public and for connected matters.

[Gazetted , 2007]

ENACTED by the Legislature of the Virgin Islands as follows:

**PART I  
PRELIMINARY**

1. This Act may be cited as the Commissioners for Oaths and Notaries Public Act, 2007 and shall come into force on a date to be fixed by the Governor by Proclamation published in the *Gazette*. Short title and commencement.

2. In this Act, unless the context otherwise requires, Interpretation.

“affidavit” includes an affirmation or a statutory or other declaration;

“commissioner” means a person appointed as a commissioner for oaths under section 3;

“Court” means the Supreme Court;

“*ex officio* commissioner” means a person referred to in section 5;

“notary” means a person appointed as a notary public under section 17 or 21;

“oath” includes affirmation and declaration;

“prescribed” means prescribed by rules made under this Act;

No. 28 of 2005

“prescribed”, in relation to a fee or charge, means prescribed by the Executive Council under the Statutory Rates, Fees and Charges Act, 2005;

“Registrar” means the Registrar of the High Court.

## **PART II COMMISSIONERS FOR OATHS**

Enrolment of  
existing  
commissioners.

**3.** (1) A person who, immediately before the commencement of this Act, held an appointment by the Chief Justice to act as a commissioner may, at any time during the period of six months beginning on the date of commencement of this Act, apply in writing to the Registrar for enrolment as a commissioner under this Act.

(2) If, on an application made in accordance with subsection (1), the Registrar is satisfied that the applicant held, immediately before the commencement of this Act, an appointment by the Chief Justice to act as a commissioner, the Registrar shall enter on the Roll of Commissioners referred to in section 10, the name and address of the applicant and the date when the entry is made.

(3) A person whose name is entered on the Roll of Commissioners under subsection (2) shall be deemed to have been appointed under this Act as a commissioner on the date when the entry was made.

(4) A person who would otherwise qualify to be enrolled as a commissioner by virtue of this section who fails to submit an application within the period specified in subsection (1), shall be disqualified from being treated under this section.

(5) A person who is disqualified under subsection (4) may apply to be appointed a commissioner under section 4 and his application shall be treated as a new application.

Appointment of  
commissioners.

**4.** (1) Subject to subsection (2), the Chief Justice may, by instrument in writing, appoint a person as a commissioner.

(2) A person shall not be appointed under subsection (1) unless

- (a) he has submitted an application in writing to the Chief Justice through the Registrar and has paid to the Registrar the prescribed non-refundable application fee;

- (b) he is at least twenty-one years of age but has not yet attained the age of seventy-five years;
- (c) he is deemed to belong to the Virgin Islands;
- (d) he has not been convicted of an offence punishable by a term of imprisonment and, in the case of a non-belonger, his application is accompanied by a police certificate from each jurisdiction in which he resided for at least one year during the five years prior to the submission of his application;
- (e) he is not an undischarged bankrupt and has not compounded with his creditors and has submitted with his application a statutory declaration to that effect in the prescribed form;
- (f) he has not been certified by a medical practitioner as being mentally unsound;
- (g) he possesses the prescribed academic qualifications, not being less than a high school certificate;
- (h) the Chief Justice is satisfied that he is a fit and proper person to be appointed as a commissioner; and
- (i) he has, after being notified in writing by the Registrar that his application has been approved by the Chief Justice, paid to the Registrar the prescribed enrolment fee.

(3) Notwithstanding subsection (2) (b), a person who is of or above the age of seventy-five years may qualify to be appointed a commissioner if he produces in each year in which he wishes to practice as a commissioner a certificate from a medical practitioner in the Virgin Islands certifying that he is of sound mind and ability.

5.(1) Notwithstanding anything contained in this Part but subject to subsection (5), any person holding, or lawfully acting in, an office specified in Part I of Schedule 1 shall, during his tenure of office or while acting in such office, except when suspended from exercising the functions thereof, be an *ex officio* commissioner.

*Ex officio*  
commissioners.  
Schedule 1

(2) A person who, on the date of the coming into force of this Act, is an *ex officio* commissioner shall, within thirty days of that date, notify the Registrar in writing of his name and address and of the office by virtue of which he is an *ex officio* commissioner.

