PROVISIONAL REGULATIONS ON NOTARIZATION
OF THE PEOPLE'S REPUBLIC OF CHINA PROMULGATED
BY THE STATE COUNCIL ON 13 APRIL 1982*

Chapter One: General Principles

Article 1. These regulations are specially designed to perfect the national
notarial system, to uphold socialist legality, prevent disputes, and reduce
litigation.

Article 2. Notarization is a verification of the authenticity and lawfulness of
juridical acts and documents and facts with legal meaning, by the state nota-
rional organs in accordance with law on the application of any party in order to
protect public property, the legitimate interests, the status and proprietary
rights of citizens.

Article 3. Notarial bureaux are the state's notarial organs. Notarial bureaux
shall educate citizens, through notarial activities, to obey law and uphold
socialist legality.

Chapter Two: Business Of Notarial Bureaux

Article 4. The Business of notarial bureaux is as follows:
(1) to certify contracts (deeds), trusts, wills;
(2) to certify rights of inheritance;
(3) to certify gifts and partition of properties;
(4) to certify relationship by adoption;
(5) to certify familial relationship;
(6) to certify identities, educational qualifications and experiences;
(7) to certify birth, marital status, survival, death;
(8) to certify signatures on documents and authenticity of special seal im-
pressions;
(9) to certify duplicates, abridged versions, translated versions and pho-
tostat copies of documents to correspond with their originals;
(10) to certify the effect of compulsory enforcement of documents which are
considered without suspicion in respect of recovery of debts and articles;
(11) to preserve evidence;
(12) to retain in custody wills or other documents;
(13) to draft application forms for the concerned parties for notarization;
(14) to handle other notarial business according to applications of parties
and international customary practice.

Chapter Three: Organization And Leadership Of Notarial Bureaux

Article 5. Notarial bureaux shall be established in municipalities, counties,
(hereinafter referring to autonomous counties) and cities. Areas under the
control of a city may establish notarial bureaux with the permission of the judi-
cial administrative organs of provinces, autonomous regions or municipali-
ties.

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Article 6. Notarial bureaux are under the leadership of judicial administrative organs. No sub-ordinating relationship exists between notarial bureaux.

Article 7. Notarial bureaux shall appoint notaries and assistant notaries. They may appoint directors and deputy directors if necessary. Directors and deputy directors are appointed from notaries. A director and deputy director shall direct the work of a notarial bureau and he must also carry out the duties of a notary. Directors, deputy directors, notaries and assistant notaries are respectively appointed and dismissed by the people's governments of municipalities, counties and cities in accordance with the relevant regulations for the management of cadres.

Article 8. Citizens who are eligible for election and stand for election and comply with one of the following requirements may be appointed notaries:
   (1) law graduates of institutes of higher education with more than one year experience in judicial work, or law teaching or legal research work and having passed probation;
   (2) adjudicators and procurators who have served in the people's courts and people's procuracies;
   (3) those who have conducted judicial business of judicial administrative organs for more than two years or in any business units of other state organs, organizations and enterprises for more than five years and possess legal knowledge equivalent to that of a secondary law school graduate;
   (4) those who have served as assistant notaries for more than two years.

Article 9. Higher and secondary law school graduates after probation and state functionaries with equivalent qualifications may be appointed assistant notaries.

Chapter Four: Jurisdiction

Article 10. Notarial work shall be administered by the notarial bureau where an applicant's census register is located or where the juridical acts or facts have occurred.

Article 11. Notarial work relating to a transfer of properties shall be administered by a notarial bureau of the place of the census register of an applicant or where the principal subject property is.

Article 12. Parties, applying for the handling of the same notarial matters, whose places of census register are not within the jurisdiction of one notarial bureau or where the properties are scattered in several jurisdictions of differing notarial bureaux, shall consult among themselves and lodge their applications to one of the notarial bureaux. If the parties cannot reach an agreement, the relevant notarial bureaux shall exercise jurisdiction through consultation for the sake of convenience to people.

Article 13. If disputes arise from the question of jurisdiction between notarial bureaux, the jurisdiction shall be designated by their common superior judicial administrative organs.

Article 14. The Ministry of Justice and the judicial administrative organs of provinces, autonomous regions and municipalities shall have the authority to designate a notarial bureau to handle a certain notarial matter.