(3) A person who becomes an *ex officio* commissioner on a date after the coming into force of this Act, shall, within thirty days of that date, notify the Registrar in writing of his name and address and of the office by virtue of which he is an *ex officio* commissioner.

(4) A person shall, within fourteen days of the date on which he ceases to be an *ex officio* commissioner, notify the Registrar in writing of that date.

(5) A person who would otherwise be *ex officio* commissioner by virtue of subsection (1) who fails to comply with subsection (2) or (3) shall be disqualified from performing the functions of commissioner, unless he pays personally such penalty fee as may be prescribed.

(6) A person who fails to comply with subsection (4) commits an offence and is personally liable on conviction to a fine not exceeding two hundred dollars.

(7) The Executive Council may, by Order, amend Schedule 1.

Expiration of  
appointment of  
commissioner.

**6.(1)** Unless previously revoked, the appointment of a commissioner expires on the date that he

- (a) dies;
- (b) attains the age of seventy-five years, unless the person continues to be certified to be of sound mind and ability under section 4 (3);
- (c) ceases to reside in the Virgin Islands; or
- (d) is declared to be bankrupt or compounds with his creditors.

(2) A person to whom subsection (1) (b), (c) or (d) applies shall notify the Registrar, in writing, of the expiration of his appointment not later than fourteen days after the date of the expiration.

(3) A person who contravenes subsection (2) commits an offence and is liable

- (a) on summary conviction, to a fine not exceeding two thousand, five hundred dollars; or

- (b) on conviction on indictment, to a fine not exceeding five thousand dollars.

(4) The Registrar shall cause notice of the expiration of the appointment of a commissioner to be published in the *Gazette* and in a newspaper published and circulating in the Virgin Islands.

7.(1) The Chief Justice may, by instrument in writing, revoke the appointment of a person as a commissioner where

Revocation of appointment of commissioner.

- (a) he is satisfied that the person has been convicted of an offence punishable by a term of imprisonment and the conviction has not been quashed on appeal; or
- (b) a Judge of the High Court so recommends in accordance with this section.

(2) A person who has reason to believe that a commissioner is not a fit and proper person to perform the functions of a commissioner, may file a complaint in writing with the Registrar, who shall forward a copy of the complaint to a Judge of the High Court and the commissioner.

(3) The Judge shall hear a complaint under subsection (2) in chambers and may, for that purpose, exercise any of his powers as a Judge of the High Court.

(4) After the hearing of a complaint, the Judge shall transmit to the Chief Justice, through the Registrar, a report containing his findings and recommendations and the Registrar shall provide the parties to the complaint with a copy of the report.

(5) The Chief Justice shall consider the report of the Judge and may, on the recommendation of the Judge, revoke the appointment of the person concerned as a commissioner, which decision shall be final and shall be communicated to the parties through the Registrar.

8. A person may, by letter addressed to the Chief Justice through the Registrar, resign from the office of commissioner and the resignation shall have effect from the date on which the letter is received by the Registrar.

Resignation of commissioner.

9. The Registrar shall, in relation to each commissioner and *ex officio* commissioner, cause to be published in January of each year in the *Gazette* and in a newspaper published and circulating in the Virgin Islands, notice of

Publication of notices re. commissioners and *ex officio* commissioners.

- (a) the name and address of each person appointed as a commissioner under this Act and the name, office and address of each *ex officio* commissioner;
- (b) the date of his appointment as a commissioner or the date on which he became an *ex officio* commissioner, as the case may be;
- (c) in the case of a commissioner, the date on which the expiration or revocation of his appointment took effect or the date on which his resignation from the office of commissioner took effect, as the case may be; and
- (d) in the case of an *ex officio* commissioner, the date on which he ceased to be an *ex officio* commissioner.

Roll of Commissioners.

**10.(1)** The Registrar shall keep a Roll of Commissioners in which shall be entered, in relation to each commissioner and *ex officio* commissioner,

- (a) the name and address of each person appointed as a commissioner under this Act and the name, office and address of each *ex officio* commissioner;
- (b) the date of his appointment as a commissioner or the date on which he became an *ex officio* commissioner, as the case may be;
- (c) in the case of a commissioner, the date on which the expiration or revocation of his appointment took effect or the date on which his resignation from the office of commissioner took effect, as the case may be; and
- (d) in the case of an *ex officio* commissioner, the date on which he ceased to be an *ex officio* commissioner.

(2) The Registrar shall, upon payment of the prescribed fee, issue to each person whose name is entered in the Roll of Commissioners, an enrolment certificate for commissioners in the form prescribed in Part III of Schedule 1.

Schedule 1.

(3) A person who

- (a) is a commissioner on the date of the coming into force of this Act, or
- (b) is an *ex officio* commissioner,

shall not be liable to the payment of any fee prescribed under subsection (2) for the issue of an enrolment certificate.

Schedule 1.

**11.** (1) The Registrar shall issue to each commissioner who has paid the prescribed annual fee, an annual practising certificate for commissioners in the form prescribed in Part IV of Schedule 1 authorising him to perform the functions of a commissioner until the 31<sup>st</sup> day of January of the year following the year in which it was issued.

Annual practising certificate for commissioners.

(2) A commissioner shall, before the 1<sup>st</sup> day of January in each year, apply, and pay the prescribed annual fee, for an annual practising certificate for commissioners for the ensuing calendar year to the Registrar, who shall cause the certificate to be issued to the commissioner within twenty-one days.

(3) The Registrar shall not issue an annual practising certificate to a commissioner who does not comply with subsection (2), unless the commissioner pays the prescribed charge in addition to the prescribed annual fee.

**12.**(1) A commissioner may administer any oath, or take and receive affidavits, for the purposes of any court or matter in the Virgin Islands, including matters relating to the registration of any instrument under any provision of law or where such administration or taking is authorised by any statutory provision.

Powers of the commissioners.

(2) Without prejudice to the generality of subsection (1), any

(a) deed intended for registration which has been executed in the Virgin Islands may be proved by the oath of the witness, or one of the witnesses, before any commissioner empowered to administer oaths for the purposes of the Registration and Records Act, and such proof shall be as valid as if made before the Registrar;

Cap. 67

(b) oath administered by any commissioner empowered to administer oaths for the purposes of the Title by Registration Act, shall be as valid and effectual as if the Registrar of Titles under the said Act had administered the same.

Cap. 231

**13.**A commissioner shall, on each affidavit, declaration, affirmation or other document that the commissioner signs in the commissioner's capacity as a commissioner, legibly print or stamp in legible printing next to the commissioner's signature, his name.

Name on documents.

**14.**(1) Subject to subsection (3), no person shall

Prohibition.

(c) administer an oath,

- (d) take or receive an affidavit, or
- (e) hold himself out as, or perform the functions of, a commissioner for oaths,

unless he holds a valid annual practising certificate for commissioners, or a valid annual practising certificate for notaries public, issued under this Act.

(2) A person who contravenes subsection (1) commits an offence and is liable

- (a) on summary conviction, to a fine not exceeding two thousand, five hundred dollars or to imprisonment for a term not exceeding twelve months, or both; or
- (b) on conviction on indictment, to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding three years, or both.

(3) Subsection (1) does not apply to

- (a) the administering of an oath or the taking or receiving of an affidavit by a person who is empowered to do so by any other law in force in the Virgin Islands;
- (b) the administering of an oath or the taking or receiving of an affidavit for use only in another jurisdiction by a person who is empowered to do so by the laws of that other jurisdiction.

Commissioners  
to be officers of  
the Court.

**15.** A commissioner shall be an officer of the Court.

Oath by  
commissioners.

**16.** A person appointed under section 4 to be a commissioner shall, before assuming the duties of that office, take an oath of office before the Registrar or the Deputy Registrar of the High Court in accordance with the form specified in Part II of Schedule 1.

Schedule 1

### **PART III NOTARIES PUBLIC**

Enrolment of  
existing notaries.

**17.(1)** A person who, immediately before the commencement of this Act, held an appointment by the Chief Justice to act as a notary may, at any time during the period of six months beginning on the date of commencement of this Act, apply in writing to the Registrar for enrolment as a notary under this Act.

(2) If, on an application made in accordance with subsection (1), the Registrar is satisfied that the applicant held, immediately before the commencement of this Act, an appointment by the Chief Justice to act as a notary, the Registrar shall enter on the Roll of Notaries Public referred to in section 22, the name and address of the applicant and the date when the entry is made.

(3) A person whose name is entered on the Roll of Notaries Public under subsection (2) shall be deemed to have been appointed under this Act as a notary on the date when the entry was made.

(4) A person who would otherwise qualify to be enrolled as a notary by virtue of this section who fails to submit an application within the period specified in subsection (1), shall be disqualified from being treated under this section.

(5) A person who is disqualified under subsection (4) may apply to be appointed a notary under section 18 and his application shall be treated as a new application.

**18.** (1) Subject to subsection (3), a person is eligible for appointment as a notary if

Eligibility for appointment as notary public.

- (a) he is entitled to practise law in the Virgin Islands and has practised law in the Virgin Islands for at least three years prior to his application for appointment as a notary;
- (b) he is at least twenty-one years of age but has not yet attained the age of seventy-five years;
- (c) he is deemed to belong to the Virgin Islands or has, for a continuous period of not less than three years immediately prior to the date of his application, lawfully resided in the Virgin Islands;
- (d) he has not been convicted of an offence punishable by a term of imprisonment and, in the case of a non-belonger, his application is accompanied by a police certificate from each jurisdiction in which he resided for at least one year during the five years prior to the submission of his application;
- (e) he is not an undischarged bankrupt and has not compounded with his creditors; and
- (f) he has not been certified by a medical practitioner as being mentally unsound.

(2) Notwithstanding subsection (1) (b), a person who is of or above the age of seventy-five years may qualify to be appointed a notary if he produces in each year in which he wishes to practice as a notary a certificate from a medical practitioner in the Virgin Islands certifying that he is of sound mind and ability.

(3) A person who

- (a) is a legislator and who satisfies the requirements of subsection (1) (b) to (f), or
- (b) is otherwise not qualified under subsection (1) but satisfies the requirements of paragraphs (b) to (f) of that subsection and with the approval of the Chief Justice,

may be appointed a notary.

Application for appointment as a notary.

**19.(1)** An application by a person for appointment as a notary shall be made to the Court.

(2) An application under this section shall

- (a) set out fully and clearly the facts relied on to establish that the applicant is eligible to be appointed as a notary public; and
- (b) be verified by the affidavit of the applicant.

(3) An application under this section shall not be set down for hearing on a date that is earlier than one month after the date the application is filed.

(4) An applicant shall, within two business days after filing an application under this section, serve a copy of the application, together with a copy of the affidavit verifying the application, on the Attorney General.

(5) In this section, “business day” means a day other than a day that is a Saturday, a Sunday or a public holiday.

Objection to appointment of a notary.

**20.(1)** The Attorney General may object to the appointment of a person as a notary on an application under section 19 and may be heard on the hearing of the application if, at least five days before the date fixed for the hearing of the application, the Attorney General.

- (a) files in the office of the Court a notice of objection to the appointment of the applicant as a notary; and

- (b) serves on the applicant a copy of the notice of objection together with a copy of every affidavit that the Attorney General intends to use in support of the objection.

(2) A document filed or served pursuant to subsection (1) shall not be liable to any Court fees that would otherwise apply.

**21.** If, on the hearing of an application under section 20, the Court is satisfied that the applicant is a fit and proper person to be appointed as a notary, the Court shall make an order appointing the applicant to be a notary. Appointment of a notary.

**22.(1)** The Registrar shall keep a Roll to be known as the Roll of Notaries Public for the Virgin Islands. Roll of Notaries Public.

(2) Subject to section 17, the Registrar shall enter on the Roll of Notaries Public

- (a) the name and address of each person appointed under section 17 or 21 to be a notary; and
- (b) the date the entry is made.

(3) A person whose name is entered on the Roll of Notaries Public shall sign that Roll.

(4) Upon payment of the prescribed fee, the Registrar shall issue to each person whose name is entered in the Roll of Notaries Public, an enrolment certificate for notaries public in the form prescribed in Part II of Schedule 2.

Schedule 2

(5) A person whose name is entered in the Roll of Notaries Public by virtue of section 17 shall not be liable to the payment of a fee under subsection (4).

(6) The Roll of Notaries Public shall be open for public inspection, free of charge, at the office of the Registrar during the ordinary business hours of the offices of the Court.

**23.(1)** A person appointed under this Act as a notary shall, before having his name entered on the Roll of Notaries Public, take an oath of office in accordance with the form specified in Part I of Schedule 2, save that a person who is appointed a notary by virtue of section 17 shall be deemed to have subscribed to such oath. Oath by a notary.  
Schedule 2

(2) An oath shall be taken or made before the Registrar or the Deputy Registrar of the High Court.

Annual practising certificate for notaries.

**24.** (1) The Registrar shall issue to each notary who has paid the prescribed annual fee, an annual practising certificate for notaries public in the form prescribed in Part III of Schedule 2 authorising him to perform the functions of a notary until the 31<sup>st</sup> day of January of the year following the year in which it was issued.

Schedule 2.

(2) A notary shall, before the 1<sup>st</sup> day of January in each year, apply, and pay the prescribed annual fee, for an annual practising certificate for notaries public for the ensuing calendar year to the Registrar, who shall cause the certificate to be issued to the notary within twenty-one days.

(3) The Registrar shall not issue an annual practising certificate to a notary who does not comply with subsection (2), unless the notary pays the prescribed charge in addition to the prescribed annual fee.

Evidence.

**25.**(1) In any proceedings in a court, a certificate signed by the Registrar stating that on a date or dates or during a period specified in the certificate the name of a person was or was not entered on the Roll of Notaries Public is evidence of the matters so stated.

(2) For the purposes of subsection (1), a document that purports to have been signed by the Registrar shall be taken to have been so signed unless the contrary is proved.

Powers of a notary.

**26.**A notary has and may exercise the power of

- (a) drawing, passing, keeping and issuing all deeds and contracts, charter-parties and other commercial transactions;
- (b) attesting all commercial instruments that may be brought before him for public protestation;
- (c) a commissioner under this Act; and
- (d) performing such other acts or duties as are required to, or may, be performed by a notary.

Removal from Roll of Notaries Public.

**27.** (1) A notary may, upon the order of the Court, be removed from the Roll of Notaries Public or suspended from the performance of any act whatsoever appertaining or belonging to his office if

- (a) he is found guilty of any criminal offence;
- (b) the Court is satisfied, on the application of any person, that the notary has been guilty of misconduct or negligence, or

has been unskilful, in the discharge of his functions as a notary; or

- (c) on application of the Registrar or any other person, it is established that the notary is no longer residing in the Virgin Islands and has not so resided for a period of at least twelve months prior to the application.

(2) If the Court makes an order under subsection (1) directing that the name of a person be removed from the Roll of Notaries Public, the Registrar shall remove the name of that person from the Roll of Notaries Public.

(3) A person whose name is removed from the Roll of Notaries Public shall forthwith surrender his seal and his enrolment and annual practising certificates to the Registrar, who shall dispose of them in such manner as may be prescribed.

(4) A person required to surrender his seal and his enrolment and practising certificates under subsection (3) who fails to do so commits an offence and is liable

- (a) on summary conviction to a fine not exceeding three thousand dollars or to imprisonment for a term not exceeding twelve months, or both; or
- (b) on indictment to a fine not exceeding seven thousand dollars or to imprisonment for a term not exceeding five years, or both.

**28.** The Registrar shall, in relation to each notary, cause to be published in January of each year in the *Gazette* and in a newspaper published and circulating in the Virgin Islands, notice of

Publication of notices re. notary.

- (a) the name and address of each person appointed as a notary under this Act; and
- (b) the date on which his name was entered in the Roll of Notaries Public.

**29.** A notary shall be an officer of the Court.

Notaries are officers of Court.

**30.(1)** Where the circumstances of any matter before a notary are, in his opinion, suspicious and not warranting the protest or other notarial act demanded by his client, the notary shall refuse to act.

Notary may refuse to act in certain cases.

(2) Where a notary refuses to act, he shall indicate his refusal in his log book and on the document in question, and write his signature and the date of refusal under the indication of his refusal.

(3) Where the notary is prevented from indicating his refusal on a document presented to him, he shall indicate that fact in his log book and, where known, indicate the name of the person who so prevented him.

(4) A person who, under subsection (2), prevents a notary from indicating his refusal on a document presented to the notary, commits an offence and is liable on summary conviction to a fine not exceeding two hundred dollars.

Prohibition.

**31.** (1) A notary shall not

- (a) notarise his own signature;
- (b) notarise a document in which he is individually named or has an interest from which he will directly benefit by a transaction involving the document; or
- (c) certify a document issued by a public entity relating to a matter such as a birth, death, or marriage certificate, unless the notary is employed by the entity issuing or holding the original version of that document.

(2) No person shall hold himself out as, or perform the functions of, a notary, unless he is enrolled as a notary under this Act and holds a valid annual practising certificate for notaries public issued under this Act.

(3) A person who contravenes subsection (1) or (2) commits an offence and is liable

- (a) on summary conviction, to a fine not exceeding two thousand, five hundred dollars or to imprisonment for a term not exceeding twelve months, or both; or
- (b) on conviction on indictment, to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding three years, or both.

Seal and log  
book of notary.

**32.**A notary shall at his own expense secure and maintain

- (a) a seal to be impressed upon all documents issued by him as a notary of such design as may be prescribed and, in addition, shall print legibly next to his signature, his name;

- (b) a log book in which he shall record all matters in which he has acted, or refused to act, as a notary.

**PART IV  
MISCELLANEOUS**

- 33.**A notary or commissioner before whom any oath or affidavit is taken or made shall state truly in the jurat or attestation at what place and on what date the oath or affidavit is taken or made. Jurat or attestation.
- 34.** The Registrar may, on the application of a person to whom a certificate was issued under this Act and the payment of the prescribed fee, issue to that person a duplicate of the certificate if the Registrar is satisfied that the certificate has been lost or destroyed or that a duplicate should, for any other reason, be issued. Duplicate certificates.
- 35.** The Executive Council may, by Order, prescribe the fees which may be charged by a commissioner or a notary in the performance of his functions. Fees charged by commissioners and notaries.
- 36.** (1) Where a commissioner or notary changes his name or address, he shall, within thirty days of such change, notify the Registrar in writing of that fact, providing the Registrar with his new name or address. Change of name or address.
- (2) Where a commissioner or notary who has changed his name or address fails to notify the Registrar as required under subsection (1), the Court may, on an application made by the Registrar or any other person,
- (a) order that the name of the commissioner or notary, as the case may be, be removed from the Roll applicable in his case; or
  - (b) impose on the commissioner or notary, as the case may be, a fine not exceeding two thousand dollars.
- 37.**The Chief Justice may make rules for the better carrying out of this Act, and, without derogating from the generality of the foregoing, such rules may prescribe Rules.
- (a) rules of conduct and a disciplinary code for commissioners and notaries;
  - (b) the form and manner in which records are to be kept by commissioners and notaries;

- (c) the form of seal to be used by a notary;
- (d) the form of any enrolment and annual practising certificate issued under this Act;
- (e) the form of the Roll of Commissioners for Oaths and the Roll of Notaries Public;
- (f) the manner in which the Registrar shall dispose of seals and enrolment and annual practising certificates surrendered to him;
- (g) the qualifications required of a commissioner under section 4 (2) (g);
- (h) any other matter relating to the discharge of the duties of a commissioner or notary;
- (i) that failure to comply with any rule constitutes
  - (i) a summary offence punishable with a fine not exceeding one thousand dollars; or
  - (ii) grounds for disciplinary proceedings against the commissioner or notary in question.

Repeal.  
 Cap. 12  
 Cap 50

**38.**The Commissioner for Oaths Act and the Notaries Public Act are repealed.

## **SCHEDULE 1**

[Sections 5(1), 10(2), 11(1) and 16]

### **Part I**

#### ***Ex Officio Commissioners for Oaths***

1. Any legal practitioner entitled to practise as such in the Virgin Islands and holds a practising certificate for a notary
2. Magistrates
3. The Registrar of the Court
4. Officers of Her Majesty's Royal Virgin Islands Police Force of or above the rank of Inspector
5. A manager of any bank or trust company, being a bank or trust company licensed under the Banks and Trust Companies Act, 1990 (No. 9 of 1990)
6. The Managing Director and any other director or equivalent position holder of the Financial Services Commission
7. The Deputy Governor
8. The Clerk of the Executive Council
9. The Clerk of the Legislative Council
10. The Registrar General
11. The Registrar of Lands
12. Customs officers in the performance of their duty as such
13. Immigration officers in the performance of their duty as such
14. Justices of the Peace/Members of the Legislative Council
15. Law Officers
16. District Officers in Anegada, Jost Van Dyke and Virgin Gorda in the performance of their duty as such.

**Part II**

**Oath of Office**

I,....., do swear (or solemnly affirm) that I will faithfully execute the office of commissioner for oaths without fear or favour, affection or ill-will and that in the execution of the functions of that office I will know, uphold and preserve the Constitution of the Virgin Islands.

So help me God. *(To be omitted in affirmation)*

Sworn/Declared\* before me ..... Registrar/Deputy Registrar\* this ..... day of ..... 20 .

**Part III**

**COMMISSIONERS FOR OATHS AND NOTARIES PUBLIC ACT, 2007**

**Certificate of Enrolment of Commissioners for Oaths**

I, ..... , the Registrar/Deputy Registrar\* of the Court, certify that ..... of (place of residence or business), (occupation), is a commissioner for oaths and that his/her name was entered on the roll of commissioners for oaths for the Virgin Islands on the ..... day of ....., 20...

Dated at ..... this ..... day of ....., 20...

.....  
Registrar/Deputy Registrar\* of the High Court

**Part IV**

**COMMISSIONERS FOR OATHS AND NOTARIES PUBLIC ACT, 2007**

**Annual Practising Certificate for a Commissioner for Oaths**

Pursuant to the Commissioners for Oaths and Notaries Public Act, 2007, it is hereby certified that ..... of ..... whose name is registered on the Roll of Commissioners for Oaths/ office is recognised in Schedule 1 of the Act as *ex officio* commissioner for oaths\* is entitled to practise as a commissioner for oaths during the year 20 and the month of January next ensuing.

Dated this day of , 20 .

.....  
Registrar/Deputy Registrar\* of the High Court

*\*Delete whichever is not applicable.*

**SCHEDULE 2**

[Sections 22(4), 23(1) and 24(1)]

**Part I**

**Oath of Office**

I, ....., do swear (or solemnly affirm) that I will not make or attest any act, contract or instrument in which I shall know there is violence or fraud; and in all things I will act uprightly and justly in the office of a notary public according to the best of my skill and ability.

So help me God (**To be omitted in affirmation**)

Sworn/Declared\* before me ..... Registrar/Deputy Registrar\*  
this day of 20 .

**Part II**

**COMMISSIONERS FOR OATHS AND NOTARIES PUBLIC ACT, 2007**

**Certificate of Enrolment of a Notary Public**

I, ....., the Registrar/Deputy Registrar\* of the Court, certify that ..... of ..... (place of residence or business), .....(occupation), is a notary public and that his/her\* name was entered on the roll of notaries public for the Virgin Islands on the ..... day of ....., 20 .

Dated at ..... this .... day of ....., 20 .

.....  
Registrar/Deputy Registrar\*of the High Court

*\*Delete whichever is not applicable*

**Part III**

**COMMISSIONERS FOR OATHS AND NOTARIES PUBLIC ACT, 2007**

**Annual Practising Certificate for a Notary Public**

Pursuant to the Commissioners for Oaths and Notaries Public Act, 2007, it is hereby certified that ..... of ..... whose name is registered on the Roll of Notaries Public is entitled to practise as a notary public during the year 20 and the month of January next ensuing, and during that period this Certificate also entitles him/her\* to practise as a commissioner for oaths.

Dated this day of , 20 .

.....  
Registrar/Deputy Registrar\* of the High Court

*\*Delete whichever is not applicable*

Passed by the Legislative Council this 20<sup>th</sup> day of February, 2007.

V. INEZ ARCHIBALD,  
Speaker.

ALVA MC CALL,  
Acting Clerk of the Legislative Council.